The Consociational Addition to Indonesia’s Centripetalism as a Tactic of the Central Authorities: The Case of Papua

Abstract
In 2001 the Indonesian government agreed to the introduction in the Indonesian Papua of regional, consociational elements of power-sharing, despite the fact that the dominant model of this system in Indonesia is centripetalism. The so-called special autonomy for the Indonesian Papua has never been fully implemented, however. The article seeks to test the thesis that the Indonesian authorities’ institution of consociational solutions for Papua, and their subsequent failure to fully implement those solutions, were in fact tactical moves serving to reduce the threat arising from growing pro-independence aspirations among the Papuans and to firmly attach Papuan territory to Indonesia.

Introduction
In 1963 Indonesia incorporated the western portion of New Guinea (Papua). This territory had been colonized in the 19th century by the Dutch, who began in the 1950s to prepare it for independent statehood. The incorporation took place against the will of the Papuans, whose resistance to the Indonesians was put down bloodily by the Indonesian army on repeated occasions. The democratization process which began in Indonesia at the end of the 20th century led the Jakarta government to pursue a more civilized policy toward the Papuans. The main element of this policy has promised to introduce special autonomy in Papua to reinforce Papuan group rights in the spirit of consociationalism. Formally, therefore, the Indonesians agreed to the introduction in Papua of regional, consociational elements of a political system based on power-sharing, despite the fact that the dominant model of this system in Indonesia is centripetalism. Papua’s special autonomy, adopted by law in 2001, notably grants the right for local (ethnic) parties and autonomous and traditional power institutions to function on its territory, as well as special economic rights for the population of this territory (especially in the form of the right to obtain extraordinary developmental funds and the right for Papua to retain a significant portion of the proceeds derived from the exploitation of its natural resources). This special autonomy has never been fully implemented, however, and those of its elements that have been introduced are more beneficial for people migrating from other parts of Indonesia than to the Papuans.
In order to explain this situation, it is necessary to examine the Indonesian central authorities’ true intentions behind their decision to make a consociational addition to Indonesia’s predominantly centripetal political system. The present article seeks to test the thesis that the central authorities’ institution of consociational solutions for Papua in 2001, and their subsequent failure to fully implement those solutions, were in fact tactical moves serving to reduce the threat arising from growing pro-independence aspirations among the Papuans and, in consequence, to firmly attach Papuan territory to Indonesia.

This article is made up of four parts. For the sake of clarity, in the first of them, the author describes the specificity of segmental (ethnic and religious) divisions existing in Indonesia and characterizes the country’s power-sharing political system, whose aim is to reduce conflicts in intersegmental relations. The article’s second part discusses the course and legitimacy of the process leading to Papua’s incorporation in Indonesia and the genesis of the formal institution of special autonomy for Papua. The third part is devoted to the analysis of the most important elements of this special autonomy, their significance, and the degree to which they have been implemented. In the fourth part, the author presents arguments speaking in favor of the article’s thesis.

Preliminaries

Indonesia is a large archipelago state lying in South-East Asia (the larger part of the Malayan archipelago) and in Melanesia (West New Guinea), with an area of nearly 2 million km² stretched out latitudinally over 5,000 km. It is the world’s fourth most populous state, with about 261 million inhabitants (in 2016), who live on over 6,000 islands out of a total of about 17,000 making up Indonesia’s territory. Indonesian society is strongly divided ethnically and, to a lesser extent, religiously.

The largest of Indonesia’s ethnic groups are the Javanese (over 40% of all inhabitants). Other numerically significant groups are the Sundanese (approx. 15.5%), the Malay (approx. 3.7%), the Batak (approx. 3.6%) and the Madurese (approx. 3%). The share of any of the several hundred other native ethnic groups in Indonesia’s population is, in every case, under 3%. The vast majority of Indonesians, approx. 87%, are Muslim (overwhelmingly Sunni); the number of Christians (Protestants and Catholics) is just under 10%; and Hindus represent approx. 1.7%.

As the data above indicates, Indonesian society is made up of various ethnic and religious segments, and this allows us to refer to it as a plural society. In societies of this type, conflicts of various types often mark inter-segmental relations. A number of states inhabited by distinct ethnic/national and/or religious/denominational segments have worked out solutions aimed at limiting such conflicts and, in consequence, to stabilize their political situation. When these solutions take on an extended or even a systemic nature, and especially if they are associated with a formal, insti-
tutionalized inclusion in the governing process of politicians representing different segments of a plural society, we are dealing with inter-segmental power-sharing.\textsuperscript{9} Countries which have implemented such a power-sharing system include Indonesia.

There are various models of political systems of a power-sharing nature. The most important of them are consociationalism and centripetalism (also called “integrative power-sharing”).\textsuperscript{10} The logic of consociationalism is based on the concept of primordialism which, as Arend Lijphart explains, presupposes that ethnicity understood as ethnic identity “is an inherited characteristic and, if not permanently fixed, at least very difficult to change”.\textsuperscript{11} From a primordialist perspective, the idea of creating pan-segmental societies in multi-segmental states seems utopian. The theory of consociationalism presupposes, among other things, that when society in a given state is plural in character and, especially, strongly divided ethnically/nationally and/or religiously/denominationally, individual segments should possess their own distinct representatives in state government (e.g. in the form of segmental parties, especially ethnic or religious ones), be able to participate in political decision making and, in consequence, to have the possibility of defending their interests effectively, especially their economic interests, but also linguistic and religious ones.\textsuperscript{12} Consociationalism thus supports group (segmental) rights, especially by means of the following fundamental institutional solutions:\textsuperscript{13} 1) grand coalition governments (such as, for example, governments formed by segmental parties or governments made up of politicians representing specific segments of plural society or preferably originating from all of those groups); 2) cultural autonomy for individual linguistic groups (if they live in one specific area then the autonomy can also be of a territorial nature, for example that of ethnic federalism); 3) proportionality in political representation and in the appointment of members of the civil service; and 4) a limited veto right for minorities (taking at times the form of a requirement to obtain a qualified majority for certain types of changes to the law).

