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Denying the 'First Right': The United States, Indonesia, and the Ranking of Human Rights by the Carter Administration, 1976-1980

In a report to the national security adviser, Zbigniew Brzezinski, on plans to strengthen ties with Indonesia in the wake of the election in November 1976 of James Carter as president of the United States, Michael Armacost of the national security council staff noted, on 14 June 1977, that Indonesian officials were perplexed by the new US emphasis on human rights. They were also displeased that, despite their government's announced intention to release tens of thousands of political prisoners arrested in the wake of the events that had brought General Suharto to power in 1965, congress continued to criticize as illegal Indonesia's invasion and occupation of East Timor in December 1975. 'The Indonesian decision is irreversible,' Armacost stated. 'The US government has accepted it. Continued congressional hearings are regarded as unwarranted and mischievous interference in their [the Indonesians'] internal affairs.'[1]

The same day, Indonesia's foreign minister, Adam Malik, admitted to journalists that between 50,000 and 80,000 civilians had died since Indonesia had invaded the former Portuguese colony, and that Indonesia controlled less than one-third of it despite the deployment there of 40,000 troops. Indonesian forces employed a wide range of tactics to crush East Timorese military and civilian resistance: mass killings of civilians; forced resettlement and migration; mass arrests and detention; enforced sterilization of women; and torture.[2] Yet between 1976 and 1980, as the Suharto regime committed some of the worst atrocities of the post-Second World War era, the Carter administration sought closer ties with Indonesia in the

1 Memo, Armacost to Brzezinski, 14 June 1977 [Atlanta, University of Georgia], J[ames] C[arter Presidential] L[ibrary, NSA Staff Materials], Far East [Files], box 6.

2 J. Taylor, '"Encirclement and Annihilation": The Indonesian Occupation of East Timor', in *The Specter of Genocide: Mass Murder in Historical Perspective*, ed. B. Kiernan and R. Gellately (Cambridge, 2003), pp. 166-8; B. Kiernan, 'War, Genocide, and Resistance in East Timor, 1975-99: Comparative Reflections on Cambodia', in *War and State Terrorism: The United States, Japan, and the Asia-Pacific in the Long Twentieth Century*, ed. M. Seldon and A. Y. So (Oxford, 2004), pp. 199-235.

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name of human rights. Even as the administration increased US military assistance to Indonesia and denied East Timor's right to self-determination, the Carter administration invested substantial diplomatic resources in trying to persuade Suharto to release nearly 30,000 political prisoners. In so doing, it joined Amnesty International (AI), the United Nations Commission on Human Rights (UNCHR), the International Committee of the Red Cross (ICRC), the International Commission of Jurists (ICJ), the International Labour Organization (ILO), the World Bank, the Intergovernmental Group on Indonesia (IGGI, a forum for donor governments), the World Council of Churches (WCC), the Ford Foundation, and much of the foreign media in framing the fate of *tapols* (*tahanan politik*, or political prisoners) as the most significant human rights question to be answered by Indonesia, despite the abuses perpetrated by its army, police, and intelligence services. Meanwhile, the East Timorese resistance in exile and its supporters struggled at the United Nations, and among the states of the non-aligned movement, to turn East Timor's claim to post-colonial self-determination into the pivot on which transnational debates about human rights should turn: to have it ranked as the 'first right'.

The jarring contrast between the priorities of the international human rights community and those of the East Timorese and their supporters poses the question how and why some conceptions of human rights were given precedence over others during the 'big bang' of human rights politics in the 1970s. For example, historians know *that* torture and the treatment of political prisoners became a focus of human rights NGOs such as AI, but not *why* torture was selected in preference to other abuses. Despite the wealth of scholarship exploring the dramatic increase in the 1970s in the number of transnational human rights organizations and the institutionalization of norms in state bureaucracies and multilateral forums, most historians tell a story of the diffusion of civil and political rights – usually radiating outwards from the West – rather than viewing human rights politics as a contest among competing forces in the previous thirty years. This article re-examines the Carter administration's stance towards Indonesia and East Timor, and reappraises Indonesia's own emerging human rights movement, to illustrate the rise during the 1970s, as the era of European colonialism drew to a close, of political prisoners and torture to become the lingua franca of human rights politics, and the simultaneous subordination of alternative constructions of human rights, especially the right to self-determination.

The scholars who have studied congress's attachment of human rights to foreign aid, and the Carter administration's inconsistent support for them, portray US human rights policy as less effective than either its conservative critics or liberal defenders charged: narrowly conceived and un-

evenly applied, especially following the Iranian and Nicaraguan revolutions and the Soviet invasion of Afghanistan in 1979.[1] Usually, however, the Carter administration's policy towards Indonesia is praised for its effectiveness – in Kenton Clymer's words, 'even Carter's critics acknowledge' that the United States 'persuaded Indonesia to release thirty thousand political prisoners' – while its support for the Suharto regime's occupation of East Timor and counter-insurgency campaign is ignored. Yet East Timor and Indonesia offer an excellent example of the conflict between rival definitions of human rights, and why one was privileged over the others.[2]

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Indonesia invaded East Timor, colonized by Portugal in 1520, on 7 December 1975, following the fall of the António de Oliveira Salazar regime in Portugal and a brief but bloody civil war in August, sparked by Indonesia's covert operations but won by the radical pro-independence party, Fretilin. Like officials in Australia, the United Kingdom, and others of Indonesia's allies, US officials concluded that, owing to the backwardness of East Timor's inhabitants, no Timorese government – and certainly not a left-leaning Fretilin one – would be viable: that absorption by Indonesia rather than self-determination leading to independence was the only logical outcome of decolonization.[3] The US response to Indonesia's intervention was conditioned by the surrender of the US-backed government of South Vietnam and the end of the Vietnam War. These events gave Suharto the opportunity to exploit US fears about the effects of the defeat in Vietnam to extract increased military aid and backing for his plan to incorporate Portuguese Timor into Indonesia. With invasion imminent, on 28 November Fretilin declared East Timor's independence. A week later, the US president, Gerald Ford, and the secretary of state, Henry Kissinger, during a visit to Suharto in Jakarta, explicitly approved Indo-

1 See, e.g., A. J. DeRoche, 'Standing Firm for Principles: Jimmy Carter and Zimbabwe', *Diplomatic History*, xxiii (1999), 657-85; D. F. Schmitz and V. Walker, 'Jimmy Carter and the Foreign Policy of Human Rights: The Development of a Post-Cold War Foreign Policy', *Diplomatic History*, xxviii (2004), 113-43; K. Clymer, 'Jimmy Carter, Human Rights, and Cambodia', *Diplomatic History*, xxvii (2003), 245-78; B. M. Geary, 'Carter, Iran, and Human Rights', Society for Historians of American Foreign Relations, Austin, June 2004; K. Sikkink, *Mixed Signals: US Human Rights Policy and Latin America* (Ithaca, NY, 2004).

2 Clymer, 'Carter and Cambodia', p. 246; T. A. Kivimaki, 'National Diplomacy for Human Rights: A Study of US Exercise of Power in Indonesia, 1974-9', *Human Rights Quarterly*, xvi (1994), 415-31.

3 Note, New Zealand embassy, Jakarta, to for[eign] min[istry], 5 July 1975 [released under] N[ew] Z[ealand] O[fficial] I[nformation] A[ct request]; memo, Squire, 'The Future of Portuguese Timor', 5 March 1975 [Richmond, United Kingdom National Archives], F[oreign and] C[ommonwealth] O[ffice Records] 15/1703; Australian embassy, Jakarta, to for. min., cablegram O.JA120, 14 Aug. 1975, Department of Foreign Affairs and Trade: *A[ustralia and the Indonesian Incorporation of] P[ortuguese] T[imor, 1974-6]* (Melbourne, 2000), p. 306.

nesia's plans.[1] The invasion led to the deaths, within six months, of an estimated 60,000 Timorese, and, during the six years of guerrilla warfare until Indonesia consolidated its rule in 1981, to the death from starvation, disease, or massacre of between 108,000 and 180,000 out of a population of perhaps 600,000.[2]

The international response to the invasion of East Timor was muted. After the United Nations security council condemned the invasion on 12 December 1975 and called for self-determination, the United States prevented the United Nations from enforcing the resolution and all subsequent ones. The state department advised Ford that the United States 'has no interests in Portuguese Timor' and should 'follow Indonesia's lead on the issue'.[3] For Australia, by contrast, the invasion and annexation of East Timor presented a major problem: 'the keen interest of public opinion' in the plight of the Timorese, the memories of Australian soldiers who had fought in Timor during the Second World War, and the presence in Australia of a growing East Timorese refugee community, led to the emergence of a vocal and well-organized solidarity movement.[4] Similar groups were organized in several European states: Portugal, owing to its colonial ties with Timor and its refugee population; the Netherlands, owing to its historic ties with Indonesia; and the United Kingdom, which served as the headquarters for human rights groups such as Amnesty International, the Catholic Institute for International Relations (CIIR), and Tapol (an Indonesian human rights campaign launched in 1973 by a former political prisoner, Carmel Budiardjo).[5]

In the United States, by contrast, East Timor remained the concern of a tiny coterie of journalists, Catholic Church activists, Portuguese Americans, human rights activists, and the scholars who founded Tapol US in 1974 and the East Timor Defense Committee in 1975.[6] The relative lack of interest in East Timor contrasts starkly with the 'phenomenal burst of

1 National Security Archive Electronic Briefing Book: 'East Timor Revisited: Ford, Kissinger, and the Indonesian Invasion, 1975-6', ed. W. Burr and M. Allen, Dec. 2001. For background, see B. R. Simpson, '"Illegally and Beautifully": The United States, the Indonesian Invasion of East Timor, and the International Community', *Cold War History*, v (2005), 281-315.

2 Taylor, 'East Timor'.

3 State dept. to secretary, US delegation, tel. 286596, 7 Dec. 1975 [Ann Arbor, MI], G[erald] F[ord] L[ibrary, NSA Country Files, East Asia and the Pacific], Indonesia, box 6.

