

INDONESIA

COMMUNAL VIOLENCE IN WEST KALIMANTAN

I. SUMMARY AND RECOMMENDATIONS	2
II. BACKGROUND TO THE CONFLICT	5
The Cultural Argument.....	6
The Marginalization Argument.....	8
The Political Manipulation Argument	10
III. THE FIRST PHASE: DECEMBER 29, 1996 TO MID-JANUARY 1997.....	11
The Stabbing at Sanggau Ledo	12
Questions for an Investigation	17
IV. THE SECOND PHASE: JANUARY 28 TO FEBRUARY 18, 1997	18
The Attack	19
The Attack on Salatiga.....	21
Singkawang, Samalantan and Bukit Permai	22
Balai Karangan	24
Army Shootings at Sanggau and Anjungan	25
Other Attacks	27
The Death Toll.....	29
The Displaced	30
Questions for an Investigation	31
V. THE GOVERNMENT RESPONSE: PEACE PACTS AND ARRESTS	32
The Peace Pacts	33
Arrests.....	34
The Case of Zainuddin Isman.....	36
VI. CONCLUSION	37

I. SUMMARY AND RECOMMENDATIONS

Between December 1996 and the beginning of March 1997, one of the worst outbreaks of communal violence in Indonesia in decades broke out in the province of West Kalimantan between indigenous Dayak people and immigrants from the island of Madura, off the coast of East Java. In the aftermath of a fight between Dayak and Madurese youths in a town called Sanggau Ledo, in which two Dayak youths were stabbed, the Dayaks waged what appeared to be a ritual war against Madurese communities, burning houses, killing inhabitants, and in some cases severing the heads and eating the livers of those killed. The death toll was probably about 500 by the time the killing ceased, appallingly high but still much lower than some early estimates of 2,000 or more; the Indonesian government has discouraged any effort to determine an accurate count. The majority of those killed were Madurese, but several dozen Dayaks died as well, some in revenge attacks by Madurese, most in clashes that took place when army units tried to stop Dayak war parties from reaching Madurese settlements. About 20,000 Madurese were displaced.

Almost a year after an uneasy calm returned, and after innumerable government-supervised "peace treaties" between the two communities were concluded across the province, tensions remain so high that another outbreak could be triggered at any time. Given the precarious state of inter-ethnic relations in the region and the potential for future outbreaks of communal violence, it is imperative that the government take steps to investigate the conflict and answer the questions raised about the performance of the army and police.

There is concern in Kalimantan that this may not have been simply another eruption between the two groups, despite the fact that there is a history of Madurese-Dayak conflict in West Kalimantan. This clash was so much worse in terms of casualties than its predecessors and so much more geographically widespread that several people we spoke with, both Dayak and Madurese, saw as the precedent to this outbreak not the previous Madurese-Dayak conflicts but the Dayak war against ethnic Chinese in West Kalimantan between October and November 1967. The army claimed (and still claims) that the 1967 attack, which cost about 300 lives and led to the displacement of more than 55,000 Chinese, was a spontaneous uprising by the Dayak people against Communist guerrillas who had strong support among the local ethnic Chinese. In fact, the ritual war, in which ethnic Chinese of all political persuasions were killed, is now widely believed to have been deliberately sparked by the army.

Even though there is no hard evidence of manipulation in this outbreak, people of every background and belief seem to believe that there must have been, from the army commander who talks of an *oknum penghasut*, a scoundrel instigator, to those who believe the violence was related to a pre-election quest by the ruling party, Golkar, for dominance. It is the lack of obvious answers to hard questions that have led different people to propose a provocateur as the only explanation; a policy of greater transparency on the part of the government and a thorough investigation by the National Human Rights Commission, in collaboration with appropriate Indonesian or international non-governmental organizations (NGOs), might provide some of those answers. Not only has there been no such investigation, but at the time of the conflict, the government actively discouraged reporting, apparently out of concern that accurate information would only make the situation worse.

Whether or not communal tensions were deliberately whipped up, it is clear that human rights violations took place in the course of the conflict that have exacerbated ethnic tensions. These violations include reported extrajudicial executions of members of Dayak attack parties by soldiers, and arbitrary arrests of both Dayaks and Madurese in what appeared to be a misguided government attempt to prevent further conflict. There are also claims of police discrimination against the Madurese, failing to arrest the perpetrators of anti-Madurese violence or to respond to Madurese complaints.

In instances where the army stopped Dayak raiding parties from attacking Madurese settlements, the use of lethal force may have been justified, although how that force was applied and whether non-lethal alternatives were available need to be examined. The apparent extrajudicial executions took place not when the army opened fire on

oncoming trucks full of Dayak raiders, some of whom were also armed and returned fire, but when soldiers reportedly shot and killed, at close range, individual Dayaks trying to surrender or those who were already in custody. Dayak sources believe some of these killings were carried out by or under the direction of Madurese soldiers, a perception that ensures communal tensions remain high even though it is not clear that the perception is accurate. The fact that some bodies were buried secretly, without a chance for families to hold traditional ceremonies, has also angered many in the Dayak community.

There is clear evidence of arbitrary arrest of both Dayak and Madurese under an anachronistic emergency regulation dating back to 1951 which effectively bans possession of sharp weapons. In a part of the country where most males carry a traditional knife and families keep various kinds of knives in their home, the regulation provides a pretext for arresting anyone at any time. Many of those arrested under this law were not involved in the conflict and are not charged with engaging in any violence; they were arrested by joint army-police teams who raided houses and work sites in the conflict area in late February or early March, looking for weapons. (All of those arrested under the 1951 law had been released by this writing.)

There is insufficient evidence at this stage to support claims of discrimination by police against Madurese, but those claims need thorough investigation. Both Madurese and Dayaks believe that the police have been looking for an opportunity to get back at the Madurese ever since 1993, when Madurese in Pontianak went on a rampage against virtually every police station in the city after a Madurese man was tortured to death in custody, and the involvement of several individual police officers and ex-officers has fueled speculation that the police had a hand in encouraging Dayak attacks. Several Madurese told us that complaints they had filed with police were ignored. In one case we were able to follow up, the subjects of the complaint had in fact been arrested, but the complainant, displaced from his home and living with relatives in Pontianak, had never received the news. Still, if the perception is left to persist that the police discriminated against Madurese and the army targeted Dayaks, the government's ability to diminish communal tensions in the future will be severely hampered.

This is a case where government controls on information, however well-meaning, are not only misguided but dangerous. Four highly negative consequences of this conflict are already apparent: deepened enmity between Dayak and Madurese at a grassroots level; deepened distrust of the police by Madurese; deepened distrust of the army by Dayak; and a heightened sense of ethnicity, not just on the part of Dayak and Madurese but on the part of every ethnic group living in West Kalimantan. To safeguard themselves against attacks during the conflict, non-Madurese residents scrawled "Melayu" (Malay) or "Jawa" (Javanese) on their homes, and Chinese hung a strip of red cloth on their doors.

This report is a very preliminary analysis of the conflict. It does not come to any hard conclusions about the causes but instead suggests questions that an investigation — preferably one conducted by a neutral body not linked to either ethnic group but trusted by both — must answer if communal tensions are to be reduced. We set out the background to the conflict as well as a detailed description of its two phases, based on interviews with eyewitnesses and leaders of both Dayak and Madurese communities. The information was obtained on two visits to Kalimantan, in January and July 1997. We then look at the way in which the Indonesian government reacted to the conflict in terms of the military's use of lethal force, pattern of arrests, efforts to control information, and promotion of local and province-wide peace pacts. While most of the government's actions appear to have been undertaken in a genuine effort to calm tensions and eliminate possible sources of violence, the end result appears to have been precisely the opposite. It has created as much ill-will on the part of both parties toward the government as between the parties themselves.

Recommendations

1. An investigation into the conflict is essential, but the way in which the investigation is conducted is as important as the questions it addresses. It cannot be conducted in a two- or three-day flying visit from Jakarta, and the investigators must be seen as absolutely neutral by all parties to the conflict. They must be able to conduct interviews with a guarantee of absolute confidentiality in terms of the source of the information and yet in such a way that the information

itself can eventually be made public in a report that can be discussed and debated openly. At a minimum, the investigation needs to answer the following questions:

- Why was there so little effort on the part of security forces to stop the attacks?
- Why were no arrests made for organizing attacks, even when the names of alleged perpetrators were known?
- How did certain rumors that contributed to the conflict get started?
- How valid are the claims of extrajudicial executions by the army, and if the claims are substantiated, what will be done to prosecute those concerned?
- What happened to those killed in clashes between the army and Dayak attackers? How and where were they buried?
- What was the ethnic composition of the military and police at the provincial, district and subdistrict level and in the key infantry battalions involved in the clashes?
- Where did the Dayak attackers get semi-automatic hunting rifles that they used in some of the areas where Madurese casualties were heaviest?
- How were the Dayak raids and Madurese counterattacks organized?
- What was the role of the police, and was there any evidence of discrimination against the Madurese?
- What was the role of the army, and was there any evidence of discrimination against the Dayaks?
- What alternatives might there have been to government-sponsored "peace pacts" in reducing hostility between the communities in conflict?

2. The text of earlier peace agreements between Madurese and Dayaks, particularly the 1979 Samalantan agreement, should be published and made available for open discussion.

3. The government should refrain from using Emergency Regulation No.12/1951, banning possession or carrying of certain kinds of weapons, as a way of detaining people against whom there is insufficient evidence of a more serious offense. Enforcement of this law, in an area where much of the population carries or possesses traditional knives, became a pretext for the arrest of over one hundred people against whom there was no other evidence of wrong-doing. (It has also been used to detain pro-independence activists in East Timor.)

4. The government needs to find a way to halt the continuing economic and political marginalization of the Dayaks, and to this end, protection of the land and resources of the Dayaks must be given high priority. As a starting point, the government should consider becoming a party to ILO Convention No. 169, which states that indigenous and tribal peoples should have the right "to decide their own priorities for the process of development as it affects their lives, beliefs, institutions, spiritual well-being, and the lands they occupy or otherwise use."

5. The government should pay special attention to the needs of the thousands of Madurese displaced or financially ruined by the conflict.

II. BACKGROUND TO THE CONFLICT

Three explanations have been put forward by local commentators in Indonesia to explain Dayak-Madurese violence: cultural, economic, and political. The cultural explanation focuses on the Madurese penchant for using knives to settle scores, and the Dayak belief that if the blood of a single Dayak is shed, the group as a whole must respond. The economic argument looks at the increasing marginalization of the Dayaks as their land has been lost to timber and mining concessions and commercial plantations, their agricultural practices dismissed as backward and destructive by the government, and their place in the local economy gradually taken by transmigrants and other newcomers, including the Madurese. The political argument looks at the power relations in the area where the conflict occurred and the political interests that might have been served by ethnic violence. None of these arguments by itself is sufficient to explain what happened in late December 1996 and early 1997, but each provides a crucial part of the picture.

Before elaborating on each of the arguments, it is important to understand who the two groups are. In West Kalimantan, the Dayak are an indigenous people who make up between 41 and 43 percent of the population, depending on the sources used, while only 2.75 percent of the population is Madurese.¹ The term "Dayak" is a collective and often confusing term for hundreds of groups on the island of Borneo related to one another by language and culture. It is the term that these groups and the government use to define their ethnicity, so they are Dayak as opposed, for example, to Malay, Javanese, or Chinese. But there are sub-groups and sub-sub-groups, each with its own dialect and variation on cultural traditions. It is one of the curious aspects of the most recent conflict that Selakau Dayak from north of Pontianak, the capital of West Kalimantan, found themselves in the same war parties with Dayaks from much further into the interior, and in some cases, they had difficulty understanding each other's dialect.

Most of the Dayak in West Kalimantan are sedentary swidden (slash-and-burn) farmers who produce rice but continue to derive a substantial part of their livelihood from forest products, including tree crops such as durian (a fruit), rubber and resin. They are largely Christian, and the Catholic church in particular provides a strong institutional network in the area, but they retain many indigenous beliefs and practices.

The Madurese first came to West Kalimantan in small numbers around the turn of the century, with their numbers increasing in the 1930s and 1940s when they were brought in as contract or indentured labor to clear forests and start up plantations. They have been arriving in considerably greater numbers from the 1970s onwards. Many Madurese in urban areas work in cheap transport (river crossing ferries, pedicabs) and as coolies, drivers, stevedores, day laborers, or petty traders, with Madurese women selling fruits and vegetables; in the countryside most are wetland rice farmers.² In the communities hardest hit by the violence, however, the Madurese were generally better off than the norm and included contractors, businessmen, quarry operators, and many others wealthy enough to have made the pilgrimage to Mecca. The Madurese are devoutly Muslim.

They are also stereotyped throughout Indonesia as being coarse, violent, and dishonest; many Dayaks say they do not feel safe living with the Madurese. A tract written by a Dayak in February 1997 is typical of these common perceptions:

For the most part, the Madurese who come to West Kalimantan bring their old traditions and customs, such as carrying sharp weapons, murdering, stealing, robbing, raping, and forcing their will on others. In the cities, for example, if a potential passenger doesn't want to ride one of their pedicabs, water taxis

¹The balance is made up of Malays (*Melayu*), 39 percent, and ethnic Chinese, 13 percent, although the Chinese are also made up of two distinct linguistic groups.

² Hendro Suroyo Sudagung, *Migrasi swakarsa orang Madura di Kalimantan Barat*, unpublished Ph.D dissertation, Gadjah Mada University, 1984, p. 150.

or minivans, he is pulled, shoved, and threatened with a knife. They're all recidivists. Are they coming to Kalimantan because they committed crimes in their own place and need to escape here?

It's the same in the villages, the Dayak farmers can no longer keep their harvested rice in the field. They can't leave their homes without locking them. Rice, fruit, livestock, bicycles frequently disappear. In short, the lives of ordinary people and Dayak people in particular, are no longer safe.³

The dislike of the Madurese as a group seems visceral and near universal among other ethnic groups in West Kalimantan, a phenomenon that has distorted some of the reporting on the violence. There are no Madurese advocacy NGOs in Pontianak as there are Dayak NGOs, and no Madurese scholars analyzing the causes and consequences of the conflict. The lack of sympathy for the Madurese, who constitute the majority of the dead and displaced, is worrisome, because it may mean that if, in fact, any aspects of the violence were manipulated by third parties, few questions are going to be raised.