Constructivist premises serve in turn as a basis for the logic of centripetalism. Proponents of constructivism are in agreement with the primordialist view that ethnicity is something given or set in advance, but they also state that it can then be shaped, if only for the purpose of bringing members of different ethnic groups or religious communities together, for example. Centripetalism presupposes the possibility of political integration of the groups’ elites above ethnic divisions, thus weakening the importance of the latter. Three main institutional solutions of centripetalism serve to achieve the integrative effect:\textsuperscript{14} 1) a territorial structure within the framework of which large ethnic


\textsuperscript{12} For more on group (segmental) interests, see, for example, Stuart J. Kaufman, ‘Ethnicity as a Generator of Conflict’, in Routledge Handbook of Ethnic Conflict, Karl Cordell and Stefan Wolff (eds), London: Routledge, 2011, pp. 93–94.


groups are ‘broken down’ so their members live in distinct, preferably multi-ethnic territorial and administrative units – something that is supposed to make the elites of one and the same large group representing various regions compete with each other, for example for funds from the central budget; 2) the constitutional requirement for candidates in presidential elections to obtain a territorial distribution of votes (the support of the electorate in a considerable number of the given state’s regions), the fulfillment of which is necessary to assume the office of president; and 3) suprarregional and inter-segmental political parties required to form segmentally heterogeneous lists of candidates in different elections.

Although in the literature Indonesia is considered to be a country with a centripetal system, Indonesian power-sharing should be treated as a hybrid or mixed type, because the centripetal elements (all three) which are dominant are accompanied by elements of the consociational model that can be seen in the entire political system (segmental parties in the form of religion-based, mainly Muslim, parties),\(^\text{15}\) and in regional solutions (special autonomy manifested particularly in the recognition for group rights through the sanctioning of Sharia Law and the introduction of a specific type of division of proceeds obtained from the exploitation of natural resources, and segmental parties in the form of ethnic parties and traditional political institutions in the province of Aceh).\(^\text{16}\)

Consociational institutions at the regional level in Indonesia were legally established for the provinces of Aceh and Papua (the latter is presently made up of two provinces – Papua and West Papua),\(^\text{17}\) but only fully implemented in the former.

**The Process of Papua’s Incorporation into Indonesia and the Genesis of Its Special Autonomy**

Divided into various ethnic groups or tribes, the inhabitants of Papua have never created a common independent state. This was not only due to the fact that the concept of unified and centralized statehood such as took shape over several centuries in the West, for example, was foreign to the Papuans. Other factors included lack of organization and military and transportation technology making conquests possible on a larger than local scale, and very difficult accessibility of many parts of New Guinea, which is in large measure mountainous or covered with thick forests. In consequence, the individual political organizations of various Papuan ethnic groups inhabiting New Guinea had a reach of one or several mountain valleys, or of a small low-lying territory, especially on the coastline.

Even if history provides no examples of territorially developed statehood in Papua, its present incorporation in Indonesia is highly problematic, above all on account of the fact that a considerable portion of the indigenous population opposes it and would prefer to have its own independent

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\(^\text{15}\) In Indonesia there are also Christian and Hindu parties, but these are not represented in parliament.

\(^\text{16}\) According to Arend Lijphart, the existence of only some consociational institutions warrants the use of the term consociational power-sharing. In addition to the full model of consociationalism, he also singles out individual consociational elements in political systems. Lijphart gives to understand (through his analysis of India’s case, for example), that political systems do not have to exhibit all four elements of an ideal consociational system to warrant the use of the term “consociational” in relation to some of its existing power-sharing elements, but on the condition that these elements correspond to some part of the consociational model. Lijphart thus indicates that one may talk of a full consociational model and of consociational elements. See Arend Lijphart, ‘The Puzzle of Indian Democracy: A Consociational Interpretation’, *The American Political Science Review*, Vol. 90, No. 2, June 1996, pp. 258–268.

state. Until quite recently, Papua and Indonesia had very few things in common. The dark-skinned Papuans are Melanesians and have many distinct exterior characteristics and cultural, including linguistic, traits that set them apart from most of Indonesia’s ethnic groups. Among the contemporary inhabitants of Indonesia’s Malay Archipelago, only some inhabitants of the Maluku Islands show a certain physical and cultural resemblance to the Papuans.

What’s more, the contemporary division of New Guinea and the surrounding islands between Indonesia and Papua New Guinea is artificial in nature and is in fact a vestige of colonial times. Until the 1960s, Papua was not part of Indonesia, even if parts of the westernmost Papuan coast were periodically controlled, mainly nominally, by the sultanates of the Maluku Islands of Tidore and Ternate, which fought each other in the 17th century over control of the Maluku Islands and the surrounding seas, and over the cultivation and trade in cloves. The ongoing wars gradually weakened them. The Dutch took advantage of this and, in time, extended their control over the entire Maluku Islands, which they included in the Dutch East Indies – the Dutch colony over the area of the Malay Archipelago. The proximity between the Maluku Islands and New Guinea made it easy in the 19th century for the Dutch to gradually conquer certain areas inhabited by Papuans. Until the beginning of the 20th century, the Dutch nominally controlled about half the territory of New Guinea (the western part of the island, the so-called Dutch New Guinea), while its remaining half, presently the independent state of Papua New Guinea, was for a short time made a part of the British and German colonial empires. While the religion of the majority of the ethnic groups in the Malay Archipelago has for centuries been Islam, the Dutch successfully converted the inhabitants of West New Guinea, until then followers of local beliefs, to Christianity, which the Europeans disseminated throughout Melanesia.