4 *APT*, p. 447; see also, N. Viviani, 'Australians and the Timor Issue', *Australian Outlook*, xxx (1976), 197-226.

5 J. Dunn, *Timor: A People Betrayed* (Sydney, 1989), pp. 311, 333; *The East Timor Problem and the Role of Europe*, ed. P. P. Leite (Leiden, 1998), passim.

6 See, e.g., B. Anderson, testimony before the subcommittee on international organizations of the committee on international relations, 15 Feb. 1978, Government Printing Office, *US Policy on Human Rights Assistance: Overview and Indonesia*; A. Kohen, 'Human Rights in Indonesia', *The Nation*, 26 Nov. 1977, pp. 553-7; R. Franke, *East Timor: The Hidden War* (New York, 1976); A. Kohen, *From the Place of the Dead: The Epic Struggles of Bishop Belo of East Timor* (New York, 1999).

human rights activism' in the United States in the mid-1970s. Jeremi Suri argues that the global upheavals of the late 1960s produced widespread social fragmentation and political withdrawal. Such public disillusion with state power was the indispensable prerequisite for the carving out of a political space in which the transnational human rights movement could subject both the Soviet Union and its clients and US-backed dictatorships to the same keen scrutiny.[1]

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THE ELECTION OF Carter as president raised expectations both at home and abroad that a change in US policy towards repressive regimes might be in the offing. The appointment of the civil rights activist Patricia Derian as assistant secretary of state for human rights heartened congressional human rights advocates such as Donald Fraser (D-Minnesota), chair of the subcommittee on international organizations of the house of representatives' international relations committee. He hoped that the new administration would abide by, rather than evade, not only congressional stipulations on the reporting of human rights abuses, but also the prohibition by the Foreign Assistance Act of 1974 of military and economic aid to regimes that repeatedly trampled on human rights.

The Suharto regime's US supporters recognized that Indonesia, which held more political prisoners than any other state in the world, was vulnerable to condemnation. In the wake of the failure of the 30 September 1965 Movement that eventually brought Suharto to power, his regime killed an estimated 500,000 alleged Communists and imprisoned an estimated one million more, most of them without trial. A few of the latter were executed, while the others were either held in local prisons, released under draconian restrictions or, beginning in 1968, 'forcibly resettled to penal colonies in remote areas' – such as Buru Island where the novelist Pramoedia Ananta Toer wrote his famous quartet – 'as part of the government's ongoing transmigration program'.[2]

A wide range of national, multilateral, and non-governmental organ-

1 K. Cmiel, 'The Emergence of Human Rights Politics in the United States', *Journal of American History*, lxxxvi (1999), 1231-50; J. Suri, *Power and Protest: Global Revolution and the Rise of Détente* (Cambridge, MA, 2003), p. 243; National Security Archive Electronic Briefing Book: 'The Moscow Helsinki Group 30th Anniversary: From the Secret Files', ed. S. Savranskaya and T. Blanton, May 2006, http://www.gwu.edu/~nsarchiv/NSAEBB/NSAEBB191/index.htm.

2 G. Fealy, 'The Release of Indonesia's Political Prisoners: Domestic Versus Foreign Policy, 1975-9', Monash University, Centre for Southeast Asian Studies, Working Paper 94 (1995), p. 7; memo to exec. com. meeting of 26 Aug. 1976, 'Proposal for an Indonesia Campaign' [New York, Columbia University], A[mnesty] I[nternational USA Papers], R[ecord] G[roup] IV, box 10; Buru Island Campaign Description, *c.*1977, ibid.

izations began in 1966 to target the Suharto regime for its detention practices. That year, AI published its first report on Indonesia's political prisoners and, during the next ten, made the plight of long-term detainees one focus of its work: about one-third of the one hundred Amnesty groups in the United States adopted *tapols*, while, in 1975, West Germany's branch decided to focus on *tapols* 'as part of AIs concentration on long-term political imprisonment', partly owing to the numbers of German Lutheran missionaries who ministered to prisoners and their families together with the Indonesian Council of Churches.[1] In 1973, as Budiardjo founded Tapol in London, AI had released a series of reports on Indonesia's political detainees and called on the UNCHR to demand their unconditional release. The next year, the WCC, ILO, and ICJ issued similar calls. They had little effect on the Suharto regime – insulated from criticism by skyrocketing oil revenues – or its OECD donors, who, in 1973, lavished more economic aid on Indonesia than on any other developing country.[2]

Two years later, however, Indonesia had become more vulnerable to international pressure, partly because of a debt scandal in 1974 involving the national oil company, Pertamina, investigations into bribes paid to the Suharto regime by the Ford Motor Company and Hughes Aerospace, mounting student protests against corruption, and preparations for an invasion of East Timor.[3] In April 1975, after Suharto's officials had lobbied donors for increased foreign aid, they were subjected for the first time to sharp questioning at the annual meeting of the IGGI, the result of a two-year campaign by AI targeted at the IGGI's member states. When Suharto visited the United States in July, Ford administration officials warned him that, unless his regime freed some of its political prisoners, congress would probably cut aid to Indonesia.[4] In October, an Indonesian delegation led by two of the architects of the invasion of East Timor, General Ali

1 State dept. circular, tel. 041420, 24 Feb. 1975, D[epartment of] S[tate], FOIA [Electronic Reading Room, http://foia.state.gov/SearchColls/Search.asp]; memo, Gregory to Lowry, 'Political Prisoners Indonesia', 15 Oct. 1975, Chicago, Lutheran Church of America Archives, Division for World Mission and Ecumenism, Secretary for Southern Asia and the Middle East, Indonesia Program Files, 1951-85, box 1; memo, Lowry, 22 March 1976, ibid.

2 Fealy, 'Indonesia's Political Prisoners', pp. 13-14; D. Hinkley, 'The Work of Amnesty International for Indonesian Prisoners of Conscience', Tapol US, 'US Campaign for the Release of Indonesian Political Prisoners', *Bulletin*, i (1 Oct. 1975); 'ILO Given Indonesia Pledge on Prisoners', *Guardian*, 17 June 1976, p. 4; [embassy] Jakarta to state dept., tel. 9180, 25 July 1974, DS, FOIA.

3 See Center for International Policy, *Indonesia: Economic Prospects and the Status of Human Rights*, vol. II, no. 3 (Washington, DC, 1976).

4 Memo, sec. gen., 'The Forthcoming Meeting of the Intergovernmental Group on Indonesia', 20 Nov. 1973, AI, RG II, box 7; memo, 'International Conference on Indonesia', 11 Oct. 1974, ibid.; memo, Ingersoll for Ford, 'Visit of Indonesian President Suharto', 1 July 1975, GFL, Indonesia, box 6; memcon, 5 July 1975, ibid.; state dept. to Jakarta, tel. 170357, 18 July 1975, ibid.

Murtopo and Lim Bian Kie of the Center for International Studies, met in Washington with senior officials and more than fifty members of congress to lobby for closer US-Indonesian ties. While there, they also discussed the mechanisms of a prisoner release programme and issued public statements 'designed to appeal to congress as a sign of the regime's progress in human rights'. Repeatedly, over the next fourteen months, the Suharto regime implied that it was about to release large numbers of political prisoners. But as few were released, the human rights groups continued their criticism.[1]

In early December 1976, however, a year after the invasion of East Timor, the Suharto regime announced that it was about to begin a three-year phased release of 30,000 political prisoners. Although the departing Ford administration treated the announcement as vindication of its behind-the-scenes leverage, the Suharto regime was worried by Carter's talk during the election of human rights and by the US embassy at Jakarta's pending submission of its first annual report on human rights to the state department and congress.[2] The proposed prisoner release was the culmination of year-long negotiations with the United States and Japanese governments, and with international organizations like the IGGI, in which Indonesia was represented by Murtopo, Admiral Sudomo, and Major General Benny Murdani, the three men most responsible for planning and carrying out the invasion of East Timor. Their concessions on *tapols* arose from a desire to mute the international criticism of the invasion of East Timor, especially at the United Nations and among the members of the non-aligned movement.[3] In Washington, the prisoner release programme muted congressional criticism of increased economic and military aid to Indonesia – while aid to other Southeast Asian countries was being cut – notwithstanding the first reports of mass killings in East Timor.[4]

The state department's annual human rights report for 1976, issued shortly before Carter's inauguration in January 1977, reflected the contradiction. The embassy at Jakarta's draft report had characterized the Suharto government as 'a moderate authoritarian regime' with 'no con-

1 Fealy, 'Indonesia's Political Prisoners', p. 28; state dept. to Jakarta, tel. 252899, 23 Oct. 1975 [Author's] FOIA R[equest].

2 Jakarta to state dept., tel. 15467, 30 Nov. 1976, FOIAR; on the Suharto regime's worries, see J. Wanandi, *Kebijakan Luar Negri Presiden Carter Dan Peranan Kongress AS* (Jakarta, 1978), pp. 9-13.

3 T. A. Kivimaki, 'National Diplomacy for Human Rights: A Study of US Exercise of Power in Indonesia, 1974-9', *Human Rights Quarterly*, xvi (1994), 415-31; *The Diplomacy of Human Rights*, ed. D. Newsom (Washington, DC, 1986), pp. 1-12, 101-12; for perhaps the sole exception, see the testimony by Benedict R. O'G. Anderson, 'Human Rights in Asia: Non-Communist Countries', hearing before the subcommittee on international relations (IRSC), House of Representatives (HOR), 4, 6, 7 Feb. 1980, Government Printing Office (GPO), Washington, DC, 1980, pp. 237-9.