The Cultural Argument

The main cultural difference between the two groups cited as responsible for the violence was the attitude toward drawing blood. There are grave consequences in Dayak tradition for drawing blood in fights. Disputes between individuals can be settled with fists or by other means, but as soon as the blood of a Dayak is shed, the entire clan is duty-bound to declare war on the attacker and the group to which he belongs. This is done by passing the *mangkok merah* or "red bowl," an ordinary bowl filled with four ritual elements: the blood of a chicken to signify war; and feathers, a match stick, and a piece of roof thatch to signify that word of the war must fly from one village to another, even in darkness (the match) or bad weather (the thatch).

³ "Sengketa Dayak dan Madura" [the Dayak-Madurese Conflict], anonymous paper, February 10, 1997.

The Madurese, by contrast, are quick to turn to knives and sickles (*carok*) in fights. Indeed, the term "carok violence" among Madurese has come to mean "the premeditated settling of scores that targets a perceived wrongdoer or, in the case of a feud, his family."⁴ The most common motivation for carok attacks is a dispute over a woman, although disputes over money and access to land and water resources are also frequent. The Madurese have few compunctions about ensuring what other groups would consider a fair fight: many attacks are made from behind or against unarmed men. "As long as the motive is honorable, there is no reason to regard the attack as cowardly, although a public attack preceded by a verbal challenge will be recounted with additional relish throughout the area."⁵ Given these diametrically opposed approaches to conflict, the cultural argument goes, the potential for Dayak-Madurese violence is always high.

The problem is exacerbated by the tendency of the Madurese to live together, separate from Dayak communities, a tendency interpreted by some Dayak observers as proof of their inability to adapt and unwillingness to integrate into or respect Dayak society.

Those who favor a cultural explanation of events point to the long history of Madurese-Dayak conflict in West Kalimantan. Violence between the two groups has occurred at least ten times in the last three decades. Each clash, according to Dayak sources, was triggered by a Madurese shedding a Dayak's blood.⁶ They make no distinction between a single murder that was settled without erupting into communal violence, and attacks that led to ethnic riots. Each attack adds to the cumulative grievance. Among the more significant clashes in the collective memory are the following:

- 1968: Sani, a Dayak who was the head (*camat*) of Toho subdistrict was stabbed by a Madurese in Anjungan, near Pontianak.
- 1976: Cangkeh, a Dayak, was killed by a Madurese in Sei Pinyuh, north of Pontianak.
- 1977: a Madurese named Maskot stabbed a Dayak policeman named Robert Lonjeng to death in Singkawang, Sambas district. His death led to riots in Samalantan subdistrict, about 180 kilometers north of Pontianak, in which more than five died and seventy-two houses were destroyed.

⁴ Glenn Smith, "Carok Violence in Madura," paper presented at the American Anthropological Association meeting, San Francisco, November 20-24, 1996, p. 1.

⁵ *Ibid.*, p. 11.

⁶ P. Florus, "Kesenjangan Budaya Dayak-Madura," *D & R*, March 1, 1997.

- 1979: a dispute over a debt led to an attack by three Madurese named Misrun, Maruwi and Buto' on a Dayak named Sakep in Sempang Bodok in the village of Bagak, Sambas district. Two other Dayaks, Norani and Toke, were almost killed by a Madurese named Hamsin. The attacks led to a large communal clash in Samalantan, in which fifteen Madurese and five Dayaks lost their lives, and twenty-nine houses were burned down, half of them Madurese, half Dayak. The unofficial death toll ran into the hundreds.⁷ The clash led to a government-sponsored peace treaty between Dayaks and Madurese, and to the erection of a monument to commemorate it in Samalantan which stands to this day. No one we spoke with was able to provide the text of this treaty, but it was reported to include a provision banning Madurese from reinhabiting the Monterado *kampung* (hamlet) where major communal battles had taken place. Some Dayak leaders also understood it to include a provision that if its terms were violated, the violators would be expelled from the province.
- 1982: a Dayak named Sidik, an ex-policeman, was killed by a Madurese in Pakucing, Samalantan subdistrict, after he complained about the Madurese cutting his rice which just about ready for harvesting.
- 1983: Djaelani, a Dayak, was killed by a Madurese in Sungai Ambawang, near Pontianak. The murder led to a wider clash with an official death toll of twelve, the unofficial over fifty, and one hundred houses destroyed.
- 1992: the daughter of Sidik, killed in 1982, was raped by a Madurese. The rape led to a minor clash between Dayak and Madurese youths. A similar fight between youths of the two groups broke out in 1993 in Pontianak.

This history of clashes is clearly a factor in the hostility of the Dayak toward the Madurese, and there is an utter lack of faith in peace pacts. "If one more Dayak gets stabbed, we're ready," one local leader said who had sent forty-seven men from his village to join the attacks on Madurese. But it is important to note that none of these earlier incidents produced more than twenty casualties, and all were contained within a fairly narrow geographic radius.

The Marginalization Argument

The most common explanation for the violence and the one favored by Dayak scholars and the Indonesian press, is that the gradual dispossession and marginalization of the Dayak people has led to accumulated frustrations that finally erupted in the attacks on a familiar target — the Madurese. Over the last two decades in particular, the Indonesian government has granted permits to logging and plywood companies and commercial plantations to make use of land that the Dayak consider theirs. The region's commercial development has brought with it government-sponsored transmigration, or movement of people from the more crowded islands of Java, Bali, and to a lesser extent, Madura, to work on the plantations. It has also brought more government administrators, a better infrastructure permitting greater penetration of the interior, including by migrants from elsewhere in Indonesia, and increasing competition for resources.

The Dayak grow many of their most important crops in community forest reserves and garden plots.⁸ The government has never recognized traditional Dayak land tenure and its system of land registration, however, and considers both the reserves and garden plots to be state land, available for commercial uses such as logging. Since the Indonesian parliament passed Forestry Law No. 5 in 1967 (Undang-Undang Pokok Kehutanan No.5), more timber concessions have been granted in East and West Kalimantan than in any other provinces. In Ketapang district, south of Pontianak, the provincial capital, a full 94 percent of the available forest area had been parcelled out in concessions by mid-1994.⁹ Whether a timber company with logging rights, a state palm-oil plantation, or a paper plant with a permit to

⁷Human Rights Watch interview, Asmara Nababan, January 16, 1997.

⁸ Nancy Lee Peluso and Christine Padoch, "Changing Resource Rights in Managed Forests of West Kalimantan," in Peluso and Padoch, eds., *Borneo in Transition* (Kuala Lumpur: Oxford University Press, 1996) pp. 121-124.

⁹ "Konflik Antara Masyarakat Adat Dengan Perusahaan HPH dan HTI di Kabupaten Ketapang Kalbar," *Kalimantan Review*, Vol. 3, No. 9, October-December 1994, p. 23.

plant fast-growing trees for pulp comes into the area, the pattern is often the same. The company will find a corrupt local official or gullible group of villagers to sign away claims to large chunks of land (even if no formal title exists); signs will go up banning local farmers from trying to harvest fruit or tap rubber in the area, and often the trees in question will be cut down; the farmers will protest, and the local government will accuse them of "obstructing development." The profits from the companies are for the most part channeled back to the owners in Jakarta or to local officials. Not only do the Dayak lose income, but they often find that the rivers on which they depend for transport and drinking water are either blocked by logs floating downstream to sawmills run by the timber companies or polluted by chemical run-off from the agroforestry operations.

The systematic dispossession of the Dayak has generated both a new sense of ethnic solidarity of the Dayak in relation to other ethnic groups in the area and an anger that has increasingly erupted in acts of violence against intruders. The sense of being "Dayak" and having common interests with other Dayak tribes has grown dramatically in the last decade, especially in opposition to Melayu (local Malays who dominate local government positions); Indonesian-born Chinese, who dominate the local economy, or Taiwanese employed as managers by Taiwanese-Indonesian joint ventures in the timber industry; Javanese, who represent much of the workforce of the companies as well as senior officials, civilian and military, in the local government; and the Madurese.

Transmigration, both government-sponsored and spontaneous, has greatly altered the population balance in the province. In 1980, about 1.4 percent of the province's population consisted of transmigrants; by 1985, the proportion was up to 6 percent, unevenly distributed. In Sanggau Ledo, where the 1996-97 violence broke out, settlers made up a full 15 percent of the population by 1980 and the proportion is likely to have risen since.¹⁰ By 1984, 60 percent of the entire road network in the province had been constructed as part of the transmigration program, and the percentage of all Indonesian transmigrants going to West Kalimantan as opposed to other provinces had risen from 14.6 to over 25 percent.¹¹ In 1994 alone, an estimated 6,000 families, or about 25,000 persons, migrated to West Kalimantan.¹²

As the Dayaks have been increasingly marginalized economically, they have also lost political ground. In the period that Indonesia enjoyed parliamentary democracy, there were several Dayak parties in Kalimantan, and both the governor and four out of six district heads (*bupati*) were Dayak. Many Dayaks were eliminated from government administration for their alleged leftism after Soeharto's "New Order" came to power in early 1966, and one result of the New Order's 1973 decision to reduce political parties to three was that the ability of Dayaks to compete against others for political posts was virtually eliminated. Especially given their demographic dominance, Dayaks today are poorly represented in the government, civil service, police and army. Only one of the province's six districts, Kapuas Hulu, the most remote, is headed by a Dayak.

Those who believe that marginalization can explain the violence see the precedents for the 1996-97 outbreak not only in the previous clashes of Dayak and Madurese but in more recent non-communal incidents. For example, in November 1995 in Ledo, exactly the same subdistrict where the 1996-1997 violence exploded, Dayaks from the village of Belimbing attacked and burned a base camp on land the government had allotted as an agroforestry project (*Hutan Tanaman Industri* or HTI) to the P.T. Nityasa Idola company, which raises fast-growing trees for pulp. The attack took place after the company acquired Dayak land under dubious circumstances and then prevented the farmers who traditionally worked it from having access to it.

¹⁰ Karl Fasbender and Susanne Erbe, *Towards a New Home: Indonesia's Managed Mass Migration*, (Hamburg: Verlag Weltarchiv GmbH, 1990), p. 137.

¹¹ *Ibid.*, p. 91.

¹² "Antara Sanggau Ledo dan Singkawang," *Kompas*, January 12, 1997.

More directly relevant to the Dayak-Madurese violence was an incident in Ngabang, to the east of Pontianak. On April 5, 1996, Jining, a Dayak resident of Ngabang, was riding with a relative on a motorcycle when they passed an army post belonging to Company 105 of the Medan Artillery Battery. A soldier named Jimmi stopped them and accused them of speeding. When Jining protested, he was beaten. Jimmi later came to Jining's house with a group of other men, dragged Jining away, and brought him to the post where he was beaten until he lost consciousness. He was taken to a hospital in Pontianak where he remained for the next twenty-five days. Because many Dayak in the area had been rudely treated by this particular company, the treatment of Jining caused a major protest and as the news spread, people began gathering from many different subdistricts.

On April 7, they approached the post en masse and were met by gunfire. In retaliation, they burned down a guardpost, set fire to a truck, and vandalized a minivan, a satellite dish, and a nearby house. On April 8, Dayak demonstrators coming from the area of Serimbu were again fired on, causing the death of a man named Taku, aged fifty-eight, from the village of Nyanyun. On May 14, the National Human Rights Commission (KOMNAS), promised NGOs that it would investigate the incident, and the KOMNAS findings led to the prosecution of fourteen soldiers in July.

It also led to serious ill will between the Dayak and the army, leading to suspicions on the part of some Dayaks that the army, after Ngabang, was determined to go after the Dayaks just as the Madurese suspected the police of encouraging violence against them. The fact that police and military relations in West Kalimantan appear to be seriously strained did not help the general atmosphere.

The Political Manipulation Argument

The manipulation argument holds that while cultural and socioeconomic factors are important, the scale of the violence, far greater than any previous Dayak-Madurese clash, can only be explained by the intervention of a third party. Innumerable people and organizations have been accused of inciting different phases of the violence, including government officials, Dayak and Madurese leaders, journalists, intellectuals, and political parties.

But even given the penchant of many Indonesia observers to turn to conspiracy theories to explain the inexplicable, the fact remains, as noted above, that there are disturbing questions about the conflict that have not been publicly raised, let alone investigated.

Those who think in terms of a third party remember the events of 1967, when the army reportedly incited a Dayak war on ethnic Chinese in West Kalimantan. As one Pontianak scholar noted with regard to that war, "The government said it was spontaneous, but in fact, it wasn't."¹³

That war took place in the aftermath of an apparent coup attempt in Indonesia on September 30, 1965, that the Indonesian government has always blamed on the powerful Indonesian Communist Party (*Partai Komunis Indonesia* or PKI) and which led to massive killings of suspected PKI supporters. In West Kalimantan, all ethnic Chinese became suspect. This was in part because during a campaign by President Sukarno against Malaysia, known as "Konfrontasi" or Confrontation, the Indonesian government had given support and refuge to a left-wing and largely Chinese guerrilla group fighting the Malaysia government known as the Sarawak People's Guerrilla Force (Pasukan Gerilyawan Rakyat Sarawak or PGRS).¹⁴ But the Indonesian army maintained that core support for the PKI in West Kalimantan came not from guerrillas of Malaysian origin but from long-term Chinese residents of West Kalimantan itself.

¹³Hendro Suroyo Sudagung, "Etnosentrisme Dayak-Madura Bisa Positif, Bisa Negatif," D&R, XXVII, No. 28, March 1, 1997.

¹⁴ J.A.C. Mackie, *The Chinese in Indonesia* (Melbourne: Nelson, 1976), p. 126-27.

The crackdown came in 1967. Konfrontasi had ended a year earlier, in 1966, and the PGRS guerrillas, now the target of the Indonesian army, launched a series of attacks on army bases. On July 16, 1967, they attacked an arms depot at an air force base in Sanggau Ledo, killing three officers and a civilian. The Indonesian military sent reinforcements and over the next two months several incidents took place in which Dayak village leaders were killed. In one incident, a Dayak leader was killed and his genitals cut off and put in his mouth. The army spread the rumor that Chinese guerrillas were responsible, and the Dayak were ready to declare war on the Chinese. But the Chinese community made a ritual compensation payment, despite the fact they were not responsible, and the Dayaks accepted it. In October 1967, however, after another such murder, the "red bowl" was passed and a major attack on the Chinese ensued, with no distinction made as to the political affiliations of those attacked. The army passed out Garand rifles to Dayak families to facilitate what the military called a "clean-up" operation, and by November, the death toll was at least 300, with 55,000 ethnic Chinese displaced from the interior to coastal towns where shortage of food and medical supplies caused more deaths.¹⁵

¹⁵ The information on the killing of the Dayak leader and the passing out of rifles comes from a Dayak source in Singkawang who remembers as a fourteen-year-old boy how his father was given a rifle and how he learned to load it. The death toll of 300 is in Mackie, *The Chinese in Indonesia*, p. 127, and the figure on the displaced comes from Machrus Effendy, *Penghancuran PGRS-PARAKU dan PKI di Kalimantan Barat* (Jakarta: PT Dian Kemilau, 1995).