Despite the racial and cultural differences between the Papuans and the various ethnic groups of the Malay Archipelago, the Dutch subjected them to the same colonial regime within the boundaries of the Dutch East Indies. During the Second World War, a considerable portion of the Malay Archipelago and New Guinea was occupied by the Japanese. When the war ended in 1945, pro-independence activists, mainly from Java and Sumatra, proclaimed the creation of Indonesia, a state which the Dutch didn’t recognize until 1949 and whose establishment they resisted by force. The costs of this conflict and international pressure ultimately led to the withdrawal of the Dutch from the Malay Archipelago in 1949, but not from Dutch New Guinea. The Dutch began to prepare this territory for independent statehood and, in the late 1950s, they allowed elections to take place to the New Guinea Council, a political body that was supposed to represent the Papuans during the processes of decolonization and emergence of the new state.

Ever since the declaration of independence, Indonesia's political elites have however viewed their country as the successor to the entire Dutch East Indies, including West New Guinea. In order to more strongly legitimize the ties between Indonesia and Papua, the Indonesian authorities evoked the fact of periodic dependence of some parts of the coast of West New Guinea to the Maluku sultanates of Ternate and Tidore in pre-colonial times. The areas controlled by these sultanates first became part of the Dutch East Indies and, later, of Indonesia. Having failed in their attempts to negotiate the acquisition of Papua from the Dutch in the 1950s, the Indonesians then tried to get the UN to endorse the incorporation of Papua. Having failed there too, in the early 1960s the Indonesi-

\footnote{During this period, the once British and German eastern part of New Guinea (and adjacent islands) were already under Australian administration.}
ans began to exert economic and military pressure on the Netherlands (including confiscation or destruction of Dutch property in Indonesia and, among other things, military patrols near and on the territory of West New Guinea and planning to seize the territory by force). Indonesia’s diplomatic service and international pressure proved more effective, however. And so, to help convince the United States of Indonesia’s rights to Papua, in the early 1960s Jakarta began to equip some of its armed forces with Soviet military equipment. This not only made it likelier that any possible future armed invasion of Dutch New Guinea by the Indonesian army would be successful. It also raised the prospect of a possible rapprochement between Indonesia and the Soviet Union. At the time of the Vietnam War and, more generally, the Cold War and the expansion of communism in Asia, such a thought was bound to raise serious alarm in Washington.

In the event, the USA gave priority to Indonesian interests and agreed to mediations, which benefited the Indonesians and the USA at the expense of the Papuans and the Dutch. Under the auspices of the Kennedy Administration, in August 1963 Indonesia and the Netherlands signed the so-called New York Agreement, which satisfied Indonesia’s demands in full. In its stead, for a short time, from October 1962 to April 1963, power in West New Guinea lay in the hands of the United Nations Temporary Executive Authority (UNCTEA) supported by the United Nations Security Force in West New Guinea (UNSF). During this period, most Dutch functionaries left New Guinea and were replaced by Indonesians and Papuans. In May 1963, Dutch New Guinea officially became the Indonesian province of West Irian. Indonesia then decided to organize debates in local consultative councils made up of representatives of the local population. The councils were expected to articulate the wishes of the Papuans regarding the future status of West New Guinea. Only in July and August 1969 did council members, 1,025 Papuan representatives selected and almost certainly coerced by the Indonesian army, issued the so-called Act of Free Choice, which decided on West New Guinea remaining within the boundaries of Indonesia. This procedure took place in violation of the New York Agreement’s art. 18 (d), which provided for the participation in the ‘act of self-determination’ of all adults among the indigenous population of West New Guinea (and not of their representatives), and also in violation of the UN Declaration on the Granting of Independence to Colonial Countries and Peoples.

The so-called Act of Free Choice ended the process of legitimizing Indonesia’s sovereignty over West New Guinea. The Indonesians gained territory that was very sparsely populated (approx. 923,000 inhabitants in 1971), but extensive (approx. 460,000 km²), and abundant in natural re-

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19 Initially, the United States either implicitly supported the Netherlands, their NATO ally, or was not particularly interested by the Dutch-Indonesian disputes over western New Guinea – perhaps on account of US military engagement in Vietnam.


21 For more on this topic, see Esther Heidbüchel, The West Papua Conflict in Indonesia: Actors, Issues and Approaches, Wettenberg: Johannes Herrmann J&J-Verlag, 2007, pp. 36–42.