4 Pluvier to Fraser, 25 Oct. 1976 [Minneapolis, Minnesota State Historical Society], Fraser Papers [Subject Committee Files] 1976, box 149.G.9.8F; Tapol US, *Bulletin*, iv (15 April 1976).

sistent pattern of violation of human rights', and identified political prisoners as 'the single major human rights problem in the country'.[1] And it made no mention of East Timor, or of the wide-ranging and brutal counter-insurgency operations in West Papua against the Free Papua Movement (Organisasi Papua Merdeka, or OPM). The draft dismissed without explanation, or evidence, the report published at the same time by AI, which put the number of political prisoners crowding Indonesia's jails at between 55,000 and 100,000, many of them tortured 'systematically' during interrogation.[2] AI's report, too, omitted to mention East Timor or West Papua, nor did its secretary-general, Martin Ennals, mention either during a meeting in London on 18 November 1976 with Murtopo, Murdani, and the Indonesian ambassador to the United Kingdom, Ali Alatas: their discussion focused solely on political prisoners. In fact, the world's leading human rights organization neither reported on nor issued a call for urgent action on behalf of East Timor for more than three years after Indonesia's invasion.[3]

By the end of 1976, however, abundant evidence showed that Indonesia was committing atrocities in East Timor on a massive scale. At the end of April, at a meeting with the chief of staff of the United States Pacific Command (CINCPAC), Lieutenant General Joseph Moore, Indonesia's assistant minister of defence for planning, Major General Yoga Supardi, acknowledged that Indonesia faced a 'serious drain on resources' as a result of its operations in East Timor, 'with shortages of ammunition for small arms, artillery, tank and naval guns', and needed helicopters, communications equipment, and 'ammunition of all calibers'. Indonesian officials conceded that they controlled only the major cities and that Fretilin forces controlled perhaps three-quarters of East Timor.[4] And at the end of November, a group of Indonesian Christian church officials who supported integration stated publicly that Indonesian troops had killed 60,000 Timorese.[5]

The Carter administration largely picked up where its predecessor had left off. In February 1977, the secretary of state, Cyrus Vance, and Brzezinski ordered a review – a presidential review memorandum or PRM – of

1 Jakarta to state dept., tel. 13695, 20 Oct. 1976, FOIAR.
2 AI, *Indonesia* (London, 1977), p. 21; Jakarta to state dept., tel. 12787, 30 Sept. 1976, FOIAR.
3 Note, 'Conversation with Indonesian Delegation', 18 Nov. 1976, AI, RG II, box 7; Indonesia circular no. 10, 15 Feb. 1979, ibid.; memo, 'Meeting with Representatives of Amnesty International', 26 Oct. 1977 [Washington, DC], W[orld] B[ank] A[rchives, Accession A1994-021], box 53, [Indonesia General vol. I], folder 1388105; letter to McNamara, 'Summary of Amnesty Statement to IGGI Representatives', 16 April 1981, WBA, box 91, folder 1159066.
4 Jakarta to state dept., tel. 5605, 29 April 1976, tel. 0021, 3 Jan. 1976, FOIAR; *Indonesian Times*, 1 Feb. 1976, p. 6.
5 R. Skelton, 'Indons Killed 60,000: Report', *Melbourne Age*, 19 Nov. 1976, p. 2.

US policy towards Southeast Asia. Armacost proposed to measure US military aid to Indonesia against congress's calls for signs of progress on human rights and reductions in Military Assistance Program (MAP) funds, the growth in Foreign Military Sales (FMS), and 'the changing character of the post-Vietnam security environment in Southeast Asia'. Brzezinski, however, ranked human rights last on his list of planning priorities. He told staffers who proposed, on human rights grounds, to cut the aid given to Indonesia, the Philippines, and South Korea to 'develop a PRM on the basis of a *serious* policy'.[1]

Advocates for human rights in congress such as Senator Hubert Humphrey (D-Minnesota) and Fraser were right to be worried because, before the policy review even began, the Suharto regime explained to the US embassy that it would refuse aid 'tied to human rights pressures'.[2] Not that most Carter administration officials saw any need early in 1977 to re-evaluate the bases of the US relationship with Indonesia: increasing foreign investment, military assistance, and enmeshment with the IMF, the World Bank, and ASEAN (Association of Southeast Asian Nations).[3] New reports of Indonesian atrocities in East Timor, however, soon put the Carter administration's professed commitment to human rights to the test. In early March, Australia's former consul in East Timor, James Dunn, published an account of Indonesia's occupation – based on interviews with refugees in Lisbon and confirmed by both Chinese and Indonesian officials – that alleged that Indonesian forces had killed between 50,000 and 100,000 civilians.[4] In testimony before congress on 27 March 1977, Dunn stated that the situation in East Timor 'might well constitute, relatively speaking, the most serious case of contravention of human rights facing the world at this time'.[5]

The Carter administration's response to Dunn's charges might have been scripted in Jakarta by the Indonesian officials who tried to discredit him. In a letter to Fraser in March 1977, the state department claimed that 'casualty figures cited in those accounts are greatly exaggerated' and added, without citing evidence, that 'a more accurate estimate' of Timor-

1 Memo, Armocost to Brzezinksi, 'Disposition of Asian NSDMs and NSAMs', 28 Jan. 1977; NSC, presidential review memo, 10 Feb. 1977; memo, Tuchman and Kimmitt to Brzezinksi, 'Budget, Security Assistance, and Human Rights', 7 Feb. 1977, JCL, Far East, box 4.

2 Memo, Ingersoll to Kissinger, 'Increased Cooperation with Indonesia', 28 March 1977 [College Park, MD], U[nited] S[tates] N[ational] A[rchives], R[ecord] G[roup] 59, Subject Files of the Office of East Asia and Pacific Affairs, 1961-74, box 24; memo to Brzezinksi, 'East Asia Evening Report', 18 Jan. 1977, JCL, Far East, box 4.

3 State dept. to Jakarta, tel. 059033, 17 March 1977, FOIAR.

4 Canberra to state dept., tel. 1472, 3 March 1977, FOIAR.

5 *H[uman] R[ights in] E[ast] T[imor and the Question of the Use of US Equipment by the Indonesian Armed Forces]*, 23 March 1977, Hearings before the IRSC, GPO, Washington, DC, 1977, p. 26; memo, mission UN to Maynes, 10 Oct. 1977, FOIAR.

ese killed since the Indonesian invasion would be 'a few thousand, most of whom would have been fighting men on both sides'.[1] Testifying before Fraser's subcommittee, the assistant secretary of state for East Asia, Robert Oakley, claimed that most of the deaths had occurred before the invasion. East Timor 'is fairly calm', he concluded, with a 'low level of insurgency' and 'very few civilian casualties', a view shared by the Australian and other allied governments but contradicted by the department's Indonesia desk officer, who estimated that the Indonesian armed forces controlled less than a third of Timor. In reply to questions from Fraser about the extent of Indonesia's use of US arms in East Timor, Oakley stated that as the United States had accepted the annexation, there was 'no prohibition on [the] use of US arms' in East Timor.[2] In the state department's view, whatever the facts, the question congress had to answer was 'whether the situation in E[ast] T[imor] should be allowed to affect our overall policy goals in Indonesia'. Clearly, the department thought that it should not.[3]

In an extraordinary summary to the embassy in Jakarta of the Fraser hearings, the state department noted cheerily that its denial of mass killings provided Indonesia with an 'excellent opportunity to turn foreign opinion around on the Timor question and improve its general image on human rights issues'. It went on to list how Indonesia could improve its 'image' and deflect UN interest in East Timor – perhaps by reducing the killing of prisoners or dialing back the intensity of military operations – as failure to make progress on these fronts could be 'seriously detrimental to our military aid programs'.[4]

Indonesian officials who understood the implications of the Carter administration's approach to congress took the hint. In April 1977, a congressional delegation, led by Lester Wolff (D-New York) and William Goodling (R-Pennsylvania), and accompanied by Holbrooke, briefly visited Indonesia and East Timor during a tour of Southeast Asia. They were invited to meet Suharto and the other architects of the invasion, who pledged their devotion to human rights and improvements in the welfare of the Timorese. Dozens of Indonesian military officials escorted Wolff and Goodling on a staged tour of the capital, Dili, during which they were greeted by cheering crowds and met with hand-picked Timorese collaborators who hailed their liberation (in Indonesian, a language few Timor-

1 Murtopo to Fraser, 16 March 1977, Fraser Papers, 1977, box 151.H.3.7B; Jakarta to state dept., tel. 051528, 8 March, tel. 3166, 12 March 1977, FOIAR.
2 *HRET*, 23 March 1977, pp. 6, 19; submission, Parsons to Peacock, 17 March 1977, *APT*, pp. 829-34; state dept. to Jakarta, tel. 061228, 19 March 1977, FOIAR.
3 State dept. to Jakarta, tel. 066813, 25 March 1977, FOIAR.
4 State dept. to Jakarta, tel. 067313, 26 March 1977, FOIAR.

ese spoke) from Fretilin tyranny.[1] Upon returning to Washington, Wolff and Goodling praised Indonesia's actions in East Timor, blamed the 40,000-60,000 Timorese dead on Fretilin guerrillas, and mused that 'the Indonesians should have entered the fray much earlier and perhaps more lives could have been spared.'[2]

Holbrooke's visit to Jakarta, the first by a high-ranking official of the Carter administration, took place shortly before tightly controlled presidential and parliamentary elections in which hundreds of Suharto's opponents were arrested and newspapers critical of him shut down. In the words of the US embassy, the visit offered an 'unusual opportunity' to advance concerns about human rights and democracy, had this been Holbrooke's goal. In meetings with Suharto, Malik, and the minister of defence, General Maraden Panggabean, however, Holbrooke said nothing about Indonesia's record on human rights while 'acknowledging [the] efforts President Suharto appeared to be making to resolve Indonesian problems', especially in East Timor. At a time when journalists and relief organizations were banned from East Timor and visitors allowed in only under military escort, Suharto assured Holbrooke that Indonesia did 'not seek to hide anything'.[3] Suharto and his officials, naturally enough, were 'pleased' and 'reassured' with the results of these stage-managed tours, and with the Carter administration for treating the visits less as an opportunity to assess conditions in Indonesia than as a means of deflecting international criticism from the regime. Australian officials took the same view: that the congressional visit and Holbrooke's meeting with Suharto implied de facto US recognition of East Timor's integration into Indonesia.[4]