At the end of the year — after the army had achieved its objectives — a peace pact between the two groups was signed and a ceremony called *tolak bala* conducted according to Dayak tradition to restore the balance with nature. (In March 1997, a huge *tolak bala* ceremony was conducted in Sanggau district that was said to be the first time since 1967 that such a ceremony was held.)¹⁶

The death toll, the use of rifles, and the geographic scope of the Dayak attacks on the Chinese are similar to the 1996-97 attacks on the Madurese. In discussing some of the unanswered questions about the recent clashes, one Dayak said, "We were used then, and it took decades before we found out. Maybe in five years, there will be answers to this one."¹⁷

III. THE FIRST PHASE: DECEMBER 29, 1996 TO MID-JANUARY 1997

There has been no neutral or systematic documentation thus far of the communal conflict as it unfolded in West Kalimantan between December 1996 and early March 1997. Different parties to the conflict have different parts of the picture, but a thorough chronology compiled from eyewitness accounts is badly needed. Most accounts talk of two waves of violence. The first was triggered by a stabbing in Sanggau Ledo in late December and led to a localized attack on Madurese homes that in scale was more or less comparable with earlier outbreaks in 1979 and 1983. After an uneasy calm had returned by the second week in January, a second and much more savage wave erupted, widely believed to have been triggered by a Madurese attack on the Pancur Kasih Social Work Foundation, a Catholic nongovernmental organization that runs cooperatives, a credit union, and the St. Francis of Assisi junior and senior high schools in Siantan, a northern suburb of Pontianak. The students at Pancur Kasih's schools are largely Dayak. Most observers are willing to accept that the first wave of violence was spontaneous; it is the second one that has aroused the most suspicion about deliberate incitement. Nevertheless, there are questions to be asked about both, and it is not at all clear that the Pancur Kasih attack was as clear a dividing line as it seemed at the time.

The Stabbing at Sanggau Ledo

The initial incident has been the most thoroughly documented, but even here, basic facts are contested. On the evening of December 6, 1996, young people from nearby towns and villages gathered for a music (*dangdut*) concert in the town of Ledo, in a hilly subdistrict east of Singkawang towards the border with Sarawak. The concert was part of the ongoing election campaign of GOLKAR, the ruling party. A Dayak youth from Ledo named Yukundus saw two boys whom he identified as Madurese by their accents bothering a Dayak girl. One of them was named Bakrie. Yukundus warned them several times to stop, and when they paid no attention, he intervened and knocked their heads together.¹⁸

¹⁶ "Tolak Bala, Awali Rukun di Sanggau," *Akcaya*, March 4, 1997.

¹⁷ Human Rights Watch interview, Pontianak, July 28, 1997.

¹⁸ This is a version of the incident as it appears in a chronology written by a Dayak leader. See Agustinus, "Kronologis peristiwa kerusuhan sosial Kecamatan Sanggau Ledo Kabupaten Sambas," [Chronology of the incident of social disturbance in the subdistrict of Sanggau Ledo, Sambas district], unpublished manuscript, Sanggau Ledo, January 12, 1997. Another version, in an undated paper written sometime in early March in Pontianak and entitled "Fakta-fakta dari Kerusuhan Antara Etnis Madura dan Dayak" [Facts about the disturbance between the Madurese and Dayak Ethnic Groups], says a Madurese named Barr'i insulted a nephew of Yukundus named Lunpin, and after Barr'i ignored several warnings, Yukundus began to fight him. The most accurate account undoubtedly appears in the trial documents of Bakrie, which we were not able to obtain. Agustinus is the secretary of the subdistrict branch of the Dewan Adat.

The incident seemed closed until December 29, when the youths met again by chance at a band concert in the village of Tanjung, also in Ledo subdistrict. This time Bakrie had about nine friends with him, who immediately set upon Yukundus and his brother, Akhim, attacking them from behind with a sickle. The time was 1:00 a.m. on December 30. The two Dayak youths were injured in the back and stomach. They were able to run to the local police station and from there were rushed to hospital. They were treated and soon thereafter discharged, but rumors of their death nevertheless spread quickly. At about 5:00 a.m., a large crowd gathered at the Ledo police command, demanding to know whether Bakrie and his companions had been arrested, and when they did not get a clear answer, they gave the police a deadline until 12:00 p.m. to make the arrests.¹⁹

Later that same morning, the Sanggau Ledo police chief, realizing the explosive potential of the knifing incident, called an immediate meeting of the Sanggau Ledo subdistrict branch of the Dayak Customary Council (Dewan Adat Dayak), a rather ineffectual grouping formed some years ago at government initiative reportedly to coopt Dayak community leadership.²⁰ Two Madurese community leaders also attended the meeting, as did two local military officers. At 8:00 a.m., those present decided to have the Madurese leaders apologize to relatives of the Dayak boys. A delegation left for Serukam Hospital in Ledo, the next subdistrict over from Sanggau Ledo, where the boys were being treated, taking a van driven by Haji Zaini, one of the two Madurese.

The delegation stopped first at the police station in Ledo to coordinate with the police, military, and traditional Dayak leadership there. The father of Yukundus and Akhim was at the station, and two Madurese apologized to him and expressed their intention of visiting his sons at the hospital. As they were talking, a crowd estimated at over a hundred Dayaks wearing red head bands, a traditional sign of war, turned up, demanding retribution. (One question that has never been satisfactorily answered is who mobilized that crowd.) The two Madurese stayed inside, but the others in the station, including the father, went out to try to calm the crowd, without success. The crowd again threatened to take the law into its own hands if the police did not announce an arrest by noon.

In fact, the police had already made five arrests early that morning but were reluctant to announce them for fear the crowd would lynch the suspects. They later announced the initials of the five suspects and said that they would be charged under articles 170 and 351 of the criminal code for causing wilful injury and property damage.²¹ Police evasiveness, however, only inflamed the growing crowd, which soon set out on foot for Sanggau Ledo, some twenty kilometers away. There, according to one report, posters were put up urging eviction of the Madurese and demanding that Dayak land be returned.²²

The senior Dayak member of the delegation said everyone in the station was worried that the bloody 1983 clash was about to be repeated. They sent a message to Sanggau Ledo police station warning of the approaching crowd and urging that the Madurese population be quickly evacuated to the Sanggau Ledo Air Force base, a short grass landing strip on the other side of Sanggau Ledo from Ledo. On their way back to Sanggau Ledo, they also stopped at a number of places to conduct customary ceremonies (*pamabang*) to placate the crowd, but to little effect.

¹⁹ "Fakta-fakta," p. 6.

²⁰ Agustinus, "Kronologis."

²¹ Another report gave the names of the attackers as Subahri (Bakrie) and his friends Basri, Mahadi, Sulaiman, Teguh Santoso, Wawan and Doni Tan Lima. At least some of them were, like Bakrie, not full-blood Madurese but peranakan Madura with mixed Ambonese and Madurese parentage.

²² Personal communication from Jakarta.

When the crowd from Ledo, which had grown to about 400, arrived in Sanggau Ledo, customary leaders succeeded in ushering them into the subdistrict's community hall and gave them water and rice. However, new arrivals poured in later that afternoon, shouting hysterically. When the crowd's demand to meet immediately with Madurese leaders was not satisfied (police again feared a lynching), a mob broke out of the hall and headed for the markets. Towards nightfall the Dayaks headed for the largely Madurese transmigration areas of Lembang and Marabu, about five kilometers away, to hunt for Bakrie and his friends. (Bakrie lived in Lembang.) There they burned down several houses and injured one person, although most of the inhabitants had already fled. As darkness fell, they returned to the marketplace, where they were met by police and customary leaders, who persuaded them to be transported back to Ledo under military guard. In Bengkayang, at about 8:00 p.m., an army unit fired on a large crowd of Dayaks who were trying to attack a military post where they heard Madurese had sought refuge. They were reportedly acting on a completely false rumor that twenty-five trucks of Madurese had gathered and were getting ready to attack Dayak neighborhoods.²³

The next day, December 31, the atmosphere in Sanggau Ledo remained tense, and further trouble was expected. There were rumors that a Dayak had been injured by Madurese defending themselves, and that a *mato* ceremony had been held in which Dayaks took vows to expel the Madurese. One source said a *tariu* dance had been conducted at Sanggau Ledo led by Dayak war commanders (*panglima perang*) from various villages, and that this dance had awakened the spirits of ancestors.²⁴

About 10:00 a.m., an angry crowd of Dayaks came in from Siluas, about twenty-five kilometers northeast of Sanggau Ledo. It was soon followed by another crowd from Ledo. Each shouted war cries to the other and repeated the cry, "Out with the Madurese!" over and over in a tone one source described as "hysterical."²⁵ Numbers were estimated at 2,000. Most remaining Madurese houses in the area were burned at this time, or simply destroyed if they were close to the mosque or the markets, perhaps indicating some sensitivity to the possibility that fire might spread to places of religious or commercial importance owned by other ethnic groups. Agustinus, the Sanggau Ledo customary council member, said he suspected that non-Dayaks may have taken advantage of the general confusion to join the rampage.

Madurese living in the transmigration area near Sanggau Ledo were taken by the military to the air force base. Late that afternoon, the military in Sanggau Ledo succeeded in quieting the crowds and took them to their respective home towns in trucks. Some of those who had come down from the mountains, however, simply disappeared back into the jungle that evening. There were also reports that 500 Madurese men had not agreed to evacuate and had also gone into the forest, and that Dayaks and Madurese were hunting one another there.²⁶

On the same day, December 31, rioting also took place in the village of Sayung, in Bengkayang subdistrict, directly south of Ledo. When Madurese sought refuge in the Bengkayang compound of army infantry battalion 641/Beruang Hitam, hundreds of Dayaks tried to attack the compound. Military sources told Vincent Yulipin, a local correspondent, that soldiers defended their compound by firing warning shots at the ground. However, they said, some bullets "ricocheted off the rocks" and injured three (some reports said six) rioters, none of them fatally.²⁷ News that four Dayaks had died by army bullets, however, traveled fast and further inflamed crowds in other areas. Madurese homes in the villages of Sindu, Monterado, Sungai Petak, Simpang Monterado, Nyarumkop, Pajintan and Bagak were burned.

²³ "Fakta-fakta," p. 7.

²⁴ "Peperangan masih berlangsung di pedalaman Kalbar," *SiaR*, March 4, 1997.

²⁵ Agustino, "Kronologis."

²⁶ Human Rights Watch interview, Muhd. Ridho'i, Madurese community leader, Pontianak, January 30, 1997; see also "Peperangan masih berlangsung," *SiaR*, March 4, 1997.

²⁷ Vincent Yulipin, "Tutup tahun berdarah di Sanggau Ledo," no date, approximately end January 1997.

Hearing that the troubles had spread beyond Sanggau Ledo to Bengkayang, the subdistrict head (*camat*) of Samalantan, to the west of Bengkayang, joined with local police and military commanders to call a meeting of Dayak and Madurese community leaders, in which Madurese were urged to surrender their knives in exchange for Dayak guarantees of security. The guarantee, however, proved impossible to honor. On the afternoon of January 1, a group of rioters from Samalantan subdistrict, some from the town itself, attacked several Madurese villages (Beringin, Jirak, Simpang Monterado, Marga Mulia and Bombai). They came by truck, carrying bottles of gasoline to use in setting fire to homes. Even though witnesses documented the names of several individuals involved, as well as the name of the owner of one of the trucks used, who happened to be a Dayak businessman in Samalantan, no arrests took place.²⁸ A different group estimated at 500 people continued to move around the town of Sanggau Ledo, burning the homes of prosperous Madurese. Yet another group, apparently originating in Monterado, attacked Madurese settlements in Roban and Sagatani, just outside Singkawang, causing thousands of Madurese to seek refuge in the city. In Siantan, a suburb of Pontianak, masses of Madurese took to the streets, but security forces were able to prevent any major outbreaks of violence.

Madurese groups struck back, targeting the homes of the few well-known Dayak figures in Singkawang, most of them civil servants or businessmen. First to go was the home of a successful Dayak entrepreneur named Paulus Lupon Piling; it was burned to the ground on December 31. On January 1, at about 7 p.m., a truckful of Madurese from Pasiran, to the south of Singkawang, came into the city. They were led, according to one source, by a Madurese army corporal named Mis Nadin, who was normally based at the army training school in Pasir Panjang. The group attacked and destroyed the house of Yusuf Atok, a medical worker in the district clinic (Puskesmas), then burned the house of the head of the Singkawang civil registry, Antonious Alim. They stabbed and seriously wounded a retired Dayak medical worker named Konglie at his home. Then they fled, and many Dayaks in the city, fearing further attacks, took refuge in the district military command. Corp. Mis Nadin has reportedly not been seen in Singkawang since.²⁹

On January 2, hundreds of Dayaks came to Sanggau Ledo from various directions looking for Madurese and burning their houses. As the Madurese had all been evacuated, their empty houses were easy targets. Troops from Battalion 641 blocked off all roads leading into Sanggau Ledo, an action which many thought should have been taken much earlier. Rioting also spread to the Tujuh Belas subdistrict, close to Singkawang. Again the houses of Madurese and, reportedly, of some Malays, all local farmers, were the targets. The villages of Pakucing and Bagak Sahwa were worst affected.³⁰ The district government of Sambas, which covers Singkawang, imposed a curfew from 9:00 p.m. until 4:00 a.m. Some 700 troops were put on full alert on January 2 and 3 to avert threatened revenge attacks against Christian buildings by Madurese armed with knives.

By January 3, the situation appeared to be calming down, although scattered groups still succeeded in crossing through Sanggau Ledo despite the roadblocks. Now, however, they were burning houses in the surrounding countryside. Burnings were also reported in Sagatani village, Tujuh Belas subdistrict.

On January 4, Dayak crowds in Sanggau Ledo were estimated at one to two hundred, but most of the destruction had stopped, not because of intervention by security forces but because there were no more houses left to burn.³¹ West Kalimantan military authorities spread leaflets from aircraft over the worst affected areas — including the

²⁸ Zainuddin Isman, "Kronologis kerusuhan Sanggau Ledo Kabupaten Sambas Kalimantan Barat, Pontianak," January 13, 1997, p. 3.

²⁹ Human Rights Watch interview in Singkawang, West Kalimantan, July 24, 1997.