24 In 1971 there were approx. 887,000 Papuans and 36,000 non-Papuans in Indonesian Papua. See Jim Elmslie, ‘West Papuan Demographic Transition and the 2010 Indonesian Census: “Slow Motion Genocide” or not?’, CPACS
sources (gold, copper, silver, natural gas, oil, timber, and fish), and low-lying regions on the coast that could be used for agriculture. With the annexation of Papua, this entire territory became a new home for migrants from various overpopulated areas of the Malay Archipelago – especially from Java, Sulawesi, and the Maluku Islands – who began to arrive mainly within the framework of the so-called transmigration (transmigrasi) policy sponsored by the Indonesian state.\textsuperscript{25}

Indonesia’s incorporation of Papua also benefited the Americans. Firstly, the risk of a political rapprochement between Indonesia and the Soviet Union was averted.\textsuperscript{26} Secondly, as early as the second half of the 1960s, the American mining giant Freeport (presently Freeport-McMoRan) obtained a long-term license from the Indonesian authorities for the extraction of mineral resources in Papua’s Jayawijaya Mountains.\textsuperscript{27}

In 1963, prior to the issuing of the Act of Free Choice, the Free Papua Movement (OPM) – a political organization representing the interests of Papuans and considering the Indonesians as occupiers – was established. The Indonesians proclaimed the OPM an illegal movement to be fought. Since the 1960s, the OPM has been waging a small-scale armed struggle – using mainly primitive weapons like spears, bows, and arrows – directed primarily against the Indonesian army, police, and migrants. The activities of the OPM have allowed the Indonesian authorities to justify a continuous expansion of their armed presence in Papua and numerous crimes perpetrated mainly by the army against Papuans. In 1971 the OPM unilaterally proclaimed the creation of the Republic of West Papua.\textsuperscript{28} Since 2002, the peaceful West Papua Liberation Organization has been conducting campaigns on behalf of Papuan self-determination.\textsuperscript{29}

Indonesian rule in Papua was ensured through the presence of large numbers of Indonesian soldiers there. This policy was part of the government’s concept of struggle against conflicts arising on the basis of one or several of the so-called SARA elements (Suku, Agama, Ras, Antar-golongan, i.e., ethnicity, religion, race and class) and, at the same time, it was supposed to eliminate all types of Papuan opposition toward the central authorities. The role of the army was also essential to ensure the unhindered exploitation of Papua’s natural resources by the Indonesians and foreign corporations.

As Donald L. Horowitz points out,\textsuperscript{30} many Indonesian army officers, in addition to their regular military service and the remuneration they receive for it also draw and, in many cases, continue to derive benefits from a great number of economic ventures referred to as “invisible businesses”. Certain types of financially profitable activities engaged in by members of Indonesia’s armed forces are not only illegal in nature but criminal as well. In this context, Horowitz mentions above all the military’s widespread extortion of protection money from civilian businessmen, pro-


\textsuperscript{25} For more on this topic, see, for example, Brian A. Hoey, ‘Nationalism in Indonesia: Building Imagined and Intentional Communities through Transmigration’, \textit{Ethnology}, Vol. 42, No. 2, Spring 2003, pp. 109–126.

\textsuperscript{26} In 1965–1966 the Indonesian army carried out mass killings – mainly on Java, Sumatra and Bali – of people with leftist views generally, and particularly of members and sympathizers of the Indonesian Communist Party (PKI), of whom several hundred thousand were killed.

\textsuperscript{27} At the beginning of the 1970s, this concern opened the first mine in Papua, called Ertsberg. At present, another mine, called Grasberg, is the world’s largest gold mine and one of the world’s most important copper extraction locations.

\textsuperscript{28} For more on the OPM, see Heidbüchel, ‘The West Papua Conflict in Indonesia…’, pp. 94–97.


\textsuperscript{30} Donald L. Horowitz, \textit{Constitutional Change and Democracy in Indonesia}, Cambridge: Cambridge University Press, 2013, p. 211.
tection extended to persons engaged in the illegal exploitation of mineral resources in Papua, narcotics trafficking across the border with Papua New Guinea, and participating in illegal logging and the sale of timber derived from it.31

In practice, the Indonesian army has enjoyed special status from the beginning of Indonesia’s rule over Papua. This status consisted in the legal unaccountability of officers and soldiers for human rights violations and for participating in illegal economic activities. The army in Papua continues to be allowed to break the law on a scale unseen in other parts of Indonesia. It would thus seem that, for the Indonesian leaders, the aim of suppressing pro-independence aspirations in Papua and maintaining that territory within the borders of Indonesia justifies the means serving to achieve it.

It seemed that the situation in Papua would change fundamentally with the Indonesian democratization process, which began in 1998 with the resignation of President Suharto, who had ruled the country uninterruptedly since 1967, and the arrival in power of his successor, B.J. Habibie. Habibie had visited Papua in 1999 and had met local political activists who had clearly communicated to him their desire to win independence from Indonesia.32 Abdurrahman Wahid, who became Indonesia’s new president in 1999, allowed the Papuan National Congress to be held in 2000 in Papua’s principal city, Jayapura. The congress drew political activists, representatives of various Papuan ethnic groups and members of the Papuan administrative and intellectual elites. During the many debates that took place over several days of meetings, various differences of opinion emerged. The Indonesians, by allowing the Papuans to freely express their views on the subject of Papua’s future, learned their proposals and intentions. They also saw that various old conflicts between Papua’s ethnic groups were still alive and that a majority of the functionaries and intellectuals supported Papuan independence. The Indonesians later used this knowledge to further contain pro-independence aspirations in Papua.