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Between May and July 1977, the NSC, having completed its review of US policy in Southeast Asia, recommended a series of economic and military initiatives to strengthen ties with the member states of ASEAN.[5] 'All are eager to preserve close links with the US,' Brzezinski told Carter on 16 May: 'All provide a hospitable climate for our investments; all take a moderate and pragmatic stance in North-South gatherings'; and 'all share apprehensions about our current interests and future role in that part of the world.'[6] All were also ruled by authoritarian regimes. To build upon the

1 J. Taylor, *Indonesia's Forgotten War: The Hidden History of East Timor* (London, 1991), pp. 83-4.
2 State dept. to Jakarta, tel. 100498, 4 May 1977, FOIAR.
3 Jakarta to state dept., tels. 4980, 4893, 4895, 18 April 1977, FOIAR.
4 Australian embassy Jakarta to for. min., cablegram O.JA13174, 26 May 1977, *APT*, pp. 836-8; Jakarta to state dept., tel. 5572, 2 May 1977, FOIAR.
5 For an overview, see W. W. Rostow, *The United States and the Regional Organization of Asia and the Pacific* (Austin, TX, 1986).
6 Memo, Brzezinski to Carter, 16 May 1977, JCL, Far East, box 4.

Ford administration's initiatives, the NSC recommended that the vice-president, Walter Mondale, should tour the region, economic aid should be increased, and more generous terms offered for Foreign Military Sales (FMS) of which the Indonesian armed forces hoped to take advantage to modernize their equipment.[1]

The first drafts of the NSC recommendations stressed the need to downplay human rights by persuading congress to drop its inquiry into the events in East Timor. In the version sent to Carter, Brzezinski recommended a continued 'focus on the human rights pressures directed at Indonesia' in the form of applause for the release of political prisoners, while omitting any mention of East Timor.[2] Suharto understood the message. Over the course of the summer, a series of Indonesian officials paraded around Washington to promise progress on human rights in return for more military and economic aid. The Suharto regime, alarmed by the prospective phase-out of MAP assistance at the end of 1977, tried to extract as much other aid as possible to make up for it. Between 1978 and 1980, they asked for $167 million-worth of A-4 and F-5 ground-attack fighters; surveillance radar, armoured cars, and personnel carriers; and a co-production facility for M-16 rifles. Their request for 1978 amounted to twice the quantity of aid the Ford administration had supplied.[3]

The state department's bureau of human rights and humanitarian affairs, working with supporters in congress and prodded by grassroots activists, opposed the increase in military aid to Indonesia and tried to link economic aid with improvement in human rights. Their efforts, however, met with determined resistance from the formidable trio of Vance, Holbrooke, and Brzezinski. In the autumn of 1977, as the embassy in Jakarta began to prepare its second annual human rights report, the bureau of human rights proposed to name Indonesia as a 'consistent and gross violator of human rights', which would have made it ineligible for military aid and restricted US support for economic aid to projects meeting 'basic human needs'. The NSC refused to allow the designation. It argued that, although Indonesia had human rights 'problems' (defined solely as political prisoners), it did not engage in systematic abuses.[4]

Even symbolic efforts to restrict military aid to Indonesia met with a similar fate. The senate foreign assistance committee voted down the ban on continued grant military aid to Indonesia that its subcommittee had recommended in May on human rights grounds. Over the course of the

1 Memo, Armacost to Brzezinski, 14 June 1977, JCL, Far East, box 4.
2 Memo, Brzezinski to Carter, 8 July 1977, ibid.
3 Memo, Armacost to Brzezinski, 'Indonesia: Arms Transfer Requests', 21 Oct. 1977, FOIAR; memo, Holbrooke and Gelb to Vance, 'Proposed Sale of F-5 Aircraft to Indonesia', 5 Nov. 1977, ibid.
4 Memo, Armacost to Tuchman, 24 Aug. 1977, JCL, Far East, box 6.

summer, the bureau of human rights tried to delay the administration's plans to build an M-16 co-production facility and to sell F-5 fighters to Indonesia. After Indonesian officials threatened to turn to European suppliers for weapons, Vance intervened to approve the sale.[1]

The comparative silence in the United States about East Timor contrasted sharply with the dramatic increase in both US-based human rights activism in, and media focus on, Latin America. There, supporters in congress mounted significant efforts to halt US military aid and restrict multilateral development aid, while local human rights campaigns tried to raise awareness of torture in Brazil, Argentina, and Chile, and shift the framework of public debate about US interests in Central and South America. These groups benefited from geographical proximity, a relatively high level of public awareness, numbers of immigrants and refugees who lived in the United States, and long histories of travel by US citizens and work by missionaries.[2] None of these conditions prevailed in East Timor, where Indonesia enforced a near-total news blackout that compelled activists to take covert actions to gather and distribute information about atrocities.[3]

Indonesia's nascent human rights movement, which focused on other issues, fared little better. The two main human rights organizations in Indonesia, the Institute for Defense of Human Rights (Lembaga Pembela Hak Hak Manusia or LPHHM), founded in 1966 by a Dutchman, H. J. C. Princen, and the Indonesian Legal Aid Foundation (Lembaga Bantum Hukum or LBH), founded in 1970 by an Indonesian lawyer, Adnan Buyung Nasution, at first focused their work on the 'extension of legal, civil, and political rights', as well as 'social justice and popular participation in development projects'. After the ties they soon made with AI, ICJ, ICRC, and Tapol helped to turn Indonesia's political prisoners into an international concern, in 1973 they began to petition the military and the attorney-general, Ali Said, for the prisoners' release. But their nationalist rhetoric as much as their fear of repression and lack of access to information about abuses in East Timor held them back for a decade from taking on the more dangerous task of challenging the annexation and endorsing East Timor's right to self-determination.[4] Such a demand would raise

1 Meyner to Vance, 22 June 1978 [New York University, Tamiment Library], E[ast] T[imor and Indonesia] A[ction] N[etwork] Papers, box 14; Fraser to Vance, 23 Feb. 1977, Fraser Papers, 1977, box 151.H.3.7B; memo, Armacost to Brzezinski, 21 Oct. 1977, JCL, NSA, box 6.

2 C. Smith, *Resisting Reagan: The US Central American Peace Movement* (Chicago, IL, 1996), pp. 155-60; K. Sikkink, *Mixed Signals: US Human Rights Policy and Latin America* (Ithaca, NY, 2004), chs. 2-4; J. Green, *'We Cannot Remain Silent': Opposition to the Brazilian Military Dictatorship in the United States, 1964-85* (Durham, NC, 2009).

3 British Campaign for an Independent East Timor: *East Timor Information Bulletin, no. 3* (London, 1976).

4 E. Aspinall, *Opposing Suharto: Compromise, Resistance, and Regime Change in Indonesia* (Stanford,

unthinkable questions about the legitimacy of secessionist movements in Aceh, where the Free Aceh Movement (Gerakan Aceh Merdeka or GAM) declared independence in December 1976, and West Papua, where the OPM refused to recognize Indonesia's annexation in 1969.[1]

The Suharto regime adroitly exploited nationalist sentiment in an attempt to delegitimize the work of AI and other human rights groups. Abroad, it stigmatized AI as suffering 'from the "moral arrogance" of the West which has been deplored by the Third World at large' and, at home, it periodically harassed or arrested the first generation of human rights activists. The repression constrained LBH and LPHHM's discourse, funding, activism, and their ability to cultivate transnational ties. It compelled them to couch their work within the rhetorical confines of the regime's nationalist project and ideology, as a contribution to the legal reform and modernization of the state rather than as a challenge to its legitimacy.[2]

The approach taken by LBH and LPHHM appealed to international donors such as the Ford Foundation, which, in response to activists in Latin America and the overthrow in 1973 of the Salvador Allende regime in Chile, began to discuss a shift towards the funding of campaigns for human rights.[3] At first, Ford Foundation officials often framed human rights questions in functional and developmental terms. For example, at a seminar of development experts in May 1976, they asked of Indonesia, 'is the present level of repression necessary to maintain an orderly society and carry on the variety of development efforts?' If not, then the foundation would be able to 'support research and legal aid organizations; these provide a place to work for professionals who, in the midst of other efforts, are able to keep a critical eye on abuses of basic rights'. Unable, despite its long-standing ties with Indonesia, directly to fund campaigns for human rights, the Ford Foundation supported the ICJ and ICRC, both of which worked alongside LBH and LPHHM to gather and disseminate information about political prisoners. Ford also began in 1976 to fund Indonesia's public defenders office, the Institute for Legal Aid, and programmes at the University of

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CA, 2005), pp. 103-5; A. Jetschke, 'Linking the Unlinkable? International Norms and Nationalism in Indonesia and the Philippines', in *The Power of Human Rights: International Norms and Domestic Change*, ed. T. Risse, S. C. Ropp, and K. Sikkink (Cambridge, 1999), pp. 134-72.

1 K. Schulze, 'Insurgency and Counter-Insurgency: Strategy and the Aceh Conflict, October 1976-May 2004', in *Verandah of Violence: The Background to the Aceh Problem*, ed. A. Reid (Singapore, 2006), pp. 225-72; J. Saltford, *The United Nations and the Indonesian Takeover of West Papua, 1962-9: The Anatomy of a Betrayal* (London, 2002).

2 Jetschke, 'Linking the Unlinkable', p. 140; Aspinall, *Opposing Suharto*, p. 103.

3 W. Korey, *Taking on the World's Most Repressive Regimes: The Ford Foundation's International Human Rights Policies and Practices* (New York, 2007), pp. 28-37; R. Higgins, 'Human Rights: Needs and Practices', Sept. 1973 [New York], F[ord] F[oundation] A[rchives].