³⁰ Agustinus, "Kronologis."

³¹ Ibid.

subdistricts of Tujuh Belas, Bengkayang, Ledo, Sanggau Ledo, Seluas, Sambas, Pemangkat and Tebas — stating that everything was under control and urging people not to believe rumors, carry weapons or engage in criminal actions.³²

³² “Diharapkan Sanggau Ledo segera pulih.” *Kompas*, January 6, 1997.

By this point, the property toll was already high; the death toll was more difficult to calculate but almost certainly did not exceed twenty. A Pontianak-based Indonesian journalist on January 7 estimated that at least 1,200 houses had been totally destroyed.³³ Hundreds of cattle and fowl had been killed by the rampaging crowds, who also uprooted or burned food crops and other plants. Official damage figures in the Sanggau Ledo area alone were Rp. 13.56 billion (US\$6 million).³⁴ On January 13, another Pontianak journalist estimated that 1,094 houses had been totally destroyed, with 275 of those in Sanggau Ledo subdistrict, 765 in Samalantan, nineteen in Bengkayang, and thirty-five in Tujuh Belas. One mosque was burned down, perhaps accidentally, in Beringin village, and four smaller prayer houses (*surau*) were burned down: two in Jirak, one in Sensibu Baru, and one in Bengkayang. The number of registered evacuees had reached 6,075, of whom 5,115 were given accommodation at various military posts (the district military command, Kodim 1202) in Singkawang, Secata B in Pasir Panjang, and various subdistrict military commands), or with relatives. The remaining 960 (soon to swell to 1,103), mostly women and children, had been taken to the hostel for Mecca-bound pilgrims in Pontianak.³⁵

The official death toll was initially put at five. On January 29, the military announced that twenty-one people were missing, although they acknowledged that the missing might have gone into the forest. Basra, an association of Madurese Islamic scholars or *ulama*, which sent a delegation to visit Madurese refugees early in January, said on the same day that they knew of eighteen dead Madurese.³⁶ Another newspaper listed twenty-two.³⁷ There do not seem to have been any Dayak deaths at this point.

On January 6, about seventy-five Madurese in Pontianak went to the provincial parliament and formally requested the government to help return refugees to their homes and to seek ways of finding compensation for their sufferings. They urged that anyone guilty of an offense be prosecuted according to the law, and that the situation be resolved so that incidents of this kind did not occur again.

Between January 5 and 8, a series of government-sponsored peace ceremonies took place in the subdistricts of Bangkayang, Pemangkat, Sungai Raya, and Tujuh Belas. A delegation from the National Human Rights Commission attended one such ceremony in Tujuh Belas on January 5 as part of a short inspection visit to the area. The ceremony was led by a traditional Dayak leader (*temenggung*) and witnessed by local government and military officials. It concluded with Dayak and Madurese representatives agreeing to a five-point statement that condemned the violence, renewed their commitment to the 1979 Salamantan peace treaty, said no "new arrivals" would be accommodated who lacked proper identification, banned weapons, and announced a respect for local tradition. Like subsequent peace ceremonies, however, it appeared to have little impact on reducing tensions.

Nevertheless, the worst of the violence seemed to be over. Military roadblocks remained in place on the road east from Singkawang throughout January, presumably as part of an effort to control the movement of Dayak bands. By mid-January, some of the displaced Madurese in Pontianak and Singkawang began returning home, although some went to stay with relatives while others fled to Java. Plans were announced to provide the Madurese with new, barrack-style housing at the Sanggau Ledo air base for safety, with assistance from the Social Welfare, Forestry and

³³ Yulipin, "Tutup tahun berdarah."

³⁴ *Kompas*, January 28, 1997.

³⁵ Yulipin, "Tutup tahun berdarah."

³⁶ *Akcaya*, January 29, 1997.

³⁷ *D & R*, January 18, 1997.

Transmigration Ministries.³⁸ Yet rumors persisted that Madurese hiding in the forest were still being hunted down and killed by bands of Dayaks.

Questions for an Investigation

Even at this stage, a number of questions arise that, if answered fully by an inquiry, could help reduce some of the suspicions and recriminations that abound.

1. Why was there so little effort on the part of local police and military to stop the mobs and prevent the house-burnings?

³⁸ "Reuben Pentateuch Sambas belum kembali ke rumah." *Republika*. January 24, 1997.

Crowds were on the street not only in the subdistrict of Sanggau Ledo but also in the subdistricts of Ledo, Seluas, Bengkayang, Samalantan, Menyuke, and even Ngabang, closer to Pontianak. Houses were burning in the subdistricts of Sanggau Ledo, Ledo, Samalantan, Bengkayang, Tujuh Belas and the city of Singkawang. First newspaper reports said riot police (*Brimob*) and soldiers from Battalion 641 in Singkawang had been sent to control the disturbances on January 1.³⁹ By mid-January, the military had brought in reinforcements from outside West Kalimantan, bringing the total number of troops available to approximately 3,000.⁴⁰ But there is no evidence they acted decisively to stop the rioting even at its source, Sanggau Ledo, let alone anywhere else, except where army posts themselves were threatened. Their efforts were primarily aimed at evacuating Madurese.

Several explanations for this inaction have been proposed: that both the army and police were understaffed, poorly trained and equipped, and frightened; that the people on the streets, particularly on the road between Sanggau Ledo and Samalantan, had been so numerous ("like ants," one journalist said) that no military trucks could get through; that army commanders were worried about being accused of human rights violations; that the police, in particular, were not unhappy to see the Madurese attacked; and that a controlled disturbance, successfully settled by the local government with peace pacts, might enhance Golkar's prospects in the elections.

In light of this speculation, answers are critical. One journalist sympathetic to the Madurese victims asked some soldiers why they did not even shoot into the air to stop the attackers. They replied that they had not been authorized to do so.⁴¹ The then-regional military commander told one visitor in early January that one reason soldiers had not intervened more forcefully was that supplies of rubber bullets had just arrived from Jakarta, and there had been no chance to distribute them. The lack of proper supplies — if indeed this was a problem — might explain the reluctance of some commanders to authorize soldiers under their command to fire warning shots, since in the past, use of live ammunition had often resulted in unnecessary bloodshed.

2. Why were no questions asked and no arrests made for organizing attacks, even when the names of some of those alleged to have been involved were known?

At the end of this first phase of violence, the only people under arrest were the five youths accused of the original knifing in Sanggau Ledo. Among the possible explanations for the lack of arrests are that the police and army feared that arrests would exacerbate tensions; that the army and police were so overstretched in trying to evacuate Madurese and protect their own flanks that they had no time to investigate reports of instigators; and that with thousands of Dayaks involved, singling out individual perpetrators seemed pointless. But the impression left, in the absence of any clear information, was that the police were ignoring attacks on Madurese, and the army was ignoring attacks on Dayaks.

Both Madurese and Dayaks we interviewed believed the police had been hostile to the Madurese ever since a city-wide clash in Pontianak in 1993. At that time, a policeman who was having an affair with a Madurese woman was beaten up by her husband. A relative of the husband named Benny was arrested and died in custody, apparently as a result of torture. The Madurese community in Pontianak erupted, sacking almost every police post in the city. No policemen were killed, but relations between the Madurese and police have been tense ever since, despite the fact that there are a few Madurese on the force.

Two early incidents reinforced a feeling on the part of some Madurese that the police were not interested in looking into attacks on them. In the first set of house-burnings on December 30 in Sanggau Ledo, for example, it was known that some of the attackers were driven around by a driver belonging to the Batak ethnic group in a Chevrolet pick-up truck with "Haleluya" written on the side. The truck was well-known in the area, and it would not have been

³⁹ "Communion di Sanggau Ledo terkendali," *Kompas*, January 2, 1997.

⁴⁰ "Antara Sanggau Ledo dan Singkawang," *Kompas*, January 2, 1997.

⁴¹ Zainuddin Isman, "Kronologis."

difficult to question the driver and find out who had hired him. Other names were reportedly given to the police in Sanggau Ledo, but no action taken was taken to investigate them.

In the January 1 attack on Madurese in Sindu, Beringin, and Samalantan, one of trucks used belonged to a Dayak entrepreneur named Atet, and both he and several individuals allegedly involved in burning houses were named in a controversial (and sometimes inaccurate) chronology of events that landed its author temporarily in prison.⁴² Atet, and others named in the account, have since claimed they were defamed, but no official investigation of the attack has ever taken place. For the more than 1,000 Madurese made homeless in this phase of the violence, a serious effort to get at the truth is critical.⁴³

Many Dayaks, for their part, feel that the army ignored the attacks on them. In the case of the attacks on Dayak homes in Singkawang, no effort appears to have been made by the army to question Corp. Mis Nadin, the Madurese army officer named by Dayak sources as the instigator. The Dayaks' relations with the army had also been strained since the Ngabang incident (see above in the discussion on marginalization), although the offending army unit was from Sumatra, not a local unit. It seems less plausible that the aftereffects of Ngabang led the army to protect Mis Nadin, but suspicions of favoritism on the part of government agencies, if unaddressed by the government, can help fuel communal conflict.

IV. THE SECOND PHASE: JANUARY 28 TO FEBRUARY 18, 1997

Tensions in the province remained high, particularly in Pontianak, with rumors that Madurese would strike back in early February after Ramadan, the Muslim fasting month, ended. Fears of revenge attacks became a reality on the night of January 28-29, when a group of about seventy young Madurese tried to burn down a building and set fire to vehicles in the Pancur Kasih foundation complex. A hostel next to the foundation was also attacked, resulting in the non-fatal stabbing of two Dayak girls.

Many Dayaks believe that the attack came out of nowhere, after more than two weeks of relative calm, and that no target could have been designed to cause greater outrage in the Dayak community. It set in motion a full-scale ethnic war against the Madurese that made the first wave of violence seem like minor unrest in comparison, destroyed an important dialogue that had been going on between Dayak and Madurese community leaders since early January, and left behind high levels of distrust and suspicion on the part of Dayaks toward the Madurese.

"There are only two explanations," one Dayak involved in the dialogue told us. "Either their [the Madurese] leaders have lost their influence, or the leaders themselves were involved."

But in fact, the attack on Pancur Kasih did not break the peace, which may have been illusory to begin with. There was at least one attack earlier that evening in the village of Sakek. A Dayak crowd had come to the village and set fire to houses and a small mosque (*surau*). One man, Pak Jeng, had gone out to confront the mob, armed with a knife. He was shot dead, and others, who were wounded, were brought to the Sudarso Hospital in Pontianak. Some of the wounded had relatives in Siantan, near the Pancur Kasih complex, so word of the Dayak attack spread quickly.

To add fuel to the fire, a rumor spread quickly that same night that a Madurese religious leader named Habib Ali, from Sei Kakap, due west of Pontianak on the coast, had been killed by Dayaks. In fact, he was alive and well, and who initiated the rumor and why remains a mystery. A Madurese man named Ustadz Omar Farukh was arrested (and remained in detention as of early August 1997) on incitement charges for having telephoned around to various Madurese, spreading the news of Habib Ali's death. He reportedly claims he was informed of the death by a call from a Madurese living near Habib Ali; more information may emerge at his trial.

⁴² Ibid. Zainuddin, as described below, was eventually arrested on a spurious charge of possessing a sharp weapon. His chronology, which was regarded as pro-Madurese, was the real offense.

⁴³ "Dibantah, Tuduhan Lukas dan Agustinus Mengerakkan Kerusuhan Sanggau Ledo." *Akcaya*, March 24, 1997.
Human Rights Watch/Asia 21 December 1997, Vol. 9, No. 10 (C)

It seems likely that the combination of the Sakek attack and the rumor about Habib Ali prompted the attack on Pancur Kasih by young Madurese living in the neighborhood. Another attack was mounted by a group of Madurese in the town of Mempawah. The group, led by relatives of Pak Jeng, the man killed in Sakek, set fire to three Dayak homes and damaged another. Several were later arrested and claimed they were beaten into making confessions.

The Attack on Pancur Kasih

It was the Madurese attack on the school and on the two young women that led to all-out war, however. According to an eyewitness whom we will call Linus, the staff had been taking turns doing guard duty, as rumors that an attack was imminent had circulated for weeks. The guard post had been in operation for a month, and every night they were waiting for an attack that never seemed to come. On the night of January 28, Linus and two others were manning the post; they stayed there until about 3:00 a.m. on January 29. They could hear the sounds from the mosque across the way, calling people to wake up for *saur*, the pre-sunrise meal Muslims have during the fasting month. Linus's friends went to sleep, and Linus went upstairs to his room on the floor above the main Pancur Kasih office that serves as a dormitory for some fifty students and staff. After reading a newspaper, he finally dozed off but had only been asleep for about fifteen minutes when he heard noises. He did not know whether it was from inside the building or whether there was some kind of fight going on outside. He forced himself awake and went to the window and saw a large crowd of youths, dressed as any Muslims would be returning from prayer, wearing caps, long sleeve tunics, and sarongs, and carrying knives and sickles. The courtyard in front of the office was filled with seventy, perhaps even a hundred men. (For some reason, press reports at the time reported that the attackers were masked or hooded; according to the eyewitnesses, none were.)

The attackers came on foot through a gate to one side of the building that leads into a Madurese neighborhood, and used plastic jugs to pour gasoline over and set fire to two motorcycles and a truck parked out front. Linus said he was beyond fright, so frightened that he lost all fear. He shouted and stomped on the floor to wake up those below, because forty girls were asleep on the first floor, as well as six boys and seven staff. He said he knew better than to go down and confront the youths, because "if we resisted, we'd be dead." A stone thrown by one of the attackers struck the window right near where he was standing. The group tried to burn down the building, but the fire for some reason did not take hold well, and neighbors were able to help put it out.

The crowd was only at the dormitory about fifteen minutes, and when everyone woke up, the attackers ran back through the gate and up to the hostel where women employees of the Citra Siantan store lived. Two Dayak girls, Efrosena and Elia. One of the girls was knifed in the neck as the attacker, later identified as Omar Farukh (no relation to Ustadz Omar Farukh mentioned above) seized her and cut off her hair; the other was also severely slashed. Then the attackers climbed up to the second story of the hostel, went through a window out onto the roof, and jumped down to a small mosque on the narrow street below, called Gang Selat Sumba II (Sumba Strait Alley), where they were given shelter.

The police did not take action to stop the Madurese, but Linus said he could not fault them. After he called a neighbor to summon the police, two officers came as the Madurese were running out the gate to the hostel. Linus said the Madurese put a knife to their throats and threatened them; they were so terrified that they did not dare take any action until they had reinforcements. The reinforcements did not come until 6:30 or 7:00 a.m., in part because the call for help came just as a new shift was coming on, and by the time the reinforcements arrived, the group had long since departed. Someone from the Koramil (army subdistrict command) came even later.