This knowledge turned out to be very useful when President Wahid turned matters related to Papua over to the country’s then vice-president, Megawati Sukarnoputri, daughter of Indonesia’s first ruler, Sukarno, who had always treated Papua as a part of Indonesia. While Wahid, similarly to his predecessor Habibie, seemed to favor a conciliatory stance towards the Papuans, Megawati – who visited Papua in 2002, prior the Papuan National Congress, and had met with a rather unfriendly reception there – decided to nip Papuan pro-independence aspirations in the bud using the state’s apparatus of repression.33 During the democratization process in Indonesia, this called for a strong pretext, however. A good opportunity, perhaps due to provocation, came up in October 2000, with the bloody outbreak of violence between the indigenous population and Indonesian migrants in the Papuan city of Wamena. The outcome of this confrontation was easy to predict: well-trained soldiers equipped with modern weapons restored order, and the Papuans were accused of engaging in ethnically, racially and religiously motivated murder. The efficient suppression in Wamena made the Papuans’ total powerlessness in the face of Indonesia’s apparatus of repression plain to Megawati and her supporters and reinforced their view that Papua’s problems could be addressed primarily with force. After a short while, in 2001, Wahid was removed from power in Indonesia, as he

31 Ibid., p. 217.
had been viewed by a large portion of the Indonesian political and military elites as a leader who had been excessively soft in the face of separatist and pro-independence movements, as evidenced especially by his acquiescence to the independence of East Timor. Those elites probably feared that Wahid’s excessively conciliatory stance could lead to concessions, especially with regard to separatists in the province of Aceh and pro-independence activists in Papua. Abdurrahman Wahid was succeeded by Megawati, who had demonstrated through her policy toward the Papuans that she would not countenance any further concessions in matters of Indonesia’s territorial integrity. On the one hand, Megawati allowed the military to use force against any manifestation of pro-independence aspirations in Papua and, on the other, she promised Papuans special autonomy within the Indonesian framework.

The Substance of Papuan Autonomy, Its Significance, and Partial Implementation

In 2001, the Indonesian parliament adopted the act on special autonomy for Papua. The act provided for special autonomy in that territory that could be understood, in the spirit of consociationalism, as the emanation of group rights for Papuans. Despite the decades-long policy of encouraging Indonesians to migrate to Papua, in 2000 Papuans were still the majority of the population in Papua (approx. 1.5 million out of a population of 2.2 million). The special autonomy was notably expected to include such elements as the right for local (ethnic) parties and traditional power institutions to function, economic rights in the form of a right for Papua to obtain extraordinary developmental funds, and the right to retain a significant proportion of the proceeds derived from the exploitation of its natural resources.

There is a problem, however, in that in practice the Papuans still do not have the means to organize their political representation in the form of parties, while the distribution of special investment funds and of the proceeds from the exploitation of Papuan natural resources remains the domain of the Indonesians. According to the act on special autonomy, Papuans should be allowed to form political parties (art. 28(1)), while the recruitment of members by political parties in the province(s) of Papua should give precedence to the Papuans (art. 28 (3)). The Indonesians are doing everything in their power, however, to prevent the introduction in Papua of local (ethnic) parties, whose activities are permitted in another part of Indonesia with a special status—the province of Aceh. Many Indonesian politicians have for years held the view that the threat represented by Papuans’ aspirations for independence is much greater than that represented by the separatist tendencies in the province of Aceh on account of the fact that almost all the inhabitants of Aceh are Muslims.

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34 Bill of Law of the Republic of Indonesia No. 21/2001 on Special Autonomy for the Papua Province, http://papuaweb.org/goi/otsus/files/otsus-en.html (accessed 20 November 2016). In the present article this bill is referred to as the “act on special autonomy”.

35 The act on special autonomy was adopted against the Papuans’ demands for greater autonomy. For more on this topic, see Octavianus Mote, ‘Special Autonomy Issue’, East Timor and Indonesia Action Network (ETAN), http://etan.org/issues/wpapua/1207spaut.htm (accessed 15 November 2016).


as are the overwhelming majority of Indonesians, whereas the Indonesian Papuans are mainly Christian.\textsuperscript{38}

The Indonesian authorities were most certainly fearful that, in situations of widespread political mobilization, ethnic parties could allow the indigenous population to win elections to Papua’s provincial parliament(s). This would mean that the Papuans could gain fundamental influence on the realization of economic rights granted to them by the act on special autonomy. A Papuan majority in the provincial legislature(s) could also lead to those bodies’ adoption of acts of law that the Indonesians would find inconvenient, such as, for example, limitations on migration. As Ben Hillman points out,\textsuperscript{39} Papuan political parties could identify, articulate and represent strictly Papuan interests and even bring about a referendum on independence. Papuan parties in such a role would greatly hamper the Indonesian authorities’ struggle against pro-independence aspirations in Papua and efforts to retain Papua as a part of Indonesia. As can be presumed, the Indonesians not only prefer to decide alone about financial matters concerning Papua but are also interested in reducing the threat that ethnicity may become the prime source of public support for political parties.\textsuperscript{40}

In consequence, the Indonesians have engaged in interpretative acrobatics in the matter of the regulations on special autonomy applicable to political parties so as to prevent the creation by the Papuans of their own parties. In this spirit, the above-mentioned art. 28(1) of the act on special autonomy is most often interpreted as allowing the creation of political parties whose main seat would be in Papua, but requiring that such parties meet the conditions placed on all centripetal parties functioning in Indonesia. In keeping with the Indonesian parliament’s electoral code no. 8/2012 (art. 8 (2) (b) – (d)),\textsuperscript{41} in order to function, a new political party must establish sections in all Indonesian provinces, including in at least 75% of all districts (kabupaten) and city boroughs (kota) of each province,\textsuperscript{42} and in at least 50% of all smaller administrative units (kecamatan) within districts and city boroughs.\textsuperscript{43} The law presently in force in Indonesia thus requires of political parties that they be of a strictly supra-regional and supra-ethnic, or centripetal, character. This in consequence prevents the emergence of local (ethnic) parties in Indonesia, except in the province of Aceh.

As Hillman points out,\textsuperscript{44} Papuans can register political parties only if they are centripetal in character. It is probably this consideration that made impossible the growth of the first Papuan party – the Papua People’s Awakening Party (PKRP), founded in 2007\textsuperscript{45} – whose dozen founders cited the right to establish political parties flowing directly from the act on special autonomy.