Indonesia in order to give higher prominence to 'legal aid and the rule of law' as a framework for human rights advocacy and development.[1]

The increase in foreign funding of human rights campaigns had dramatic and sometimes unintended long-term consequences. As Eward Aspinall argues,

> From the late 1970s foreign donors became a main source of funding for most Indonesian NGOs. This support in turn helped NGOs to become more independent of and willing to criticize the government. Funding allowed NGOs to run projects, hire staff, and rent buildings. NGOs became an alternative middle-class career path for those with critical ideas. Links to foreign agencies also made NGOs ideally suited to play a role as transmitters into Indonesia of new paradigms for thinking about social, economic, and political change.[2]

In the late 1970s, LBH took on recognizably 'Western' human rights work. It set up a human rights division in 1979 and, thereafter, issued its own annual reports on Indonesia's human rights record. But foreign funding imposed subtle constraints. It gave a higher profile to NGOs able to frame goals, analyse problems, report abuses, and compile information in ways useful to the transnational human rights community. Geoffrey Robinson, an Indonesia analyst for AI in the 1980s and 1990s, describes an accretive process by which AI's institutional needs shaped the language, style, and structure of human rights reporting by Indonesian and Timorese activists. Over time, a discursive discipline stripped their accounts of politics and ideology to enable them to appear neutral for international consumption.[3]

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THE SIDELINING IN the United States of East Timor as a human rights issue was the result of more than great-power hypocrisy, lack of information, or geopolitics. The individualistic and liberal human rights discourse in the West, which ranked civil and political rights higher than collective economic and social rights and, in particular, the right to self-determination, compounded the difficulties faced by the few advocates for East Timor who worked to reverse the United States' and the West's support for Indonesia. As Katherine Sikkink remarks of Latin America, 'the focus on

1 J. Newman, 'Notes on Human Rights and Indonesian Development', Paper for Southeast Asia Development Advisory Group Seminar, 'Indonesian Development and US Response', Reston, VA, 14-15 May 1976, ETAN Papers, box 14; 'Human Rights and Intellectual Freedom', FFA, Ford Foundation Information Paper 005527, March 1978.

2 Aspinall, *Opposing Suharto*, pp. 93-5.

3 See, e.g., speech, Horta, 'East Timor: Indonesian Armed Aggression', n.d., ETAN Papers, box 14; author's correspondence, Nov. 2008, with Geoffrey Robinson, author of *Indonesia and East Timor: Power and Impunity – Human Rights under the New Order* (London, 1994).

the rights of the person found an echo in the liberal ideological tradition of the Western countries, where the human rights movement had the bulk of its members. But the focus on basic rights of the person was also consonant with the human rights problems in the main target countries of the early movement,' all of them long independent and in which talk of rights did not grow out of anti-colonial struggles.[1] This narrow definition of human rights was reflected in AI's original mandate. For the first twenty years of its existence, it focused almost exclusively on prisoners of conscience, torture, and the death penalty, even in Indonesia where mass killings and forced population transfers stemmed from the denial of self-determination to West Papua and East Timor.

If Western human rights advocates during the 1970s focused on crimes against individuals and their bodies in the form of torture, many post-colonial states – as members of UN committees – and more politically radical solidarity campaigns continued to set the demand for human rights in an anti-colonial context that intersected with cold war rivalries. The leaders of Fretilin, East Timor's leading political party, saw themselves as the heads of a liberation movement comparable with Frelimo in Mozambique, to which many of them fled after the invasion in 1975. Their goals and rhetoric reflected the ideological influence not only of Frelimo but also of its Chinese advisers. Following Indonesia's invasion, China's *People's Daily* declared that 'the struggle of the people of E[ast] T[imor] for national liberation and independence is an integral part of the Third World people's struggle against imperialism, colonialism, and hegemonism.' In their view, East Timor was fighting for the self-determination it had exercised when it declared independence on 30 November 1975.[2]

Notwithstanding the numbers of works on human rights published in the last decade, we lack broad historical treatments of self-determination's descent through the twentieth century and its intersection with debates about the protection of minorities and human rights.[3] The few studies we do have suggest that, from the moment in December 1948 of the publica-

1 Sikkink, *US Human Rights Policy*, p. 57.

2 D. Webster, 'Non-State Diplomacy: East Timor, 1975-99', *Portuguese Studies Review*, xi (2003), 10; do Amaral, *East Timor*, p. 5.

3 See, e.g., E. Weitz, 'From the Vienna to the Paris System: International Politics and the Entangled Histories of Human Rights, Forced Deportations, and Civilizing Missions', *American Historical Review*, cxiii (2008), 1313-43; E. Manela, *The Wilsonian Moment: Self-Determination and the International Origins of Anticolonial Nationalism* (New York, 2007); *The New World Order: Sovereignty, Human Rights, and the Self-Determination of Peoples*, ed. M. Sellers (Washington, DC, 1996); *Selbstbestimmungsrecht der Völker – Herausforderung der Staatenwelt; Zerfällt die Internationale Staatenvelt in Hunderte von Staaten?*, ed. H.-J. Heintze (Bonn, 1997); United Nations: *PBB dan Timor-Timur. Penentuan Nasib Sendiri melalui Jajak Pendapat* (New York, 2000); N. Y. Puspita, 'Implementasi Hak Penentuan Nasib Sendiri Bagi Bangsa dan Wilayah yang Belum Berpermerintahan Sendiri di Dalam Sistem PBB', *Gloria Juris*, v (2005), 133-47.

tion of the Universal Declaration of Human Rights (UDHR), significant disagreement was apparent within the post-colonial world, as well as among the colonial powers and within in the socialist bloc, about the degree to which self-determination was a human right. These debates, as fierce as those over the UDHR, were inseparable from the broader political contests over post-colonial social, political, and economic organization. While Third World nationalists and the Soviet Union during the cold war wielded self-determination as an anti-colonialist club with which to beat the United States and the European colonial powers, the United States often construed self-determination – and human rights – in the narrow civil and political terms used to justify the demand for political freedom for the Soviet Union's satellite states in Eastern Europe or independence for South Vietnam.

A series of seemingly unanswerable questions underlay the debates. As Roger Norman and Sarah Zaidi ask: 'Was self-determination a human right or a general principle? Did it implicate economic as well as political independence? Did it encompass the right to internal democratic participation? Did it apply only to colonial or non self-governing territories, or did it apply to national groups seeking to secede from recognized states?'[1] The inclusion of an explicit 'right to self-determination', in 1960, in the 'Declaration on the Granting of Independence to Colonial Countries and Peoples' and, in 1966, in the first two human rights covenants, did little to clarify matters. Few national liberation movements or post-colonial states that claimed the right to self-determination practised democracy, nor did the new multi-ethnic states grant the right to their own minorities. Ethnic, religious, and political minorities that claimed the right to secede, or to autonomy, challenged the sanctity of the colonial frontiers used when claiming independence and that supposedly stabilized the post-Second World War nation-state system. The secession crises in Biafra (to which a divided Richard M. Nixon administration proved surprisingly sympathetic) and Bangladesh (against which it supported Pakistan) demonstrated clearly that, as in the case of human rights, cold war and geopolitical considerations conditioned the international community's response to demands for self-determination.[2]

1 R. Normand and S. Zaidi, *Human Rights at the UN: The Political History of Universal Justice* (Bloomington, IN, 2008), pp. 212-20.

2 M. R. Islam, 'Secessionist Self-Determination: Some Lessons From Katanga, Biafra, and Bangladesh', *Journal of Peace Research*, xxii (1985), 217-27; F. L. Kirgis, Jr., 'The Degrees of Self-Determination in the United Nations Era', *American Journal of International Law*, lxxxviii (1994), 304-10; D. Sargent, 'From Internationalism to Globalism: The United States and the Transformation of International Politics in the 1970s' (Ph.D. dissertation, Harvard, 2008), pp. 278-344; for Biafra, see memcon, Rogers Debré, Porton, and Lebel, 1 March 1969, *Foreign Relations, 1969-76: Volume E-5, Documents on Africa, 1969-72*, http://www.state.gov/r/pa/ho/frus/nixon/e5/54848.htm; for Bangladesh, see memo,

It is no coincidence that human rights activism in Europe and the United States arose at the end of formal European colonialism in the early 1970s, or that post-colonial states insisted that self-determination was the 'first right' from which all other human rights derive. The latter considered the 'outlawing of racial discrimination in Rhodesia and South Africa' and ending the Israeli occupation of Palestine among the world's primary human rights challenges.[1] In the view of Kenneth Cmiel, Western states in the 1970s, which did not agree that self-determination was a fundamental human right, often viewed movements for self-determination merely as destabilizing leftovers from the anti-colonial state-building of previous decades.[2] US officials objected especially to claims made in international forums by member-states of the non-aligned movement, and by left-leaning regimes like Allende's Chile, that, to be effective, self-determination must encompass economic sovereignty and control over natural resources. This not-so-subtle challenge to the prerogatives of multinational corporations was also seen in calls for a New International Economic Order often couched in terms of human rights.[3]

The United States' stance on East Timor at the United Nations illustrates the difficulty US officials had in reconciling the right to self-determination with other framings of human rights. Following Indonesia's invasion, the Ford administration voted in December 1975 in favour of two security council resolutions that affirmed East Timor's right to self-determination and called on Indonesia to withdraw 'without delay', while working behind the scenes to gut them. In March 1976, it abstained on a third similar resolution[4] and, on 19 November, voted against a general assembly resolution that rejected Indonesia's annexation of East Timor in July, which Indonesia had justified as an act of self-determination. Thereafter, the United States took the position that 'while we have never recognized that a valid act of self-determination by the Timorese people has

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Kissinger to Nixon, 18 Aug. 1971, *Foreign Relations, 1969-76*: XI: *South Asia Crisis, 1971*, http://www.state.gov/r/pa/ho/frus/nixon/xi/45599.htm.