Linus gave the police statement at the time, but he was never called to testify as a formal witness in the investigation of those accused in the Pancur Kasih attack. Of some nine Madurese arrested, most were held briefly and released, because no one could place them at Pancur Kasih at the time of the raid. Four of the nine were held for seventeen days before being freed, and only two, including Omar Farukh, still face charges. He was identified by the two women in the hostel as their attacker but was not arrested until February 14.

On January 30, the day after the Pancur Kasih attack, in Peniraman, a town south of Pontianak, Madurese set up roadblocks to stop vehicles and check identity cards, looking for Dayaks and attacking them with knives. Similar roadblocks had been set up by Dayaks along a lengthy stretch of road from around Mempawah to Ngabang, with deaths of Madurese resulting. On that day, a Toyota Kijang driven by Feri Ajirin with two passengers was stopped at the Madurese roadblock; the driver was slashed and one of his passengers, Lanun, was killed.

On January 31 at 8:30 a.m. a clash took place in the town of Pahauman, apparently in reaction to the roadblock killings. The Pahauman attack was the bloodiest of the entire conflict, with 148 Madurese known dead, including fifteen members of one family, headed by Haji Dahlawi. Madurese sources said that at one point a large group of people thought they were escaping but were herded into a warehouse, which was locked and set on fire. All those inside burned to death.

Later the same day, a sixty-year-old Dayak man named Djalan, from Temiang Mali village in Batang Tarang subdistrict was killed when the bus in which he was riding was stopped and searched by Madurese in Peniraman. That evening, a traditional Dayak leader named Martinus Nyangkot, the village head of Maribas in Tebas subdistrict, Sambas district, was pulled from his car as he was returning from seeing his daughter graduate from Tanjungpura University in Pontianak. When he did not die immediately from knife wounds, his head was reportedly held under water until he drowned. A twenty-seven-year-old man named Sidik, a Madurese quarry worker from Peniraman, was later arrested and charged with murder. (Sidik has pleaded not guilty to the murder, according to his lawyer, and says police threatened to shoot him if he did not confess.) Sidik's father, a prominent Madurese from Peniraman named Haji Baidhowi, was also briefly held; the family was said to have lost more than fifty extended family members in the Pahauman attack, according to a Madurese source.

Altogether, five Dayaks died at the Peniraman roadblock, and their deaths sparked raids on Madurese in the areas where the victims lived. In Batang Tarang, for example, Djalan's village, four Madurese were killed by Dayaks on February 1, in a revenge attack. On February 1, similar attacks took place in Aur Sampuk.

The Attack on Salatiga

A detailed account of one of the Dayak attacks — an attack which left 131 dead — comes from a displaced Madurese woman who was in Salatiga when a Dayak war party arrived. The woman, whom we will refer to simply as Ibu Hajah, lived on the main road next to the Salatiga market.⁴⁴ Her husband is a driver for a contractor at the airport in Pontianak. She has lived in and around Pontianak for thirty-five years; her husband was born there.

It was Thursday afternoon on January 30 when they first heard that masses of Dayaks were headed their way. They held a meeting to discuss how women and children should be evacuated, but Pak Mastoem, a rich man in the lumber business who was one of the community leaders, insisted that they should stay and defend themselves. He made sure all the men were equipped with knives and machetes. On Friday, villagers heard again that the Dayaks were coming their way. That afternoon, a group of about ten soldiers from infantry battalion 643 arrived on a truck and offered to help move people out. Pak Mastoem rejected the offer, and the villagers set up a roadblock instead, using logs, oil drums and other obstacles.

On Saturday, at about 3:00 a.m., an advance group of Dayaks coming from Menyuke got as far as Mandor but saw the roadblock and went back to get reinforcements. At 9:00 a.m. dozens of trucks and other vehicles filled with Dayaks reached a newly-dedicated reforestation area in Mandor. Leaving the vehicles there, the attackers walked on foot the few kilometers to Salatiga, carrying traditional homemade firearms (*lantak*), machetes, long knives and arrows (*nibung*).

⁴⁴Human Rights Watch interview, Pontianak, July 30, 1997.

Ibu Hajah heard the sound of a gun about 11:00 a.m. "We thought it was the army, protecting us," she said. It turned out to be the Dayaks themselves, many of them carrying semi-automatic hunting rifles of Malaysian provenance known locally as "boomans." Most of the Dayaks were from outside the area, but a teacher whom Ibu Hajah recognized from the local elementary school was with them, pointing out Madurese homes.

Pak Mastoem and the men went out to face them, but they had not counted on the fact that the Dayaks had regular rifles (Ibu Hajah said the Madurese men in her village had been shot with lantaks before and believed they were invulnerable to them.) Haji Marsulin was the first to go out, but he was equipped only with a knife, and he was immediately mowed down by bullets. Other victims followed: most were shot first, then hacked up. She and twelve other members of her family fled out the back into the forest. The family included herself and her husband, their five children, her parents-in-law, two aunts, and another relative.

The army sent four trucks in on Saturday to help people escape, but when the Dayak attackers realized that those on board were Madurese, they began attacking the passengers with spears. No one was killed and the trucks managed to get away, but many on board were wounded. In other incident, a Javanese policeman named Gatot, married to a Dayak woman, told a Madurese family of thirteen that a vehicle was coming to rescue them, and that they should lay down their arms. He then took their knives and said he was going to get the van. A little later they saw a van arriving, and they thought it was the van they were waiting for. They rushed to get in, only the van turned out to be full of Dayaks, and every single member of the family was killed. Ibu Hajah is convinced that Gatot deliberately led the family into a trap, although there are obviously other explanations.

Ibu Hajah said the killing and destruction lasted until about sunset, and because not all the houses in the area had been burned, the Dayaks came back the next day around 9:00 a.m. to finish the job. She and her family were terrified they would be hunted down, as bands of Dayaks fanned out, looking for Madurese in the forest. After nine days of hiding, drinking stream water and having almost nothing to eat, they eventually managed to follow other people out to a place where the army could transport them to safety. Her family has now lost everything: their house, their cows and their gold. To make things worse, Dayaks have now moved onto their land and planted corn.

Singkawang, Samalantan and Bukit Permai

On February 1, the same day the attack took place in Salatiga, a Dayak man from Samalantan named Siripin was killed by a Madurese in the Beringin market in Singkawang. Despite the fact that a peace pledge had been signed between Madurese and Dayak in Samalantan on January 13, Dayak villagers from the surrounding area went after Madurese settlements in Roban, Kulor, and elsewhere. On the night of February 1, between about 9:00 and 11:00 p.m. gangs of Madurese attacked the homes of several well-known Dayaks, mostly civil servants, in the city of Singkawang and Roban. The attacks, a Dayak source said, were led by a Madurese man named Kosim, an elementary school teacher in Pakucing, Samalantan district. Four of the houses were burned to the ground, and six others were damaged.⁴⁵ One of the damaged homes belonged to a Dayak ex-policeman named Rusman Duyat, who had reportedly led some of the house-burning raids on Madurese communities in the first phase of the conflict; his uncle, Dayak sources claimed, had been one of those killed in Samalantan in 1979.⁴⁶

⁴⁵ The houses burned included those belonging to Acoi, an employee of the Sambas district government, Yakobus Tahir, an employee of the Exim bank in Singkawang, Misai Botar, head of the Siba elementary school in Samalantan, and Longsen, a medical worker. The damaged homes belonged to Dr .L. Kamdayath, a civil servant, Jumaidi, a local government official, Johannes, an elementary school teacher, Dominikus, a high school teacher, Stevanus Ju'in, a junior high school teacher, and Rusman Duyat, an ex-policeman.

⁴⁶Some Madurese took his participation as evidence of police involvement on the side of the Dayak, but in addition to whatever personal motivation he may have had, Rusman was unlikely to have been representing the police as an agency. According to one source, whose account we were not able to verify, he and his superior were caught smuggling logs in 1989, and when it was clear his superior was going to "sacrifice" him, Rusdam shot and killed him. He was imprisoned on murder charges and released in 1991.

For Dayaks in the area, these attacks were a far more immediate trigger for war than the Pancur Kasih raid. One source said they perceived the Dayaks living in the city — relatively few, all well-known, devoid of the protection of a wholly Dayak neighborhood (*kampung*) — as defenseless targets in need of help, particularly since Siripin's killing indicated that the Madurese had no intention of keeping the peace.

On February 2, Rusman, the ex-policeman, went around to different kampungs, gathering youths to mount an attack on the Madurese living in Munggu' Pancung in Roban. In addition, a "red bowl" also had been passed from village to village, apparently beginning in Samalantan. Coming from Samalantan to Singkawang, the road to Munggu' Pancung passes by infantry battalion 641's guard post; when the raiding party, hundreds strong, tried to get around the post, the army opened fire. At least eleven Dayaks died, and some appear to have been summarily executed.

We spoke with "Lukas" (not his real name), aged twenty-five, one of those wounded in the shooting, who comes from a kampung on the Samalantan side of the post. At about 9:00 a.m. on February 2, he joined with twenty others from the kampung, riding a public transport minivan (*oplet*) from the road to a village called Pajintan; they intended to walk from there into Munggu' Pancung to take revenge, as Lukas put it, on the Madurese. Each was armed with a *lantak* (the homemade firearm); a *mantau*, the traditional knife; and poisoned arrows made from the nibung tree. They joined hundreds of others coming from other villages. When the first part of the crowd reached the army post, at about 2:00 p.m., they were stopped, but the group Lukas was with went around by a hill called Bukit Permai to try and break through to the road above the post. (One Dayak source, not Lukas, said they were advised to go around by the hill by a Madurese soldier named Muji Santoso, and the "advice" led them into a trap.) Two trucks of soldiers were waiting when they emerged from the woods, some armed with M-16s, others with smaller guns. Some of the soldiers were from infantry battalion 641, others were from "dodik" (*komando pendidikan*), an infantry training school nearby.

The soldiers fired a warning shot, ordering people to go back. People ran in all directions, and then the army opened fire. (Another man, also present at the shooting but back further in the crowd, said the army tried firing "fake bullets," probably rubber ones, for about fifteen minutes before switching to "real" ammunition.) Lukas said two people he knew, Jono and David, were killed instantly, and when he saw them fall, he and two people he was with ran to a rice paddy on one side of the road and jumped in. Five soldiers came over and ordered them to get out, saying, "If you don't come out, we shoot." They stood up with their hands in the air and were herded over at gunpoint to the main road to join about one hundred others. Soldiers ordered them all to strip to their undershorts. As they were standing, a soldier came up and without warning kicked Lukas in the face with a kind of jump kick, causing his nose to bleed. Then he kicked him hard in the chest, and Lukas fell down. As he was trying to prop himself up on his elbow, the soldier simply shot him in the right thigh, from a range of no more than one meter. Two other Dayaks shot at the same time were killed. (He did not know their names because they were not from his kampung.) Although Lukas did not know the name of the soldier who shot him, he said the man standing next to him giving orders was a Sergeant Sukampto, from East Java.

After he was shot, in the general confusion, Lukas managed to drag himself away on his elbows to the woods behind a house on the other side of the road, a distance of about fifty meters. He hid for about an hour and was then found by a policeman from West Java, whom he knew. The policeman and a friend carried him to the main road. There were corpses lying there, and soldiers were still holding about one hundred people at gunpoint. If anyone moved, a soldier would cock his gun and aim it at the offender. They waited an hour for the ambulance to arrive, and six people, including Lukas, were loaded on it. One boy named Buyung had been shot in the stomach, and his intestines were hanging out; he died as they were being taken into the hospital in Singkawang. Lukas was operated on that night, then moved to the military hospital where his wound got infected, then to the Christian mission hospital where he had to have a second operation and where he stayed for over two months. The local government paid for the costs of his hospitalization.

"Petrus" (not his real name), another person from the same village who was in the group, said there were eight soldiers doing the shooting, most of whom were Madurese, except for Sergeant Sukampto. He named Corporal

Matangwar, Corporal Pardi, Roger, Muji Santoso, Lieutenant Kamas, and Sergeant Syamsul as the Madurese. (A report of a fact-finding mission carried out by a local NGO organization listed all of the above and had six other names in addition: Sergeant Bambang Sugeng, Private Santoso, Private Rusbiyono Wiyono; Sergeant Supriadi, Sergeant Taufik, and Private Suyitno. Several of these names sound Javanese. The report noted that after the shooting, they were all immediately sent to the officer training school [Sekolah Calon Bintara] in Banjarmasin, out of the conflict area.)⁴⁷ There were no Dayak soldiers among those firing, and Petrus said he heard that most of the Dayak soldiers of Battalion 641 had been assigned elsewhere. He said one of the Dayaks killed — Torius, aged twenty-three, from Bagak — was shot dead as he was trying to surrender. Another killed was Rusman, the ex-policeman who had helped mobilize the Dayaks.

Petrus was one of about 120 men arrested and brought to the main road. For about an hour, he said, they were forced to stand in their undershorts while soldiers kicked them and hit them with rifle butts. The soldiers made slurs against the Dayaks the whole time. At one point, the soldiers ordered them to pray in whatever religion they wanted, implying that they were about to be killed. If it were not for Captain Mikhael, Petrus said, he was sure they would have been. But Captain Mikhael was one of "our people," a Dayak, and when all 120 were taken to the district military command in two trucks, accompanied by the captain, they were treated reasonably well. They were given clothes and food and sent home the next day.

Petrus said the corpses were taken away and just buried "like dogs" without any ceremony. Most are believed to have been buried in the Heroes' Cemetery (Taman Pahlawan) outside Singkawang. He stressed that despite all the peace treaties, he and other villagers still feel threatened by the Madurese, and that if one more Dayak has his blood spilled by a Madurese, the war will break out all over again.⁴⁸ In addition to the eleven killed at Bukit Permai, eighteen Dayaks were wounded.

This incident is another for which a thorough investigation is needed. It appears that lethal force may indeed have been necessary to stop the Dayak crowd from descending on Madurese communities, but it also appears that serious human rights violations, including summary executions, took place. This and other incidents described below where the army opened fire on Dayaks have convinced many Dayaks that the army allowed Madurese officers to shoot them, intensifying their feelings of vulnerability (despite their overwhelming numerical advantage) to a Madurese attack and generating deep distrust of the military. An internal examination of policies relating to the ethnic composition of local military units in times of communal tension is needed. If it is true that no Dayak soldiers were allowed to take part in efforts to restrain Dayak war parties, while Madurese soldiers were, the policy should be reexamined to ensure that either both or neither are involved. If it is not true that commanding officers took any such decisions, that fact should come to light. And whatever decisions took place, it is imperative that the military organize meetings, not just with leaders of the two communities in Pontianak, but in villages where some of the most intense conflict originated, to explain its policies to villagers in a forum where questions can be freely asked.