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  \item Ben Hillman, ‘Ethnic Politics and Local Political Parties in Indonesia’, \textit{Asian Ethnicity}, Vol. 13, No. 4, September 2012, p. 437.
  \item Ibid., p. 438.
  \item The earlier provisions of the law on political parties required a political party to set up and maintain sections in 60% of all provinces and in 50% of all districts and municipal boroughs in those provinces. See Hillman, ‘Ethnic Politics and Local Political Parties…’, p. 435.
  \item Ibidem.
  \item Dwi P. Nungraha, \textit{Partai Politik Lokal di Indonesia (Analisis Kedudukan dan Fungsi Partai Politik Lokal 1955–2011)} [Local Political Parties in Indonesia: Analysis of the Status and Functioning of Local Political Parties
Another problem is that Papuans who desire their country’s independence do not treat political parties as a channel or as an instrument to engage in political activity within the Indonesian political framework because they are contesting Papua’s very affiliation with Indonesia. Perhaps this is why they do not exert sufficient pressure on the Indonesian authorities to bring about the application of the regulations on special autonomy that concern the creation of political parties. As Hillman also points out, in 2005, an organization of a separatist character active in the province of Aceh – the Free Aceh Movement (GAM) – signed a peaceful understanding with the Indonesian government de facto allowing local parties to function in Aceh. The Papuan independence movement (OPM), being considerably weaker than the one in Aceh, never had the opportunity to sign such an agreement with the Indonesian authorities, perhaps because the latter never treated the OPM as a sufficiently powerful political partner.

In addition to the principal above-mentioned political barriers to the establishment of Papuan political parties, one should also take note of other problems with the political mobilization of Papuans. Above all, their level of political consciousness is quite low, as the majority of them are primarily concerned with local community matters. The political mobilization of the population requires that large sums of money be spent by Papuan political activists, as even air travel in Papua, which has very few roads, is unusually costly. Yet those activists probably don’t have access to any significant sources of funding.

There is also a group of Papuans who work with the Indonesians, who are employed in Papuan public institutions and who may not feel interested in the existence of local political parties and the political strengthening of Papuan pro-independence activists who may view them as a group of traitors. Presumably, the aim of the partial application of the act on special autonomy for Papua is to regulate political life there and, especially, to allow only the indigenous population’s politically ‘moderate’ representatives – those who collaborate with the Indonesian authorities and agree to the political regime imposed on the Papuans – to have any part in it.

Another scenario comes to mind, however, which the Indonesian authorities may fear. Namely, the establishment of ethnic parties in Papua could draw certain representatives of the moderate Papuan elites – especially if they were to perceive some benefits for themselves in the activeness of Papuan parties and their participation in governing Papua and the redistribution of funds – into the camp of the pro-independence activists.

Presently those Papuans who wish to involve themselves in political activities can legally do so within the framework of supra-regional and inter-ethnic centripetal parties, i.e., pan-Indonesian parties. There is a chance, however, that in the future they will have the possibility of creating their own political representation. It can’t be ruled out that the question of local Papuan political parties is simply something of a bargaining chip in the hands of the Indonesian authorities, who could allow them to function, but only when the Papuans give up their aspirations for independence entirely. Hillman goes so far as to state that local political parties could “provide an alternative to militancy for Papuan indigenous rights activists”, and that any potential pro-independence activeness on their part could carry the threat of deregistration.


In the act on special autonomy for Papua, more space was devoted to special economic rights for Papua than to political autonomy, including seemingly to its most significant element – Papuan local (ethnic) parties. In doing so, the Indonesians were probably trying to give the impression that the Papuans’ greatest problems were not political but developmental ones, and that finding solutions to the latter ones was more important. In the preamble to the act on special autonomy, (pt. g) it is noted that the natural riches of Papua had not been used in optimal fashion to raise the standard of living of its indigenous population, thus creating a gap between Papua and the rest of Indonesia. This statement can be interpreted as an indication that Papua’s development should be financed with funds originating from the exploitation of Papua’s own natural resources. In other words, apportioning special funds for the development of Papua by the Indonesian authorities could simply mean that proportionally fewer funds derived from the exploitation of such resources should find their way to Indonesia’s central budget than is the case for most other Indonesian provinces.\(^{48}\)

In the preamble to the act on special autonomy, (pt. h) it was also noted that, in the context of reducing the developmental gap between Papua and other parts of Indonesia, and in order to improve the Papuans’ standard of living, and also in order to create prospects of development for them “a special policy is required”. And so, 70–80% of the revenue derived from the exploitation of Papuan natural resources is to remain in Papua, including “70% of the revenue from the extraction of oil and gas” (art. 34(3)(b)). In addition, 20 to 90% of the taxes levied in Papua are to remain there (art.34(3)(a)). At the same time, the act on special autonomy provides for special outlays for Papua from the central budget for education, health care and infrastructure (art. 34(3)(e) and (f)).\(^{49}\)

In contrast to the political autonomy, the economic rights granted to Papua within the framework of the special autonomy have been implemented, but this doesn’t mean the Papuans are its beneficiaries. Embezzlement of part of the funds allocated for development is a major problem in Papua.\(^{50}\) Another problem that is unusually important in terms of the protection of the indigenous population’s rights is the fact that the special funds are not necessarily used to improve their living standards, but are simply targeted at inhabitants of Papua, the majority of whom are now non-Papuans. As early as 2010, the share of non-Papuans in the population of Papua exceeded the number of Papuans by at least 1%,\(^{51}\) and this trend is growing. The non-Papuans are the ones who have the decisive voice in the matter of how the developmental funds are being spent, and these find their way above all to the cities, where the indigenous population is a small minority.