1 R. Emerson, 'The Fate of Human Rights in the Third World', *World Politics*, xxvii (1975), 204; statement, Malik, 'On the Occasion of the Commemoration of the International Day of Solidarity with the Struggling People of South Africa', 28 June 1977, UN press release no 288/1006; embassy Addis Ababa to state dept., tel. 9779, 14 Aug. 1975, DS, FOIA.

2 K. Cmiel, 'The Recent History of Human Rights', *American Historical Review*, cix (2004), 117-36.

3 Mission Geneva, to state dept., 'Human Rights Commission – Self-Determination', tel. 1290, 23 March 1973, FOIA; state dept. to Belgrade, 'Nonaligned Conference', tel. 161883, 15 Aug. 1973, ibid.; mission UN to state dept., 'Third Committee – Draft Resolution on Self-Determination', tel. 5039, 15 Oct. 1975, ibid.; on the connection between human rights and the NIEO, see Malik, address to the 7th special session of the UN General Assembly, 27 Sept. 1975, New York, United Nations, UN Document A/PV.2329.

4 See G. Gunn, *East Timor and the United Nations: The Case for Intervention* (Lawrenceville, NJ, 1997), pp. 107-11.

occurred, we accept the incorporation of East Timor into Indonesia.'[1] The stance was consistent with the Nixon administration's because Nixon's secretary of state, William Rogers, had stated at the United Nations that 'it is our long-standing position that independence is only one of several possible outcomes of [a] process of self-determination.'[2] According to John Taylor, the consensus among Western governments in the years following Indonesia's invasion of East Timor was that 'it was not worth supporting the issue of self-determination and, indeed, that such support might be given at a cost to one's relations with other UN member states.'[3]

Between 1977 and 1980, the Carter administration restated its predecessor's position. At the 32nd UN general assembly meeting in the autumn of 1977, Mozambique and Guinea-Bissau submitted a resolution (drafted with the help of Fretilin's foreign minister, José Ramos-Horta) that called for a cease-fire and the admission of a UN fact-finding mission to East Timor. It significantly weakened the previous year's resolution in the hope of gaining US support.[4] In November, as the UN prepared to vote, Holbrooke and Derian explained the United States' option to the under-secretary of state for political affairs, Philip Habib. Not even Derian supported the Fretilin-sponsored resolution, even though doing so would 'dramatically underscore our human rights concerns' and 'conform to our position that the UN has a responsibility to deal with problems relating to human rights, including self determination'. Instead, the state department recommended a vote against the resolution as a way to 'remove this irritant as we continue pressing the GOI [government of Indonesia] for progress on human rights matters throughout Indonesia as well as in East Timor'.[5] In succeeding years, the United States, joined by Australia, New Zealand, and other regional supporters of Indonesia, voted three more times against general assembly resolutions that refused to recognize Indonesia's annexation of East Timor and reaffirmed its right to self-determination, and worked to remove East Timor from the agenda of the UN decolonization committee.[6]

1 Statement, Suharto, to delegation of the Provisional Government of East Timor, 7 June 1976; press release, state dept., 'East Timor – Self-Determination', 4 Aug. 1982, FOIA.

2 R. S. Clark, 'The 'Decolonization' of East Timor and the United Nations Norms on Self-Determination and Aggression', in *International Law and the Question of East Timor* (London, 1995), pp. 65-103; state dept. to embassy Paris, 'Draft Resolution on Colonialism', tel. 050616, 20 March 1976, DS, FOIA.

3 Taylor, *Indonesia's Forgotten War*, pp. 175-6.

4 Memo, Young to Holbrooke, 4 Aug. 1977, FOIAR; state dept. to Jakarta et al., tel. 2776, 30 Aug. 1977, ibid.

5 Memo, Maynes, Holbrooke, Hansen, and Derian to Habib, 1 Nov. 1977, FOIAR; state dept. to Jakarta, tel. 4531, 10 Nov. 1977, ibid.

6 Mission UN to state dept., tel. 5688, 6 Dec. 1978, tel. 4899, 3 Nov. 1979, tel. 04413, 21 Oct. 1980, FOIAR; M. Blackwood, *Justice and Reconciliation in East Timor: Australia and the CAVR* (Kings Cross, Australia, 2006), p. 30; memo, New Zealand embassy Jakarta to for. min., 16 June 1976,

The US and Australian position was at odds with that of the non-aligned movement, Lusophone states, and the socialist bloc, which regularly reaffirmed East Timor's right to self-determination and called for it to be given its independence. The Fifth Conference of the Non-Aligned Countries, for example, held at Colombo in August 1976, rejected Indonesia's claim that the annexation constituted an act of self-determination and affirmed support for East Timor's independence in accordance with the UN resolutions, a result that 'seriously worried' the Indonesian government.[1] The United States and Australia were not alone, however, in seeking to wall off self-determination from other framings of human rights. AI's international secretariat, in a directive to groups around the world who worked on Indonesia and East Timor, reminded them that 'while governments may regard the human rights situation in East Timor as having a bearing on their stand on the issue of self-determination, AI does not urge governments to take any particular position on the issue.' The International League for Human Rights (ILHR), on the other hand, founded in the United States in 1942 and committed to anti-colonial self-determination as a human right under the umbrella of the United Nations, submitted petitions to the Fourth (Decolonization) Committee in the late 1970s and early 1980s that framed East Timor's case in these terms. Most solidarity groups that focused on East Timor linked human rights abuses to the denial of self-determination and urged their governments to make the same connection. They revealed the gulf between the differing visions of human rights politics among NGOs that historians tend to overlook.[2]

Western diplomats, while affirming East Timor's right to self-determination in principle, repeatedly ignored it in practice: they ruled out independence and set self-determination in the context of integration with Indonesia. Developmental discourses, moreover, supplied an explanation for dismissing Timor as too small and primitive to merit self-government – New Zealand's ambassador at Jakarta remarked that 'considered as human stock [the Timorese] are not at all impressive'[3] – despite the efforts of anthropologists and activists to argue that East Timor was a viable independent state. A lengthy report in March 1976 by the United Kingdom's foreign and commonwealth office, which later accepted Indonesia's

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NZOIA; emphasis added.

1 Ton Duc Thang to do Almaral, 27 Jan. 1976, ETAN Papers, box 14; Tapol US, *Bulletin*, iv (1976); statement, Malik, Fifth Conference of Non-Aligned Countries (Colombo, 16-19 Aug. 1976), 24 Aug. 1976, Indonesian mission UN, press release no. 264/1006; memo, Grozney to Rundell, 'Timor: Nonaligned Conference in Colombo', 21 July 1976, FCO 020/1(333).

2 Memo, Asia research dept. to all sections, 'AI's Concerns in East Timor', Aug. 1983, AI, RG IV, box 25; petition, International League for Human Rights to Fourth Committee of the General Assembly of the United Nations, 14 Oct. 1980, ILHR.

3 Memo, Peren to for. min., 'East Timor: Ambassador's Visit', 13 Jan. 1978, NZOIA.

annexation of East Timor but worried about the precedent set for decolonization in Belize, admitted the difficulty 'of developing some acceptable and practicable concept of international law and morals. Morals and the law do not always go hand in hand. Self-determination is a laudable principle, but it may not always be morally right to grant it.'[1]

The Carter administration, like its allies in the region, continued to formulate policy on the assumption that Indonesia's incorporation of East Timor was irreversible, that any abuses of human rights, while regrettable, had occurred in the past, and that the international community should confine itself to encouraging Indonesia to give access to humanitarian organizations such as Catholic Relief Services and the Red Cross.[2] In other words, not until contending claims over self-determination had been resolved would human rights in East Timor emerge as an acceptable subject for debate among Western governments. At the beginning of 1978, however, reports smuggled out by Catholic Church activists and the handful of journalists allowed access to East Timor suggested that not only were Indonesian forces killing large numbers of people, but also that they had difficulty in controlling the rural areas to which most of the population had fled.[3]

In September 1977, the Australian Labor Party, citing smuggled reports, claimed that Indonesia was planning to send fifteen battalions of troops in an attempt to wipe out Fretilin's resistance. The renewed offensive followed an offer of 'amnesty' to Timorese living outside Indonesian-controlled areas, a gesture the Carter administration praised as evidence of Indonesia's self-restraint. Cut off from food supplies and unable to feed those who sought protection because of Indonesian military operations, Fretilin encouraged more than 60,000 Timorese to accept the offer. Rather than allowing the Timorese to return to their homes, however, Indonesian officials forced them into resettlement camps. Prevented from farming, they faced starvation and disease, which provoked world-wide condemnation when journalists, finally allowed into the territory in November 1978, sent home pictures of emaciated Timorese.[4]

1 Testimony, Forman, 18 June 1977, subcommittee on international organizations, US HOR, GPO, Washington, DC; A. Kohen and S. R. Heder, 'East Timor and the Issue of Self-Determination', testimony, 28 June 1977, ibid.; FCO, diplomatic report no. 182/76, 'Timor: Indonesia's Reluctant Takeover', 15 March 1976, FCO 15/1709.

2 See, e.g., 'Statement by Mr Robert B. Oakley, deputy assistant secretary of state, before the House Subcommittee on International Organizations', 15 Feb. 1978, FOIAR; Holdich to Fraser, 'Relations with Indonesia: Timor', 6 Aug. 1976, *APT*, pp. 825-6; news release, Australian dept. of for. affairs, 'Relations with Indonesia', 20 Jan. 1978, ibid., pp. 838-9; memo, Duggan to FCO, 'Mr Fraser's Visit to Jakarta', 21 Oct. 1976, FCO 15/1713.