Balai Karang

Yet another group of Dayak attackers came to the village of Balai Karang, near the border with Malaysia, on Sunday, February 2, at about 4:00 p.m. The attackers, according to an eyewitness we interviewed, came from six subdistricts including Darit, Pahuman, Sosok, Ngabang and Balai Sebut, an enormous geographic area. They came in a party that included fifteen trucks all packed with people, more motorcycles than one could count, and dozens more on foot. There were at least saw at least four women among them. The attackers were equipped with "booman" semi-automatic rifles, and the twelve Madurese who died in the attack were all shot before their heads were severed. "Haji Usman" (not his real name) lost two grandchildren, one of whom was three years old, the other nine. In earlier clashes between Dayaks and Madurese, he said, the Dayaks never got as far as Balai Karang, and they never used guns.

⁴⁷ "Fakta-fakta," p. 5. The list of soldiers is identical to that compiled by the Customary Council (Dewan Adat) for Sambas district.

⁴⁸ Human Rights Watch interview, Sambas district, July 25, 1997.

He and his wife recognized many of their neighbors among the attackers, including the deputy head of Sanggau district (*wakil bupati*), Ahok; an employee of the subdistrict office named Mansen; an employee of the district health clinic (Puskesmas) named Senaman; and a villager named Daun. The attackers stayed in Balai Karangan for about an hour, then moved south towards Sanggau. They attacked Tayan, further south still, on February 3, where fifty-four people were killed, and Meliau the next day.

Haji Usman said no official wanted to help them, with the possible exception of the district head of Sanggau. He described how on the morning of the attack, he went to Ahok, the deputy district head, to discuss measures to protect the community, given other attacks in the area. "You don't need to worry, leave your weapons here," Ahok told him. But according to Haji Usman, it was Ahok himself who opened the gates to the village that afternoon and let the Dayak attackers in.

He understood that the attackers were looking for the richest people in the kampung and that four people in particular were marked for execution: himself; Haji Sayuti, a businessman, who was killed together with his wife; Haji Inom, and Haji Mucharrom (fates not clear). He said the military offered no protection, noting that Ayub, one of the residents of the kampung, was killed at the office of the subdistrict command, and one of his grandchildren died at the police post. He reported to the district military command after the attack was over, giving the names of those involved, including Ahok, and he believed they were summoned for an explanation. In fact, they were detained: another example of where clear information could help dampen some of the tensions. Two people were arrested in the shooting death of Haji Sayuti, one other in the death of his wife.

Haji Usman did not understand where the Dayaks got their guns. These are rifles that you can only buy in Malaysia, he said, and each costs about Rp.500,000 (about \$250). How is it possible that so many poor Dayaks could afford these weapons, he wanted to know. And how could they afford so much gasoline for the fires they set?

Perhaps as a result of the Balai Karangan attack, the Malaysian government closed the border gate on the main Kuching-Pontianak road on February 3. It closed all twelve border gates the next day, only reopening them cautiously ten days later.

All of this took place at a time when the provincial commander for Kalimantan was announcing that the conflict was subsiding across the province. He did declare a ban on possessing firearms and carrying knives, but it was clearly not enforced.⁴⁹ Indeed, the Dayaks showed little fear of the army. On February 3, for example, two soldiers from infantry battalion 641 and Sergeant Sumarsono, from the subdistrict military command of Sei Raya, south of Singkawang, were riding their motorcycles around 10:30 in the morning when they were stopped by four men with knives, led by Roberto Sihombing, a man of mixed Dayak-Batak blood. The three others were Dayaks from the village of Capkala, and they were at the head of a crowd of some one hundred people. Yelling "Where's your security now?" Roberto seized the pistol of one of the soldiers, Susilo, a Javanese, before the soldiers managed to escape. Roberto was later arrested on February 28, the other three on March 5; the information comes from the charge-sheet in their case. All were charged with weapons seizure. It is one of the few cases where Dayaks were arrested on a charge more serious than carrying a sharp weapon, and the fact that the victims were military and not Madurese is probably significant.

Army Shootings at Sanggau and Anjungan

On the same day, February 3, a large crowd of about three hundred Dayaks riding in seven or eight trucks converged on the district military command (KODIM) in Sanggau, according to a Dayak source we interviewed. They had heard a rumor, perhaps based on military evacuation efforts, that large numbers of Madurese were coming to establish a "kampung KODIM," a settlement inside the command. The trucks passed a military post at Sei Mawang, just outside Sanggau, but none of the soldiers tried to fire warning shots or otherwise stop the convoy.

⁴⁹ "Pandam VI: Situasi Kalbar sudah mereda," *Kompas*, February 3, 1997.

When they got to Sanggau, there was a kind of traffic circle leading in to the KODIM where incoming traffic was routed to the left over the Sekayam bridge. Just before the bridge, five trucks of fully armed soldiers were waiting, and the Dayak trucks could neither go forward nor backward. Although the Dayaks themselves were armed and intending to attack Madurese, the witnesses we talked to considered this to be an ambush. "Why didn't they stop us at Sei Mawang?" one of them asked. The soldiers opened fire on the trucks, and the Dayaks shot back. Four Dayaks and the Batak driver of one truck were killed; twenty-six were wounded, including a soldier named Sugondo from a company of infantry battalion 642.⁵⁰ Those wounded were from all over — from Noyan in the north, a subdistrict of Sanggau near the Malaysian border, to Darit, way to the west in Pontianak district — but over half were from Kembayan and Tayan Hulu.⁵¹

Another confrontation took place between Dayak and army troops in Anjungan a few days later, as hundreds of Dayaks prepared to attack Galang, a Madurese community with about one hundred families. One source said the attack was in revenge for the killings in Peniraman; others said that a false rumor had been spread that a fully armed contingent of Madurese in Galang was planning to attack Dayak communities in Karang. (Interviews, on the basis of complete confidentiality and immunity from prosecution, with Dayaks who went to Anjungan, could help clarify this.) There is some confusion over dates, but the clash seems to have taken place on February 5.⁵² According to one participant, a bus and three trucks led the attack party's convoy, with people so tightly packed in the trucks that they were like match sticks.⁵³ The full convoy included trucks, buses, motorcycles, people on foot, and one "very nice car" in which one of the Dayak "commanders" (*panglima perang*) rode. There were several such commanders in the group. No one was quite sure where the convoy had started out, and it picked up more and more people along the way. The military in Anjungan must have known that it was on its way because it had already passed through the subdistrict of Mandor, but no attempt was made to stop it.

"Solo," the witness, was in the third vehicle from the front, a bus owned by the Wanara Sakti company. When they reached the village of Peladis, they passed a fish pond, just before an ammunition depot for infantry battalion 643. Barbed wire had been spread along the road, and soldiers were around, but they passed through anyway. There was a second checkpoint before they got to the Anjungan market, and still no one tried to stop them. It was about 4:00 p.m. in the afternoon when they reached the barracks of combat unit (Zipur) of battalion 643 and tried to pass through. About ten soldiers opened fire, and one shot the tires of the first truck, causing it to turn over and killing the Chinese driver. Solo said he did not know what weapon was used but it made a very loud noise; he thought it was a mortar or a bazooka. The soldiers gave no warning that they were going to open fire. Some of the passengers clinging to the top of the bus fell off, wounded, but others shot back at the army. Reports that a soldier died were later denied by the regional command.

Solo and two others jumped into a ricefield to avoid the bullets. They crouched, trying to keep their heads down, because anyone who stood up got shot. Two helicopters flew overhead, and soldiers started shooting from the

⁵⁰ The dead men were Antonius Anton, 26, from Manggang, Mandor; Luntung or Lutung, 30, from Sebudu, Kembayan; Sanding or Sundeng, 32, from Sei Dangin, Noyan; Lion, no age, from Engkasan, Tayang Hulu; and Maruli Hutahayan, 32, from Kembayan.

⁵¹ "Daftar Nama-Nama Penderita Yang Masuk RSUD Sanggau Atas Peristiwa 3 Pebruari 1997," District Government of Sanggau, Health Office (Dinas Kesehatan), Sanggau Hospital (Rumah Sakit Umum Sanggau), signed by the hospital director, Dr. Rosalina.

⁵² Despite the fact that the Anjungan incident is so important to the Dayaks, since more Dayaks died in it than in any other single incident of the conflict, we were unable to pin down the date with certainty. The confusion was made worse by the fact that there were in fact two stand-offs there, two days apart. One eyewitness said the two incidents took place on a Wednesday and Friday, which would be February 5 and 7, but he was interviewed more than six weeks after the event. Another account says "between February 3 and 6." Another says the major clash was on February 4, with a return visit on February 6.

⁵³ This was a participant who was interviewed on tape on March 19, 1997, by an NGO. We listened to the tape and talked to another person involved, but did not directly interview this eyewitness.

helicopters. He and his two companions kept quiet, they kept half-swimming through the paddy to try to find protection. The person on his left got shot in the back of the shoulder; the person on his right got shot in the leg. One of them had a gun (not a traditional firearm), but it was too wet to use. The shooting lasted about five minutes which seemed like a very long time. Solo was shot, too, but said he did not want to move, because he thought if he survived, he could keep on fighting. Then the army came to where they had fallen and told them all to put their hands in the air. Wounded as they were, they were herded out to the main road and told to lie down face down. If they looked up, they were kicked. The corpses were thrown to one side. One youth with long hair who had already surrendered was ordered to take off his pants; he was slow in doing so and they shot him. Solo said he and other Dayaks were angry with the army, because it was not the army they were at war with, it was the Madurese, and they did not understand the army's behavior.

Two contingents of Dayaks were taken to the hospital for treatment. The army picked up the wounded closest to the road, but anyone who was more than twenty meters from the road just got left. Solo counted sixteen dead and twenty-two wounded, but about 3:00 a.m. that night, another died in the hospital, so there were seventeen dead altogether. A Dayak woman who works at the hospital told Solo that she and two other Dayaks and a Batak were ordered to bury the dead at 1:00 a.m. after the corpses had already been in the morgue two days. They did so, even though it is totally forbidden in Dayak culture to bury people at night without any ceremony.

In the hospital, Solo said, the wounded were very closely guarded by soldiers from Battalions 305, 612 and 317, not the battalions that had opened fire. They wore green berets and followed people around wherever they went. Solo was not seriously wounded, but he could not go anywhere without a soldier accompanying him. He was also questioned about who his commander was, who had given orders. He told the other Dayaks there not to answer, to keep their information secret and not tell anyone. He spent a total of eight days in the hospital. When he left, he got a letter authorizing him to get free drugs. He was not required to report to the authorities.

No one has been able to make a complete list of the seventeen or eighteen dead, and no one is sure where they are buried. Nor is a comprehensive list of the wounded available, although one list of ten injured lists five men from Sengah Temila subdistrict, two from Ngabang, one each from Mandor and Sungai Pinyuh, and one from the hamlet of Tarakian, but the subdistrict is not given. As with the Bukit Permai shootings, some Dayaks who were present at Anjungan are convinced that Madurese soldiers did the shooting, although we heard no evidence to support this allegation. Solo said he was told by his younger brother, a soldier in battalion 643, that when the army was about to open fire at Anjungan, the Dayaks ("our people") were told to stay in back while soldiers from other ethnic groups did the shooting.

Other Attacks

Attacks continued, in particular in the districts of Sanggau, Sambas, and Pontianak, but a virtual press ban was put into effect, ensuring that reports were sketchy and largely confined to the foreign media.

One foreign reporter saw armed Dayaks on buses and trucks at Karang on February 17, heading for a rendezvous at Toho to launch a mass attack on the Madurese village of Suap. They passed unhindered through an ineffectual military roadblock. An estimated 3,000 Dayaks (the number may be high) attacked Suap the next day, killing fifteen, seriously injuring five, and leaving ninety-eight homes burned to the ground.⁵⁴

The next day, seventeen Madurese were reportedly killed by "hundreds" of Dayaks at Sekim I and II hamlets, in the village of Sungai Kunyiit Hulu.⁵⁵ A Madurese source we spoke with in July gave the death toll as twenty-seven.⁵⁶

⁵⁴ "Fight to the death for tribal rights," *Asia Times*, February 20, 1997.

⁵⁵ "Upacara di sini, konflik di sana," *D & R*, March 1, 1997.

⁵⁶ Human Rights Watch interview, Siantan, July 30, 1997.

The military from Mempawah said they arrested sixty-eight of the attackers; some Dayaks were reportedly shot by the army here as well. This appears to have been the last major attack of the conflict.

Observers described corpses put prominently on display all along the road into the interior, some without heads, some with stomachs ripped open. One report quoted eyewitnesses who had driven through the area saying the stench from "hundreds" of rotting headless corpses along the road between Anjungan and Mandor was overwhelming. Many of the victims were apparently Madurese who had been evacuated in the first wave of violence but who had been later told by the military that it was safe to return home. Reports of Dayaks eating the livers of some of those they killed were confirmed by both Dayak and Madurese witnesses. The electronic news service SiaR quoted one shocked, unnamed Kopassus officer as saying, "I have done duty in Cambodia, Bosnia and East Timor, but nowhere was it like this. In Bosnia, Serbs massacred Bosnians but they didn't eat their victims."⁵⁷

Throughout this phase of the conflict, the government tried to impose a press ban, with limited success. Local military officers prevented five Western journalists from leaving Pontianak to cover events in the interior, saying the restrictions were for their own security.⁵⁸ In a highly unusual move, a senior official at the Ministry of Information sent a letter to Japanese journalists based in Indonesia warning them against distorted coverage and saying, "We are very worried that the mass media is being used by certain parties which do not want to see Indonesia progress."⁵⁹ While it is true that in some communal conflicts, as in Rwanda, the media has been used by one side to incite its members to attack the another, there was little chance of this happening in West Kalimantan, where broadcast media are for the most part controlled by the state, and the local newspapers were doing their best to report the facts. The curbs imposed by the government may have been partially a misguided effort to prevent more violence and partially an effort to prevent a negative image of Indonesia from reaching the outside world.

The Death Toll

The death toll in the conflict has been the subject of wild speculation, ranging from 300 to 3,000 and more. The real figure is probably closer to 500.