It seems that in this matter, the right of co-decision should be based on the provisions of the act on autonomy of the Papua People’s Assembly (Majelis Rakyat Papua, MRP).\(^{52}\) The MRP is meant to play the role of “cultural representation of the Papua natives” and to possess limited competence in the sphere of the protection of Papuans’ rights, which are based, among other things, on

\(^{48}\) The same situation exists in the case of the province of Aceh.

\(^{49}\) For more on issues concerning Papua’s development, see also art. 7(h), art. 10(d), art. 14(e) and (f), art. 34(1)(c), art. 34(4) – (7), art. 36 (2) of the act on special autonomy.

\(^{50}\) Mote, ‘Special Autonomy Issue…’


customs (adat) and local culture (art. 5.2 and art. 1(g) of the act on autonomy). The problem, however, is that – as Indonesian legal scholars point out in their expert report – the MRP doesn’t possess either legislative or executive powers. This MRP can be viewed as an auxiliary body, especially of an advisory nature, with regard to Papua’s provincial authorities (Papuan provincial governor(s) and provincial legislature(s)). As can be inferred, the authorities’ intention was to create the impression that the Papuans play a part in the decision-making processes in Papua.

In consequence, the MRP can be seen as a fig leaf for the actions of the Indonesians. Nevertheless, even if the MRP does not have any real influence on the actions of the provincial authorities, its makeup is determined by Papua’s indigenous population, and specifically by local communities (art. 24(1)). The act on special autonomy for Papua stresses the importance of the so-called adat communities and of their traditional powers by paying special attention to adat (customary) law, also from the economic perspective. At the level of Papuan local communities, investors are required to respect local customs and laws; a given adat community must be included in any discussion on potential investments; and such investments should bring it benefits (art. 42 and art. 43). Moreover, the act on special autonomy (art. 50(2) and art. 51) entrusts the traditional judiciary with the task of settling local matters in accordance with adat law (art. 50 (2)), but without the possibility of condemning anyone to a jail term (art. 51(5)). In this manner, the Indonesian authorities reinforce and recognize the status of local traditional law but, at the same time, they reduce the costs incurred by the state judicial system, especially in those parts of Papua that are only accessible with difficulty and where the effective functioning of the organs of state power could be low. As can be inferred, the Indonesian authors of the act on special autonomy for Papua were probably also interested in stressing the importance of the local communities’ traditional power so as to reduce the possible role of indigenous supra-local politicians in Papuan politics, if not to place traditional power in opposition to them.

To end this analysis of the most important elements of the act on special autonomy that are consociational in character, the degree of their implementation and their role, it is worthwhile to note that in many matters of fundamental importance, it fails to grant any substantial powers to either Papua’s provincial authorities, and even less to traditional local power institutions. And so, for example, the heads of police in the Papuan provinces are responsible only to the head of the Indonesian state police (art. 48(7)). Similarly, the authorities in Papua have no influence on the actions of the army on their territory (art. 4(1)). Matters of religion are also outside their domain (art. 4(1)), and so is the judiciary, with the exception of the above-mentioned traditional judiciary, and the prosecutor’s office, which are directly answerable to the Indonesian authorities (art. 50 and art. 52).

The provision of the act on autonomy in accordance with which the provincial governor(s) and assistant-governor(s) (who are elected by the provincial legislatures) have to be “native Papua”

53 See also Papuan People’s Assembly (MRP), Rights and Duties of the Papuan People’s Assembly, https://papuanpeopleassembly.wordpress.com/2012/05/29/rights-and-duties-of-the-papuan-peoples-assembly (accessed 17 November 2016).
55 See pt. c of the preamble to the act on special autonomy.
(art. 12(a)) may seem to be a concession toward Papua’s indigenous population. They are required, however, to be “faithful to the Unitary State of the Republic of Indonesia” (art.12.f), while “as representative(s) of the government the governor(s) shall be responsible to the president of Indonesia” (art. 18(3)). In consequence, only Pauans who fully respect Papua’s affiliation with Indonesia and who implement and endorse its policies can become governors of the Papuan provinces.

Conclusion

Indonesia’s political elites were and remain interested in limiting the pro-independence aspirations of the Pauans and, at the same time, to consolidate Papua’s affiliation with Indonesia. The full implementation of the 2001 act on special autonomy for Papua could have a counterproductive effect on the pursuit of this aim. As a consequence, the consociational solutions guaranteed by law for Papua have not as of yet been fully implemented and most probably never will. It can be inferred that the idea of adopting them had been from the beginning a tactical movement aimed at gaining time for the Indonesian authorities. The act on special autonomy was adopted at a time when – due to the political relaxation which accompanied the Indonesian democratization process – pro-independence sentiment was on the rise in Papua, and the indigenous population still outnumbered the migrants from the Malay Archipelago. Today the situation has diametrically changed, however. Pauan political activists were so effectively pacified by the Indonesian apparatus of repression, that pro-independence sentiments no longer constitute any serious threat for Indonesia’s territorial integrity. In addition, the Pauans now represent less than half of Papua’s population, as a result of the state-sponsored policy of migration of people from overpopulated areas of Indonesia.