3 Jakarta to state dept., tel. 5366, 25 April 1978, tel. 6209, 12 May 1978, FOIAR.

4 Canberra to state dept., tel. 6150, 1 Sept. 1977, FOIAR.

A French journalist who sneaked into East Timor in September 1977 reported that the Indonesian army was 'systematically wiping out' villages suspected of supporting Fretilin, while a group of Timorese priests predicted in a letter smuggled out in November that 'we are on the road to complete genocide.'[1] Indonesian officials admitted privately that they controlled less than half and perhaps as little as 20 per cent of East Timor's population. In a meeting with US embassy officials, Murdani claimed that Indonesia's armed forces, which foreign observers numbered at between 25,000 and 40,000, lacked enough 'manpower, supplies, and expertise' to defeat Fretilin's guerrillas, even though he numbered them at only 660. In July, the CIA's national foreign assessment centre observed that Indonesia's forces, engaged in their largest military operations since independence, 'have had difficulties extending their control to the countryside and in some cases, even pacifying areas near the large population centers'.[2] Moreover, despite the near doubling of US military aid since 1976, they were 'running out of military inventory', their operations in Timor having 'pushed them to the wall'.[3]

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The reports of Indonesian atrocities and the military stalemate in East Timor at the end of 1977 provide the context into which to set the Carter administration's framing of human rights in Indonesia as well as its continued commitment to increased military aid to the Suharto regime. After two years of accumulating evidence of the possibility of genocide in East Timor, the state department's annual human rights report for Indonesia, released in January 1978, had this to say: 'Questions have been raised concerning atrocities by Indonesian troops in East Timor in 1975 and 1976 prior to the incorporation of East Timor into Indonesia. The Indonesian government withdrew and disciplined offending units guilty of individual excesses, but most of the human losses appear to have occurred prior to Indonesia's intervention.'[4] The rest of the report complimented the Suharto regime on its prisoner release programme and respect for human rights, while ignoring the military operations in Aceh and West Papua as well as East Timor.

1 J. Dunn, *East Timor: A Tough Passage to Independence* (Longueville, Australia, 2001), pp. 269-70.
2 Jakarta to state dept., tel. 000345, 3 Jan. 1978, FOIAR; CIA, National Foreign Assessment Center Weekly Military Review, 26 July 1978, ibid.
3 Jakarta to state dept., tel. 5605, 29 April 1976, tel. 0021, 3 Jan. 1978, FOIAR; G. McArthur, 'Indonesia Quietly Starting to Modernize Its Hopelessly Outmoded Military Force', *Los Angeles Times*, 25 Nov. 1977, B 18.
4 State dept.: *Reports on Human Rights Practices, 1978* (Washington, DC, 1978), p. 235, submitted to congress, 3 Feb. 1978.

As the US embassy prepared its human rights report for 1978, Fraser wrote to Vance, inquiring about the reports from Australia of indiscriminate killings in East Timor and the use of the OV-10 Bronco counter-insurgency aircraft supplied by the United States to spray defoliants.[1] Although Western journalists first reported the use of the Broncos in February 1978, two Falintil guerrilla commanders, Albino do Carmo and José Pereira, stated in testimony to East Timor's Commission for Reception, Truth, and Reconciliation in 2005 that the Broncos had been deployed in bombing and strafing runs against civilians since August 1976: 'In 1976 ABRI (Indonesian Armed Forces) already used airplanes and bombs. In 1976-1977 often, two or three times a week. [The airplanes] flew quite low. First they used helicopters and shot. They also used large black aircraft. They used bombs. And third they used big aircraft with a hole in the back [OV-10 Bronco]. They were used since 1976, starting around about August.'[2]

On Vance's behalf, the assistant secretary for congressional relations, Douglas Bennett, acknowledged to Fraser on 7 January 1978 that Indonesian forces had deployed OV-10 aircraft in East Timor, but claimed that the weapons employed had 'been limited to machine guns, rockets, and perhaps bombs' used in the 'aerial bombing' of Fretilin-controlled areas.[3] These were known, at the time, to have been sheltering tens of thousands of refugees fleeing from the Indonesian attacks.

With congressional and grassroots critics continuing to criticize the United States' military aid to Indonesia and trying to draw attention to the ongoing atrocities in East Timor, the Carter administration tried to reframe Indonesia's attack on its neighbour as counter-insurgency. Testifying in February 1978 before the house representative international relations committee's hearing on human rights in, and US military aid to, Indonesia, Oakley – who, in January, had visited Indonesia with Derian to attend a ceremonial release of political prisoners – described the military operations in East Timor as a legitimate response to 'armed groups such as Fretilin who are employing armed force against the government'.[4] As Richard Dudman of the *St Louis Post Dispatch* observed – in one of the

1 The OV-10 Broncos had been delivered to Indonesia on an expedited basis in May and June 1976 by the Ford administration; see state dept. to Jakarta, tel. 303047, 20 Dec. 1977, FOIAR.

2 *Chega! Final Report of the Commission for Reception, Truth, and Reconciliation in East Timor* (Dili, 2006), p. 73.

3 Bennett to Fraser, 7 Jan. 1978, FOIAR; Jakarta to state dept., tel. 17202, 23 Dec. 1977, tel. 0333, 8 Jan. 1978, ibid. This account was confirmed by New Zealand's ambassador to Indonesia on a visit to East Timor. See memo, Peren to for. min., 13 Jan. 1978, NZOIA.

4 Hearings, 15 Feb. 1978, IRSC: *US Policy on Human Rights and Military Assistance: Overview and Indonesia* (Washington, DC, 1978); 'Statement by Mr Robert B. Oakley, Deputy Assistant Secretary of State, before IRSC', 15 Feb. 1978, FOIAR.

few articles about East Timor published in the US press during the Carter administration – 'aggression was thus converted into suppression of an insurgency, and continuing US military aid could have a façade of legitimacy.' On 16 February, the day after Oakley testified, the state department notified congress of its plans to sell sixteen F-5 fighter planes and spare parts valued at $125 million to Indonesia. Several days earlier, Australian ham-radio operators had picked up broadcasts from East Timor which reported that Indonesian forces had killed all of the five hundred inhabitants of the town of Atabai for supporting Fretilin.[1]

Three months later, in May, at the culmination of the Carter administration's efforts to forge closer relations with Indonesia, Mondale visited Jakarta for meetings with Suharto and his senior officials. The visit was one stop on a tour of Southeast Asia that included visits to Australia, Thailand, and the Philippines, where the Carter administration was trying to renegotiate with the dictator, Ferdinand Marcos, the renewal of the leases on the US bases at Subic Bay and Clark Field.[2] The NSC described the tour as 'an especially important moment for US-Indonesian relations', and an opportunity to 'erase doubts as to US policy toward Indonesia and Southeast Asia'.[3]

US and Indonesian officials understood the symbolic importance of Mondale's visit, at a time when both Indonesia and the Philippines were under fire from human rights organizations and congress. Although Mondale's briefing papers stated that one of his chief objectives was to 'affirm our commitment to promote progress on human rights', the NSC warned him to treat the issue of human rights in both countries 'with a very light touch', owing to 'our determination not to impose our values, our understanding of local cultural and historical factors, [and] our recognition of recent progress'. The high-sounding words, misleading in themselves, were belied also by the conclusion: that the administration sought to limit the 'intrusion' of human rights into the considerations of international financial institutions.[4] Here the Carter administration deployed the defence of Southeast Asian authoritarianism later used by Malaysian, Singaporean, and Indonesian officials in the 1990s in the so-called 'Asian human rights' debate: that the United States should defer to local conceptions of human rights that conflicted with international standards.

Throughout the winter and spring of 1978, Indonesian officials

1 N. Chomsky and E. S. Herman, *The Political Economy of Human Rights* (Boston, 1979), ii. 173; state dept. to Jakarta, tel. 040604, 16 Feb. 1978, FOIAR.
2 Paper for Mondale, 'Visit to Southeast Asia', 17 March 1978, JCL, Far East, box 7; R. Bonner, *Waltzing with a Dictator: The Marcoses and the Making of American Policy* (New York, 1988), pp. 231-49.
3 Inventory, Mondale's trip to Indonesia, 28 Feb. 1978, JCL, Far East, box 7.
4 Paper for Mondale, 'Visit to Southeast Asia', 17 March 1978, JCL, Far East, box 7.

expressed their dissatisfaction with what they perceived as the United States' meagre contribution to the modernization of the armed forces. At a meeting on 10 February with the US ambassador, Edward Masters, Panggabean asked the Carter administration to expedite the authorization and shipment of twenty-eight A-4 ground-attack aircraft.[1] Indonesian officials repeated the request four weeks before Mondale's visit. In supporting the request, Masters explained that the Suharto regime would deploy the A-4 in an 'air-to-ground role in support of the Indonesian army', at a time when its major military operations, in East Timor, included extensive aerial bombardment of civilians. He added, nonetheless, the assurance that 'we have no indications that the sale would affect human rights.' Advocates for human rights in congress and elsewhere were not convinced.[2]

Shortly before his visit to Indonesia, Mondale wrote to Carter asking him to speed up the approval of the A-4 sale, as 'the underlying purpose of my visit is to affirm that we want to work with Indonesia.' On 9 May, the day Mondale arrived at Jakarta, Carter issued a special presidential guidance approving the sale. Crucially, the guidance sought clarification 'on the circumstances in which they envision the planes will be used, in particular in East Timor', an acknowledgement that the new US weapons would likely be used there.[3] After Mondale had passed on the good news to Suharto the next day, the United Kingdom and Australia announced the sale of Hawk ground-attack aircraft, transports, and helicopters to Indonesia.[4]

In spite of the Carter administration's professed prioritization of human rights, Mondale, in private, treated the issue as one merely of perception and presentation. Well managed, it would facilitate closer relations with Indonesia.[5] Mondale, who noted that the release in 1977 of thousands of political prisoners had 'helped create a favorable climate of opinion in the congress' for arms sales, suggested to Suharto, who did as Mondale suggested, that the release of smaller numbers of prisoners more often would conciliate public opinion by deflecting criticism. Similarly, Mondale's definition of 'mutual concerns' in East Timor meant 'how to handle public

1 Jakarta to state dept., 'Preparation of Congressional Presentation Document for FY 1979 Security Assistance Program', tel. 16860, 16 Dec. 1977, tel. 1874, 10 Feb. 1978, FOIAR.