There has been no effort to compile an accurate, official toll; rather it seems that there has been a deliberate decision not to, for fear of inflaming tensions or angering the central government authorities. On February 12, unidentified sources within the armed forces information office in Jakarta said "dozens" or even "hundreds" had died.⁶⁰ The *Far Eastern Economic Review* quoted community leaders in West Kalimantan as saying the death toll was 200. On February 18, Maj. Gen. Zaki Anwar Makarim, assistant to the army chief of staff, confirmed that 300 had died,⁶¹ but this figure was later retracted by his superior, Gen. Hartono. Diplomats thought the figure of 300 may have been mentioned to "soften up" public opinion for even higher figures. The West Kalimantan governor later mentioned a "provisional" figure of 200 dead but added that information from the interior was still scarce.⁶² One Catholic priest in Menjalin estimated that perhaps 1,000 Madurese had been killed in the district of Pontianak alone, mostly on February

⁵⁷ "Peperangan masih berlangsung di pedalaman Kalbar," *SiaR*, March 4, 1997.

⁵⁸ "Indonesia warns Japanese media over coverage of unrest in West Kalimantan," Agence France Presse, February 17, 1997.

⁵⁹ *Ibid.*

⁶⁰ Agence France Presse, February 12, 1997.

⁶¹ Reuter, February 18, 1997.

⁶² "Gubernur Kalbar: korban tewas 200 orang," *Media Indonesia*, February 26, 1997.

6 and 7, when thousands were fleeing their homes. Another source thought several thousand Madurese may have died, as against almost 200 Dayaks, the latter largely as a result of shooting by the military. *The Australian*, a national daily, quoted Dayaks who estimated that their people had killed at least 600 Madurese, while more than seventy of their own had been killed by the armed forces in four separate incidents.

Part of the reason for the inflated figures was that Dayak sources frequently included people who had not returned home, who later proved to be in the hospital or in detention. One figure that became widely accepted was 1,200. The origins of this estimate were in a fact-finding trip carried out between February 7 and February 14 by a student forum, called Forum Kebangsaan Pemuda Indonesia, made up of eight youth and student groups representing different religious and political backgrounds. The group counted the number of burned houses along a seventy-kilometer stretch of road between Anjungan and Ngabang, finding 487 of them. They estimated that each house had been occupied by five people, giving a total of 2,435 people. They then checked the refugee sites and found 1,300 people from the area there. So they subtracted 1,300 from 2,435 and came up with 1,135, which they rounded up to 1,200. The figure was picked up in the alternative press as a possible death toll.⁶³

Community leaders who have collected figures village by village come up with a lower figure. A Madurese source who has compiled figures from families lists the following:

- | | | |
|-----|--|-----------------------------------|
| 1. | Pahauman | 148 |
| 2. | Salatiga | 131 |
| 3. | Sosok | 47 |
| 4. | Tayan | 54 |
| 5. | Karangan | 41 |
| 6. | Pasar Ngabang | 1 confirmed, perhaps a few others |
| 7. | Menjalin | not clear but less than ten |
| 8. | Sakek | 1 |
| 9. | Sungai Kunyit | 27 |
| 10. | Sungai Jagoh | 5 |
| 11. | Sungai Duri | 1 |
| 12. | Malapes Sumban | 3 |
| 13. | Other (Senakin, Sungai Keran, Sungai Daun) about 5 | |

That gives a total of about 465 Madurese. The Dayak lost at least the following:

- | | | |
|----|--------------|----|
| 1. | Anjungan | 17 |
| 2. | Bukit Permai | 11 |
| 3. | Sanggau | 5 |
| 4. | Peniraman | 5 |

The then-provincial commander, Maj. Gen. Namuri Anoem, said in January, just before the attack on Pancur Kasih, that he did not want to give an estimated death toll. He pointed to the furor that was raised in late 1996, following the July 27 riots in Jakarta, when the National Human Rights Commission issued a preliminary figure on disappearances that was later drastically reduced and told reporters to wait a few months.⁶⁴ But a few months later, when the head of the commission was asked about a death toll, he said with the signing of peace agreements, the problem was settled, and it would not be a good idea to start guessing about the toll.⁶⁵ The failure to do a systematic

⁶³ "Masalah Daerah Jangan Ada Campur Tangan Luar," *Akcaya*, March 6, 1997.

⁶⁴ "Belum Ada Kepastian Korban Jiwa," *Akcaya*, January 29, 1997.

⁶⁵ "Komnas Tak Utak-atik Soal Korban Kerusuhan," *Akcaya*, March 16, 1997.

count, however, has given rise to all sorts of rumors, more among the Dayak, paradoxically, than among the Madurese. With no explanation given them for midnight burials and no discussion of who buried the dead from the various armed confrontations with the military or where, Dayak distrust of the government and the army in particular has increased.

The Displaced

As of April 1997, the press reported that 3,054 homes had been destroyed, and more than 15,000 people, almost all of them Madurese, had been displaced. Those figures were probably low, as it was difficult to make an accurate count. Some Madurese returned to Madura, others moved in with relatives in other parts of West Kalimantan, some were housed in temporary barracks at army posts and in other holding centers. The districts of Sambas and Sanggau were the worst affected, with respectively 5,000 and 3,122 known displaced, although again, the figures are almost certainly too low.⁶⁶ An Australian paper quoted Transmigration Minister Siswono Yoduhusodo as saying that at least 20,000 Madurese remained in refugee camps and were "too traumatized by the violence" to go back to their homes.⁶⁷ West Kalimantan Governor Aspar Aswin said that the provincial government would try to resettle them elsewhere in the province, and that 950 houses were under construction, as well as 450 homes inside existing transmigration centers. He also noted that there was a problem with the agricultural land the displaced people had owned. If they could not or did not wish to return, the government would sell it and turn over the proceeds to the former owners, he said.⁶⁸ But with reports of Dayaks already moving on to Madurese land, the problem was not going to be as easily resolved as the governor suggested. Moreover, Indonesian officials at all levels also have a poor record in handling land disputes, and few landowners would like to see the government act as their sales agent.

Questions for an Investigation

1. Why did participants in attacks *think* they were taking part?

Rumors were swirling thick and fast in both communities, as was only to be expected during such unrest. But some of those rumors were particularly deadly: for example, that the Madurese leader Habib Ali had died, and that an armed contingent of Madurese in Galang was preparing an attack on Dayaks is another. There was also a rumor at one point that the army was bringing in two boatloads of Madurese to help fight the Dayaks. Interviews by a neutral organization with some of the Dayaks and Madurese who acted on the basis of these rumors would help document where the rumors originated and how they spread. The effort should not focus on looking for a provocateur as much as trying to the dynamics of the conflict.

2. How valid are the claims of summary executions by the army and, if the claims are substantiated, what will be done to punish those concerned?

The actions of the armed forces at Bukit Permai, Sanggau, and Anjungan need to be thoroughly investigated. The fear that a unit of soldiers must have felt when confronted by 500 or more Dayaks with a reputation for cutting up their victims is understandable, but fear is no excuse for shooting someone in the act of surrendering or already in custody and unarmed. The names of the entire shooting squad who fired on Dayaks at Bukit Permai are known, as are the names of many of the Dayaks who were shot and who ended up in the hospital. It should be possible, again, for a neutral organization with no ties to any of the parties in the conflict to evaluate the validity of the allegations. If the charges of summary executions are confirmed, those responsible should be prosecuted to the fullest extent of the law.

3. What happened to the dead in clashes between the army and the Dayaks?

⁶⁶ "3054 Rumah Rusak," *Akcaya*, April 2, 1997.

⁶⁷ Louise Williams, "Migrants to be sent home after ethnic war," *Sydney Morning Herald*, April 16, 1997.

⁶⁸ "Sekitar 20.000 Pengungsi Kalbar Enggan Kembali ke Permukimannya," *Media Indonesia*, April 2, 1997.

If trust is ever to be reestablished between the army and the Dayaks, who after all constitute almost half the population of the province, answering this question is key. Where were the bodies of those killed at Anjungan, Bukit Permai, and Sanggau buried, and why were they buried under cover of night instead of being held for their families to claim them?

4. What is the ethnic composition of the security forces at the provincial, district, and subdistrict level, and what was the ethnic composition of the teams involved in trying to repel the Dayak raids?

It would be a mistake for the army to release the names of individuals because it could lead to those people being targeted for reprisals, but it is important for the military, including the police, to understand how public perceptions of the ethnic composition of the security forces can exacerbate the conflict. If, in fact, Dayak soldiers were deliberately kept out of the front lines but Madurese soldiers were not, those decisions probably need to be reviewed. If that perception is inaccurate, the military needs to be forthcoming enough with information about the real composition of forces in place at the time to convince skeptical Dayaks that their perceptions are inaccurate.

5. What did the police do with names given them by victims about individual perpetrators? What steps have been taken to inform complainants about the status of their complaints?

As in the first wave of violence, many Madurese believe that they were treated discriminatorily by police, in that no action was taken against individuals whom they reported as having been involved in house-burnings or murder. It is also true, however, that so many of the Madurese affected have become displaced persons currently living outside the area where the attacks took place that they often have no idea whether action was taken or not. Some kind of accurate information-sharing needs to take place between the government and the two communities involved.

6. Where did the "booman" guns come from?

All those we spoke with agreed that the use of these guns was an unprecedented aspect of this conflict. Are these semi-automatic rifles commonly owned by Dayaks, and if not, how were they acquired? One source said they could only be bought across the border in Sarawak, Malaysia; another that they could in fact be produced locally, but the ammunition had to be purchased in Malaysia. Knowledge of the provenance of these rifles is a key.

7. How were the Dayak attack parties organized?

Analyzing the geographic composition of the war parties is important, because while some of the geographic spread is logical — Dayaks from Menyuke going to Salatiga and then picking up new people in Mandor and elsewhere along a route on which that the "mangkok merah" or red bowl could have been passed — the mixture in others is harder to explain. It has given rise to speculation among some observers that the conflict was manipulated, because some of the Dayaks had no idea who their fellow fighters were, and it would have been all too easy to have inserted provocateurs in the crowds. One could start such an analysis by taking one group of known participants — for example, the list of wounded released by Sanggau Hospital after the February 3 incident — and interviewing each participant on the list as to how he joined, who provided transport and so on. It is critically important that these interviews *not* be conducted by police or army personnel, and that they be conducted under terms of strict confidentiality, but that the pattern of mobilization be understood.

V. THE GOVERNMENT RESPONSE: PEACE PACTS AND ARRESTS

The government had two basic responses to the violence: peace pacts and arrests. Both indicated a fundamental misunderstanding of the depth of the tensions and the political dynamics at work. With the peace pacts, the government staged probably well-intentioned but useless ceremonies that said more about loyalty to the state ideology, Pancasila, than about a genuine effort at conflict resolution. In an even more misguided effort at preventive action, the provincial government sent joint teams of police and military around to raid communities after the worst violence was over, looking for sharp weapons, and arrested scores of young men for possessing knives. Since most Madurese and Dayak men carry some kind of sharp knife as a matter of course, the effect of the arrests was to arbitrarily detain dozens of people who not only had nothing to do with the violence but who were not even *accused* of having anything to do with

the violence. In contrast, those believed responsible for murder went largely unpunished. These efforts mostly took place at the provincial level on down; it is not clear that the central government was particularly engaged in events except insofar as they affected plans for the May election.

The Peace Pacts

As noted above, after the first round of violence, the government sponsored a number of peace ceremonies at the local, usually subdistrict level. At these ceremonies, local Dayak and Madurese leaders would be present, a traditional Dayak leader (*temanggung*) would perform a ritual symbolizing the restoration of relations with nature, and both sides would pledge to uphold the unity of Indonesia and to not be incited by false information. These ceremonies, mostly carried out between January 5 and 8, had no effect whatsoever in preventing the second round of violence.

Nevertheless, the government put even more effort into sponsoring formulaic peace pacts of this kind from February 18 onwards at the district and subdistrict levels, with a province-wide ceremony in Pontianak on March 15. In each case, the full panoply of relevant civil and military officials attended; in each case, the wording of the *ikrar* or pledge was almost identical.

The provincial ceremony in Pontianak is a case in point. It was attended by numerous military and government officials: the provincial commander, Maj. Gen. Namuri Anoem; the regional commander of Korem 121, Col. Zainuri Hasyim; the provincial police commander, Col. Drs. Erwin Achmad; commander of the local naval base, Col. Sugeng Sugiartmar; head of the air force base, Lt. Col. Jon Dalas Sembiring; the public prosecutor, Masfar Ismail; the rector of the provincial university, Prof. Mahmud Akil, all members of the provincial parliament, all officials of the provincial government, all of the district heads of the province, the leaders of the three political parties — and, almost coincidentally, the leaders of the two ethnic groups. The chair and secretary-general of the National Human Rights Commission, Munawir Syadzali and Baharuddin Lopa, were present as was one other commission member. The program, according to press reports, included a choir from SMU Taruna Bumi Khatulistiwa, a school for cadets, which sang marching songs and a display of the drum band of the Naval Academy. All of the Taruna Academy attended. The ceremony could have been an election rally for GOLKAR.

The pledge read by representatives of the Dayak and Madurese communities said that:

The incident in question was caused by the failure of all the people of West Kalimantan to nurture, guide and protect the atmosphere of neighborliness between all sectors of society and also by the ease with which we are swayed by rumors and inaccurate information spread by certain groups who do not wish to see the stability of the region and our beloved nation safeguarded.

It committed both parties to upholding existing laws, settling all conflicts through negotiation, rejecting the practice of summary justice, respecting local customs and traditions, ending the practice of carrying a sharp weapon, foregoing any accusations of individual responsibility for the losses that occurred, and surrendering to the government the authority to process all claims in accordance with existing laws and regulations.⁶⁹

The pledge read at the ceremony in the subdistrict of Sungai Ambawang on February 17, and attended by all the subdistrict officials, contained the phrase, "We believe and fully submit to the authority of the government, especially the military, for public law and order."⁷⁰ Similar subdistrict level ceremonies were held in Sungai Pinyuh,

⁶⁹ "Kerusuhan, Turnnya Nilai Budaya Bangsa," *Akcaya*, March 16, 1997.

⁷⁰ "Danrem: Hiduplah Rukun dan Damai," *Akcaya*, February 18, 1997.