In order to better understand the sense of the tactics adopted by the Indonesian political elites with regard to Papua, it is necessary to note the wider context of the political situation in Indonesia at the turn of the 20th to the 21st centuries, i.e., at the initial stage of the democratic changes. The end of authoritarian governments in Indonesia brought a political relaxation which led to the awakening in various parts of the country of many animosities between certain ethnic and religious segments that had lain dormant for many years. Part of the political elites, especially the Javanese ones, thought at the time that the secession of certain parts of Indonesia was a real threat. This problem was symbolized by East Timor’s official independence in 2002. Separatist tendencies were then especially animated in the Sumatran province of Aceh, which is rich in oil and natural gas deposits. Moreover, the situation was also uncertain in the multi-ethnic Maluku Islands in the eastern part of the Malay Archipelago, in the present provinces of Maluku and Northern Maluku, where certain ethnic groups are Muslim and others Christian. The bloody conflict between the two religious communities that lasted between 1999 and 2002 could have revived the separatist aspirations on the Maluku Islands that had been strong in the past, especially in 1950–1963.


58 In 1950 Maluku separatists even took control of certain islands for a short time and proclaimed the Republic of South Maluku.
The solely tactical nature of the consociational promise for Papua is further corroborated by the fact that when Indonesia was threatened with territorial disintegration at the turn of the 20th to the 21st centuries, its authorities wanted to limit or to mitigate various internal conflicts using all methods at their disposal, including making empty promises. There is also another equally important circumstance that supports the article’s main thesis. Namely, the consociational promise for Papua allowed the authorities in Jakarta to gain the necessary time to carry out their transmigration policy and to achieve the numerical advantage that no-Papuan migrants enjoy over the indigenous population. Presently, when the indigenous population in Papua is in a minority with regards to the affluent population, even the full implementation – strengthening the Papuans’ group rights in the spirit of consociationalism – of the special autonomy along with the right for local (ethnic) parties and traditional power institutions to function, with special economic rights (obtaining extraordinary development funds, the right to an important part of the proceeds from the exploitation of natural resources) wouldn’t help gain any significant degree of real autonomy from Indonesia. In turn, the special funds provided by the act on special autonomy for Papua for the development of its territory are most useful for the population of migrants who mostly live in cities, where the largest portion of these funds is spent.

The failure of the consociational promise for Papua to materialize means that Papuans are de facto excluded from the decision-making process that affects their own affairs. The following groups should be named as the chief beneficiaries of this state of affairs: the Indonesian authorities (especially the Javanese political elites), members of the Indonesian apparatus of repression in Papua (above all the army officer corps), and migrants to Papua from other islands, especially those from Java. All three of those groups have profited from the present situation. The Indonesian authorities especially gained the means to benefit to an unlimited degree from Papua’s numerous natural resources, a partial reduction of the overpopulation problem in certain parts of Indonesia, and the incorporation of Papua within Indonesia. For the Indonesian elite, this incorporation also stands as the symbol of the ultimate victory and international shaming of their former colonial master, the Netherlands. Members of the Indonesian apparatus of repression in Papua were left free to engage in and profit from various types of illegal activities in Papua with the tacit approval of the central authorities. Migrants to Papua in turn, got the opportunity to build their prosperity on better conditions than the ones available where they came from, if only thanks to better access to farmland or better pay, particularly in the mines, in trade and in public administration.

It is difficult in contrast to point to any advantages benefiting the Papuans from the incomplete implementation of the consociational promise for Papua. Quite the opposite, Papua’s indigenous population, deprived of the opportunity to realize their group interests, is victimized in both political and economic terms. It has to contend very seriously limited avenues to defend its group


60 The taking over of agricultural land in Papua by migrants could mitigate to a degree the penury of arable land, especially on the severely overpopulated island of Java. This most important of Indonesian islands is also the world’s most heavily populated island, whose area of about 128,000 km² is home to about 141 million people (with about 145 million overall in 6 Javanese provinces, which encompass islands in the vicinity, including the overpopulated island of Madura). These figures are from 2015. See City Population, http://www.citypopulation.de/Indonesia-CU.html (accessed 23 November 2016). In keeping with this data, the average population density on Java itself amounts to 1133 inhabitants per km².
rights. If there were no migration to Papua or if it were seriously limited, such an avenue could have been the possibility of creating Papuan political parties that would have, at the very least, made it possible to participate in the distribution of funds allocated for Papua’s development.

Obviously, conditions do not favor Papua’s independence or its possible unification with the already existing Papuan state, Papua New Guinea (PNG), and it seems unlikely they will in the foreseeable future. Such options are off the table as far as the Indonesian authorities are concerned, for political, economic, and prestige reasons. There is also the lack of serious external support for the idea of Papuan independence, as Indonesia goes to some length to ensure its territorial integrity is not questioned on the international stage.61 As to the Pauans, they are not in a position to win their independence with arms, even supposing they would like to. In such a situation, it would be worthwhile note the potential benefits for the Pauans deriving from the very fact of that Papua is part of Indonesia. Indonesia, the world’s 16th largest economy,62 is certainly able to allocate many times more funds for Papua’s development than the Pauans would have been able to generate within their own state or as a part of the PNG. This would require political will, however. It is perfectly conceivable that the Pauans living in Indonesian Papua will in time enjoy a much higher standard of living than their Pauan citizens of PNG, including a higher sense of security, better access to education, health care, and various goods and services, and more possibilities to earn a decent living. The present level of civilizational development of Papua’s indigenous population in comparison with other Indonesian citizens is so basic that a patient if arduous, but consistent and sincere, effort to raise it by the Indonesian authorities could produce visible effects in the form of an effective improvement of Pauans’ living standards. The prosperity of Pauans could in turn have a positive impact on their degree of satisfaction with being in Indonesia. Considering the question overall, one can conclude that the future prosperity of the different ethnic groups that make up Indonesia, including the Pauans, could prove a more effective cement for Indonesia’s multi-segmental society than power-sharing type solutions and military countermeasures aimed at pro-independence sentiment and separatism.

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