2 Jakarta to state dept., tel. 4322, 4 April 1978, FOIAR; state dept. to Jakarta, tel. 096741, 14 April 1978, ibid.; East Timor Defense Committee, leaflet, 'VP Mondale's Promise to Sell 28 A-4C Bombers to Indonesia: Why This Sale Should Be Stopped', May 1978, ETAN Papers, box 14; Meyner to Vance, 22 June 1978, ibid.

3 Memo, Mondale to Carter, 'My Trip to Southeast Asia', 26 April 1978, JCL, NSA, box 7; memo for Wisner, 'Presidential Guidance on A-4s', 9 May 1978, FOIAR.

4 Jakarta to state dept., 'Summary of Vice-President's Meeting with Suharto', tel. 6076, 10 May 1978, FOIAR; C. Budiardjo and Liem Soei Liong, *The War in East Timor* (London, 1984), p. 30.

5 Jakarta to embassy Manila, 'Vice-President's Visit: Perceptions of Indonesian Policies', tel. 5613, 1 May 1978, FOIAR.

relations aspects of the problem'. He suggested that allowing humanitarian groups such as the Catholic Relief Services into East Timor would not only help to improve conditions for refugees but also 'have a beneficial impact on US public opinion'.[1]

After Mondale's departure, US and Indonesian officials told the Carter administration of Suharto's enormous enjoyment of the visit. Masters reported to Holbrooke that Suharto was 'exuberant' at having found Mondale 'completely friendly and open and to have an excellent understanding of the Indonesian situation'.[2] Suharto meant, and Masters and Holbrooke understood, that he expected to hear no more about either human rights or East Timor.

* * * * *

As Mondale met with Suharto to 'consolidate the administration's position' with the regime, Indonesian army and navy units launched a campaign of 'encirclement and annihilation' against the central and eastern regions of East Timor that lasted through the end of 1978. According to Taylor, the Indonesian strategy consisted 'of heavy bombardment and strafing of villages aimed to force the inhabitants into increasingly confined areas until they were surrounded. After encirclement came annihilation – executions, imprisonment, deportations … and the relocation of the population in camps.[3] In one of many such incidents reported during the campaign, Indonesian troops supported by Broncos killed more than five hundred people who had taken refuge at the foot of Vadaboro Mountain at the eastern end of the island.

A delegation of Western diplomats given access to the territory in September were shocked at the extent of the malnutrition and even starvation among the estimated 300,000 refugees the Indonesian army had forcibly relocated into settlement camps.[4] The pictures of emaciated Timorese refugees finally forced the Suharto regime to allow the ICRC and other relief organizations into East Timor, but not before the fate of the tens of thousands who had died of starvation and preventable disease had been blamed on the Fretilin guerrillas who had tried to shield them from the Indonesian armed forces. Not until July 1979, ten months after his visit to East Timor, did Masters ask the state department for emergency assistance. The Carter administration trumpeted its decision to send the assist-

1 Jakarta to state dept., tel. 6004, 9 May 1978, tel. 6076, 'Summary of Vice-President's Meeting with Suharto', 10 May 1978, tel. 8864, 5 July 1978, FOIAR.
2 Jakarta to state dept., tel. 6074, 10 May, tel. 8736, 15 May 1978, FOIAR; memo, Armacost to Brzezinski, 'East Asia Evening Report', 16 May 1978, JCL, NSA, box 7.
3 Taylor, *Indonesia's Forgotten War*, pp. 86-7.
4 Jakarta to state dept., tel. 12189, 8 Sept. 1978, FOIAR.

ance as a symbol of its joint commitment with Indonesia to the welfare and human rights of the Timorese.[1]

Between 1977 and 1979, the Carter administration did reach its goal of promoting US interests in Southeast Asia by means of closer relations with the authoritarian Suharto regime. Indonesia continued to play a restraining role in the non-aligned movement and in ASEAN, to welcome US investment, and to act as a reliable anti-Communist counterweight to Chinese and Vietnamese influence. As Indonesia also continued to release the political prisoners arrested during Suharto's ascent to power, the Carter administration could claim to congress that progress on human rights legitimized continued economic and military aid and could construct Indonesia in Western public discourse as a moderate regime.

The Carter administration's close relationship with the Suharto regime, however, enabled a near-genocidal assault on the inhabitants of East Timor to run parallel with, and counterbalance, Indonesia's so-called progress in human rights. The report of East Timor's Truth Commission concluded in 2006 that 'the period from late 1977 to 1979 saw the greatest humanitarian tragedy in Timor-Leste's history. Widespread famine was a consequence of massive Indonesian military operations aimed at destroying the Fretilin Resistance.' The 'key to the assault' was 'aerial bombardment by OV-10 Broncos, F-5s, and Skyhawk A-4 airplanes'.[2] There is no indication, however, that the Carter administration ever reconsidered its support for Indonesia's occupation of East Timor or placed the atrocities committed there in the framework of human rights. US officials, almost without exception, treated the events in East Timor as a question of public relations; the abuses mattered less than the problems they posed for public perceptions of Indonesia and plans to increase economic and military aid. Simultaneously, US officials portrayed Indonesia's periodic release of political prisoners as evidence of an improving human rights climate, while ignoring the abuses committed with US support in East Timor and West Papua as a result of the denial of self-determination. Their claim to the 'first right' was denied by the Carter administration, and by US allies such as the United Kingdom, Australia, and Japan, and it was viewed agnostically at best by the emerging human rights establishment.

If human rights are 'preeminently a politics of the information age', the handful of Westerners knowledgeable about East Timor faced a formidable challenge.[3] In the United States, in contrast to Europe and Australia, East Timor, unlike Latin America, did not become a major human rights con-

1 State dept. to Jakarta, 'Holbrooke Testimony on East Timor', tel. 313771, 6 Dec. 1979, FOIAR.
2 *Chega!*, pp. 81-2.
3 Cmiel, 'Human Rights Politics', p. 1235.

cern in the 1970s. After the invasion, Indonesia barred both journalists and aid workers from East Timor. The US government ignored the trickle of information from refugees and churchmen,[1] aided by a media that accepted Indonesian government propaganda at face value. Without reliable sources of information, mobilized constituencies, or the ability to lobby congress, East Timor's small and scattered community of supporters was unable to challenge the United States' support for Indonesia's annexation.[2] The privileging of civil and political rights over post-colonial self-determination by the organized human rights movement enabled the Carter administration to argue that discussion of East Timor should focus on improving the conditions of the Timorese under Indonesian rule, rather than pressing for an Indonesian withdrawal. Thus, the administration rejected the notion that East Timor's right to self-determination was a fundamental human right.

Fraser, when introducing his hearings on East Timor in June 1977, remarked that 'there is a degree of complicity here by the United States that I really find to be quite disturbing. To write off the rights of 600,000 people because we are friends with the country that forcibly annexed them does real violence to any profession of adherence to principle or to human rights.' Ramos-Horta, East Timor's would-be foreign minister (and later president) framed the same issue in anti-colonial terms:

> What in the final act of analysis, is an act of self-determination? When a whole nation for many centuries heroically resists the colonialists in such an unequivocal way, as is displayed in the bloody pages of the history of Timor, is this not an act of self-determination? When a whole nation – men, women, and children – engage in a people's war of resistance against the foreign oppressor, is this not the supreme act of self-determination? When a whole nation pays with blood and lives for each inch of soil against the foreign aggressor, is this not the supreme act of self-determination? When one-tenth of our nation has been massacred by the Nazi army of Java, but in spite of this the whole nation continues the struggle for liberation, is this not the supreme act of self-determination?[3]

To recall Fraser's and Horta's words is not to elevate self-determination to an ahistorically undisputed position in the history of human rights, but

1 D. Hill, 'East Timor and the Internet: Global Political Leverage in/on Indonesia' (unpublished manuscript, Murdoch University, Asia Research Centre), p. 5; S. Scharfe, 'Human Rights and the Internet in Asia: Promoting the Case of East Timor', in *Human Rights and the Internet*, ed. S. Hick, E. F. Halpin, and E. Hoskins (New York, 2000), pp. 129-37.

2 W. Hartung and J. Washburn, *US Arms Transfers to Indonesia, 1975-97: Who's Influencing Whom?* (New York, 1997).

3 *Human Rights in East Timor*, 28 June, 19 July 1977, Hearings before the Subcommittee on International Relations of the Committee on International Relations, GPO, Washington, DC, 1977; do Amaral, *East Timor*.

to view self-determination as a human right from the proper perspective, and to suggest that historians have yet to unpack the international and organizational politics of human rights in the 1970s. The diplomatic, political, and discursive struggle over East Timor exposed a fissure in the transnational conception and ranking of human rights at the end of the colonial era; one that the Indonesian armed forces and its primarily US sponsors were able to manipulate to their advantage for twenty-four years until East Timor won its independence in 1999. Human rights should not be viewed as a trajectory or as a gradually expanding set of norms but as an arena of contestation over expertise and representation, and therefore of power, waged on unequal terms. The report East Timor's truth commission published in 2006 rightly situates both the human rights politics and the denial of self-determination to East Timor by the United States in both a cold war and a post-colonial context which it partly transcended.[1] The persistent, countervailing, demands by the East Timorese and their outnumbered and outgunned supporters for a different ordering of rights awaited the end of the cold war and the redefinition of self-determination and human rights in an age of accelerating globalization.[2]

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1 *Chega!*, exec. summary, pp. 47-55.

2 See B. Simpson, 'Solidarity in an Age of Globalization: The International Movement for East Timor and US Foreign Policy', *Peace and Change*, xxix (2004), 453-82; J. Mayall, 'Non-Intervention, Self-Determination, and the "New World Order" ', *International Affairs*, lxvii (1991), 421-9.