Mempawah Hilir, and Sungai Kunyit on February 23; in Mandor on February 24; in Menyuke on February 24. Others took place shortly afterwards in Toho. Menjalin, Mempawah Hulu, Sengah Temila, and Ngabang.⁷¹

There were several problems with these ceremonies. They were first and foremost government shows and had very little to do with traditional end-of-war ceremonies. Second, they involved only the elite among Dayak and Madurese leaders and ignored how high emotions were running at the grassroots level. The Dayak or Madurese most likely to be called on by the government to take part in these ceremonies was not necessarily one with the most influence over those engaging in violence. There was little appreciation of the fact that the influence of an important Dayak leader in one community would not necessarily extend over a large geographic area or that it was critical to involve *kyai* (Muslim religious leaders) on the Madurese side, not just prominent community figures. The ceremonies wrongly posited two monolithic opposing sides, ignoring how fragmented and differentiated the two parties could be. The Madurese community was deeply split, for example, between "green" and "yellow" Madurese — supporters of PPP, the Muslim party and GOLKAR, the ruling party. The pacts were dangerous, because since they involved people who could not bring their respective communities along with them, they were quickly broken, amid mutual recriminations and charges of bad faith.

One result was that by the time of our last visit to West Kalimantan in late July 1997, dialogue and exchange of information among thoughtful individuals from the two communities had broken down completely. One particularly useful forum, the Forum Komunikasi Antaretnis Kalimantan (The Interethnic Communications Forum of Kalimantan) made up of young intellectuals from both groups who met regularly during the month of January, had not met since the Pancur Kasih attack.

Arrests

The government also used its power of arrest in a way that led to widespread arbitrary detention and exacerbated tensions. Even when arrests were not arbitrary, there seemed to be no good reason why certain acts of violence led to arrests and others did not. A review of the 184 people formally charged in connection with the conflict reveals some telling statistics:

- the only people arrested as a result of the first wave of violence were the five youths who participated in the original stabbing of the two Dayaks at Sanggau Led. As noted above, they were initially charged with assault (Article 170 of the Criminal Code) and causing property damage (Article 351). Bakrie was sentenced to a year and a half in prison.
- A total of eight people were charged with murder — one Madurese, in the case of the death of the Dayak leader Martinus Nyangkot on January 31, and seven Dayaks, all from Sanggau district. Mohamad Sidik, charged in the Nyangkot death, was sentenced to three years in prison. The heaviest sentences of the whole conflict were given to two of the three charged in the death of Haji Sayuti in Balai Karangan; they received sentences of three and a half years in prison. Four others were charged in connection with deaths in Balai Sepuak, Belintang Hulu, where six members of one family were killed.
- Two Madurese were charged in connection with the Pancur Kasih attack, accused of violating Article 353 of the Criminal Code. M. Umar Farouq was sentenced to nine months and ten days, and with time served, was free by the end of the year.
- One Madurese has been charged with incitement: the man who made the telephone calls to other Madurese on January 28 stating that Habib Ali, a religious leader, was dead when in fact he was not.
- A total of fourteen people were charged with arson in connection with burnings in Sanggau and Singkawang: four Madurese in Mempawah and about ten Dayaks. The maximum sentence handed down in these cases was one year and three months.

⁷¹ "Merekapun Berpelukan Erat." *Akcaya*, February 24, 1997.

- Three Dayaks were charged with weapons seizure for stealing a pistol from a soldier on February 3; five others were charged with stealing a motorbike in Monterado, Samalantan district, and received sentences in April of between three and four and a half months.

Virtually everyone else arrested was charged under Article 2 of a rarely used law, Emergency Regulation No.12/1951, banning possession of certain kinds of weapons. Most were arrested in joint military raids in March 1997 mounted with the express purpose of confiscating knives, as if eliminating knives would help resolve the conflict. Most of those arrested in these raids were Dayaks, and there is no evidence that they were linked to the actual conflict (indeed, no suggestion was made in the formal charge-sheets that they were). All were released by late 1997, but their prolonged detention under this law is cause for concern.

Regulation 12 is a legal anachronism, adopted at a time when Indonesia was just emerging from a long guerrilla war of independence against the Dutch, and the young republic was trying to both restore order, ensure that external threats were minimized, and transform a bewildering array of militias into a national army. Relevant provisions of the law read as follows:

Article (1): Whoever illegally enters Indonesia to make, receive, try to obtain, hand over or try to hand over, transport, possess, store, use, detonate or take out of Indonesia a firearm, munition, or explosive will be sentenced to death, to life in prison, or to a fixed term of up to twenty years.

Article 2 (1): Whoever illegally enters Indonesia to make, receive, try to obtain, hand over or try to hand over, transport, possess, store, use or take out of Indonesia a weapon for striking [as an ax or machete], thrusting [as a spear], or stabbing shall be sentenced to a prison term of up to ten years.

(2): Striking, thrusting or stabbing weapons do not include objects which are clearly intended to be used in agriculture or household use or for legitimate occupational purposes or which are clearly heirlooms, antiques or magical objects.

The "illegally enters" phrase should have made the law inapplicable to the current conflict. Moreover, in a place like West Kalimantan where virtually every household possesses hunting knives, some traditional, some not, the law could easily be used to arrest most of the male population of the province. Indonesian legal commentators themselves note that almost all the terms used in the law are vague and relative ("antique" and "household use" and "striking" among them).⁷²

Most of the arrests made under the law appear to have been indeed arbitrary. In early February, the provincial army commander announced a ban on possession of firearms and carrying of knives. It was only in late February, after the second round of government-sponsored peace ceremonies was over, that the army launched "Operation Sharp Weapon," an operation that continued through late March. Joint teams from the army's Division VII/Tanjungpura command, Resort Command (Korem) 121, district army troops, units of the air force, as well as police from the provincial and district police commands went go into homes on raids, searching kitchens, bedrooms, and elsewhere for weapons. The raids appear to have focused particularly on Sambas and Pontianak districts. According to one press account,

The police have already arrested hundreds of people for carrying sharp weapons, but many people are still seen with them. The police have been carrying out an operation to ensure that this tradition disappears as soon as possible. Raids are being carried out in terminals, in tense/unsettled areas, ports,

⁷² Andi Hamzah, *Delik-Delik Tersebar di Luar KUHP*, PT Pradnya Paramita (Jakarta), no date, p.7.

markets, entertainment places, and other areas. Those caught in the net will be brought to court unless they can produce a letter to prove the weapon in question is necessary for their occupation.⁷³

Firdaus, a seventeen-year-old farmer from the village of Sei Buluh in Sambas district, was one of seventy-four people detained in the Pontianak detention center in April as a result of such raids. He was arrested on March 1 while working in a ricefield and had no known connection with the inter-ethnic violence. While some of the others arrested in the group were later released, Firdaus was still detained as of late July 1997 under Emergency Regulation 12/1951, together with about two dozen others. The lawyer in charge of the Indonesian Bar Association defense team for the 184 people arrested in connection with the conflict told us that 80 percent of his clients had been picked up in such raids and charged under Regulation 12.

"Operation Sharp Weapon" may have been intended as a preventive measure, but the conflict was not caused by the Dayak habit of carrying knives (far more Dayaks than Madurese were arrested in these raids), nor was another outbreak of communal violence going to be stopped by arbitrarily arresting hundreds of people. Rather, one person we talked with pointed out that now that Regulation 12 has been resurrected from legal obscurity, it could be used as an excuse for arresting any Dayak or Madurese who happens to offend an official, since the chances that the offender will possess a knife are very high.

There was one other negative consequence of "Operation Sharp Weapon." While the police were involved in the joint teams, the teams appear to have been disproportionately made up of army personnel. Not only does the army not have arrest functions under the Indonesian Criminal Procedure Code, but the army-dominated raiding teams and the large number of Dayaks arrested by them, left the impression among many we talked to that there was a division of labor in the security forces: the police went after Madurese, and the army went after Dayaks.

The Case of Zainuddin Isman

⁷³ "Polri Masih Menggelar Operasi Senjata Tajam," *Akcaya*, March 25, 1987. The paper cited elsewhere in this report, "Fakta-fakta dari Kerusuhan Antara Etnis Madura dan Dayak," notes that raids conducted in Sambas district, in Capkala, Sebale, Maundered and Sanggau Led involved soldiers who covered their faces with cloth, obscured any identifying marks on their uniforms, and removed the license plates of their vehicles. We had no opportunity to verify that account.

Zainuddin Isman's case highlights the arbitrary use of Emergency Regulation 12, although the case ended, surprisingly, with an acquittal. Zainuddin, a Pontianak-based journalist for one of Indonesia's largest and most influential daily newspapers, *Kompas*, who also happened to be a parliamentary candidate for the opposition PPP, wrote a chronology on January 13, 1997 of the events surrounding the original stabbing in Sanggau Ledo. Entitled "Chronology of the Disturbances in Sanggau Ledo, Sambas District, West Kalimantan" (*Kronologis Kerusuhan Sanggau Ledo, Kabupaten Sambas, Kalimantan Barat*), the five-page chronology was compiled, he said, from eyewitness testimonies. (In fact, he had not directly interviewed the eyewitnesses involved.) The chronology named Dayaks who, these witnesses said, were responsible for the violence on December 30 through January 3. It also claimed that neither Bakrie, the youth alleged to have stabbed the two Dayaks in Sanggau Ledo, nor some of the others with him were really Madurese, implying that the whole Dayak war against the Madurese was based on completely wrong assumptions about the ethnicity of the original perpetrators. In fact, Bakrie had Dayak blood on his mother's side, but since his father was Madurese and he lived in a Madurese compound, he was considered to be fully Madurese.⁷⁴

Zainuddin gave the chronology to the Pontianak branches of Indonesia's two largest Muslim organizations, Nahdlatul Ulama and Muhammadiyah, on January 23. The two organizations had conducted fact-finding missions, and he was worried they would conclude that the conflict was essentially religious. The chronology, he said, was designed to show that it was not, although the fact that he claimed that "99.9 percent" of the victims were Muslim — not only Madurese, but also Malays and Javanese who lived in some of the transmigration settlements attacked by the Dayaks — did suggest that religion was an element. Once the chronology had been given to the two organizations, it was widely disseminated elsewhere, but with alterations and deletions that, according to Zainuddin, he had not authorized and which altered the tone and substance of his original document.

Not surprisingly, the chronology was considered pro-Madurese, in part because it named so many Dayaks as alleged instigators (five of whom said later that they had been slandered and were considering legal action against Zainuddin). Many Dayaks saw it as no coincidence that Zainuddin was also a PPP candidate, when most of the PPP's constituency in West Kalimantan was Madurese. The chronology also contained some serious mistakes. But it was also one of the few efforts to document what had taken place, and the language used was not in itself inflammatory.

No questions were raised about the chronology between January 23, when it was circulated, and February 3, when two police officers came to Zainuddin's office to take him to provincial police headquarters in Pontianak for questioning about the document. But when the officers and Zainuddin got in the latter's car to go the police station, the police found a mandau, the traditional Dayak knife, behind the driver's seat. They then searched the rest of the car — without a warrant — and found a kitchen knife in the trunk. Zainuddin was thereupon arrested on charges of violating Emergency Regulation 12/1951. He spent twenty-nine days in police headquarters before being transferred to the Pontianak detention center in Sungai Raya, Pontianak, where he was held until April 22. He was then released to house arrest as his trial got underway.⁷⁵ In July, the prosecution requested an eight-month sentence, and on August 16, after twenty-five sessions in the courtroom, Zainuddin was found not guilty.

Zainuddin explained during his trial that the mandau was a traditional knife that he had bought as a gift for his brother in central Java, and that if he was going to be charged under Regulation 12 with not having a permit for it, all the tourists, Indonesian military officers, art dealers and others who routinely purchased mandaus would also have to be arrested. Indeed, he called as witness the owner of the Borneo Art Shop in Pontianak who testified as to how frequently he sold mandaus to visitors.

⁷⁴ Zainuddin claimed that another of the youths was an Ambonese, from the Moluccas, but he appears also to have been a *peranakan*, an assimilated Madurese of mixed Ambonese-Madurese heritage.

⁷⁵ The trial actually started on April 17.

The arrest of Zainuddin under Regulation 12 may have served several purposes. By arresting someone seen as pro-Madurese, it was perhaps a way of trying to pacify the Dayak community in the midst of one of the worst spasms of violence the province had seen in years.⁷⁶ It could have been a way of casting aspersions on a PPP candidate as the election campaign heated up. And it could have been seen by officials as a way of getting back at Zainuddin, a journalist who was known for writing hard-hitting stories about corruption in the province. No one we met, however — no matter what his or her political persuasion and no matter how angry with the content of the chronology — believes that the possession of a mandau was the real reason, or indeed a legitimate one, for Zainuddin's arrest.

VI. CONCLUSION

The conflict in West Kalimantan was an enormous human tragedy in terms of lives lost, people displaced, and property destroyed. For Indonesia, it was also a political tragedy, in that the myth of national unity was badly undermined in one key province, at a time when Indonesia is facing the uncertainties of political succession.

Everyone involved in the conflict is convinced there was a *penghasut*, someone who incited the conflict. Various people have been accused of stirring up trouble: Zainuddin Isman, for writing the chronology; the four religious leaders from Madura who conducted a fact-finding mission in early January; the police, for whipping up anti-Madurese sentiment; the political parties and individual candidates, for trying to gain points before the May elections; and so on. There may well have been different parties trying to use the conflict for their own interests at different times, but before an individual or organization is blamed, it is critically important to try and understand the dynamics of this outbreak — particularly as tensions remain so high that another eruption is not just possible but likely. Such an understanding is only going to come about through a serious, time-consuming, and utterly impartial investigation that addresses some of the questions we raise in this report. In addition those questions, it is essential that the larger questions about how the Dayak people have fared under New Order development policies be addressed. On the basis of two trips to the region, we do not believe that the virulence of this communal conflict can simply be blamed on the socioeconomic frustrations of a dispossessed people, but those frustrations nonetheless cannot be ignored.

The government also needs to examine its own response to the conflict. Virtually every step it took made things worse. Its clampdown on information allowed rumors to spread unchecked. Its failure to take adequate measures to stop perpetrators of violence, whether on the part of Dayaks, Madurese, or its own officers, led to increased resentment on the part of one ethnic group or the other. The secrecy surrounding the burial of those killed in Dayak-army clashes led to suspicions about hidden atrocities. The arbitrary detention of people arrested under an obscure emergency law was in clear violation of fundamental rights. And the peace pacts probably caused more harm than good.

At a time when Indonesia is facing more outbreaks of ethnic and religious conflict than ever before, it would be instructive to use West Kalimantan as a case study in what to avoid in the future.

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⁷⁶ Zainuddin himself was from a Dayak family that had converted to Islam a few generations; once Dayaks convert, however, they are more likely to be defined ethnically as Melayu (Malay) since the notion of Muslim Dayak is difficult for many Dayaks to accept.

We challenge governments and those holding power to end abusive practices and respect international human rights law.

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