

INDONESIA: THE MEDAN DEMONSTRATIONS AND BEYOND

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INTRODUCTION

For a week beginning April 14, 1994, tens of thousands of workers took to the streets in Medan, Indonesia's third largest city, and other towns in North Sumatra, demanding higher wages, improved benefits and freedom of association. The demonstrations were notable for their sheer size, at one point involving an estimated 30,000 workers in Medan alone, and for the fact that one demonstration on April 15 degenerated into anti-Chinese violence, resulting in the death of an ethnic Chinese and injuries to two others. But while media attention has focused on the ethnic element, the important message from the Medan riots is the urgent need for the Indonesian government to address worker rights issues, if further violence is to be averted. Perhaps the most important issue in this regard is freedom of association, so that workers can responsibly channel their many and accumulating grievances through representative organizations in which they have confidence. Without such outlets, the labor situation is certain to remain explosive. The government's response in late April, however, was to place all blame for the violence on the independent trade union, Serikat Buruh Sejahtera Indonesia or SBSI (Indonesian Prosperity Trade Union), whose Medan branch helped organize the April 14 demonstration, and as of May 1, the entire leadership of the Medan branch was in prison. At the same time, evidence that the violence was incited by elements outside SBSI was mounting.

The Medan riots were not a sudden, unexpected outburst. Labor unrest had been building throughout the country, but particularly in Java and Sumatra, for several years. One factor was the rapid growth of export-oriented manufacturing, particularly of products such as shoes, textiles and garments, and the concentration of many factories in the same area which facilitated communication among workers. The area around Jakarta, Bogor, Tangerang and Bekasi in West Java was one such concentration, but the

development of industrial estates housing dozens of factories, like the Medan Industrial Estate in Belawan, became increasingly common elsewhere. A second factor was the growing awareness of workers of what they were entitled to under Indonesian law, thanks to the efforts of non-governmental organizations (NGOs) and fairly unrestricted reporting on labor issues in the Indonesian press. Finally, the government's own actions, such as raising the minimum wage, in response to domestic and international pressure, demonstrated to workers that they could get results by organizing and making demands.

Several additional factors, however, led to the increase in the quantity and intensity of labor disputes in the first four months of 1994. One was the approach in mid-March of Lebaran, the most important Muslim holiday in Indonesia that marks the end of the fasting month, Ramadan. Throughout Indonesia, labor unrest intensified in January, February and early March. Workers, Muslim and non-Muslim, are traditionally given a holiday bonus, called *tunjungan hari raya* or THR, to enable them to buy new clothes, pay for transport home to celebrate with their families and finance the feasting and other activities that are a part of the Lebaran holiday. As spending for Lebaran begins well before the holiday itself, workers expect the bonus, which in many companies amounts to a month's salary, to be given in advance. The THR in early 1994 was not required by law (the minister of manpower announced, as a result of the wave of strikes, that it would be made compulsory in 1995), and many companies either did not pay, some citing financial reasons such as the rise of the minimum wage; or paid amounts that were considered unreasonably low; or calculated the amount of the bonus on length of service so that newly hired employees received very little. The high level of labor activism over the last year on a range of wage and benefit issues may have led to an increased demand for the bonus in 1994, but it was also an issue tailor-made for labor organizers. An NGO in East Java calculated that of forty-two strikes in the province in February, thirty-two were over the THR, as were thirteen of sixteen strikes in the first eight days of March.¹ The proportion was probably similar elsewhere.

SBSI, the independent union, had also stepped up its organizing activities in January and February, calling a general strike on February 11. The timing was almost certainly linked to the February 15 deadline of the United States Trade Representative to decide whether or not to revoke tariff benefits for Indonesia under the Generalized System of Preferences (GSP) program because of worker rights violations; the USTR's decision, to end the formal review and continue GSP but reassess the situation of worker rights in six months, was announced in Washington on February 17. The general strike fizzled, not least because of the arrest of key SBSI leaders in Semarang two days before it was scheduled, but it did not dent the growth of the first serious challenger that the government-controlled union, Serikat Pekerja Seluruh Indonesia or SPSI, has faced.

SBSI's organizing efforts found particularly fertile ground in North Sumatra. Muchtar Pakpahan, its general chairman, is an ethnic Batak from North Sumatra who had worked closely with the Batak Protestant Church (Huria Kristen Batak Protestan, or HKBP), the largest Christian congregation in Indonesia with a membership of more than two million. Three key figures in SBSI's Medan branch, all now under arrest, had been active over the past two years with labor rights NGOs that had informal ties to HKBP.² Not only did HKBP provide a ready-made network of contacts with experience in organizing, but contending factions within the HKBP leadership had engaged in mass mobilization of their respective supporters over the last eighteen months that SBSI may have been able to build on.³

SBSI's rapid growth in the region was only partly due to a well-developed network, however. IT was also the

¹ "Tinggi, Jumlah Pemogokan yg Tuntut THR di Jatim," *Kompas*, March 12, 1994.

² See Asia Watch, "Indonesia: Attempts to Intimidate Labor and Environmental Activists in North Sumatra," Vol.4, No.9, April 1992.

³ See Asia Watch, "Indonesia: Military Repression Against the Batak Church," Vol.5, No.3, January 1993, and "Indonesia: Human Rights Abuses in North Sumatra," Vol.5, No.18, November 10, 1993.

case that worker discontent was particularly high in and around Medan because the differences between laborers and factory owners were so visible, with the latter living in the city center with their BMWs and Mercedes, and the workers living in squalid settlements around the outskirts.

Publicity over the case of Marsinah, the young labor organizer murdered in May 1993 in East Java, was also intense during this period, as her suspected killers went on trial and it was revealed they had been kidnapped, held incommunicado and tortured by the military, apparently to produce "confessions." A detailed fact-finding report produced by the Legal Aid Foundation (Yayasan Lembaga Bantuan Hukum Indonesia or YLBHI) published in March, suggested Marsinah had in fact been killed in the district military command. The Indonesian press was saturated with Marsinah-related stories, heightening attention more generally to the issue of military intervention in labor disputes.

The most important cause of the increased unrest, however, remained the basic violations of worker rights, from forced dismissals for taking part in strikes to military supervision of labor negotiations to a continuing de facto ban on trade unions other than the officially-recognized SPSI. The following examples are indicative:

- About 150 women workers of the PT Dusa Busana Danastri garment factory, which produces denim jeans, approached the National Human Rights Commission on March 3, 1994 to complain about degrading "panty checks" carried out by security guards when they requested the menstrual leave guaranteed to them by Indonesian law. The complaint has become an increasingly common one among women. The same women complained about being pressured to resign, apparently to save the company the cost of raising their wages. Faced with these complaints, the American buyer of Dusa Busana Danastri jeans, Levi Strauss Inc., broke off its relations with the firm.⁴

- At the PT Evershinetex company in Bogor, the site of major labor unrest in 1992, some 2,500 workers went on strike on March 4-5, demanding a one-month Lebaran bonus. Armed police (*Brimob* or mobile brigade) were called to the company, even though there were no signs of violence, and used their guns to intimidate workers. An earlier work stoppage had led to an "agreement" between the company and workers, drafted by the SPSI, accepting the company's terms for the bonus. The workers said they had been forced to sign the agreement.

- In mid-March, eighty-five workers from the lumber company PT Iradat Puri, in Palu, Central Sulawesi, reported that they had received no wages for the last eleven months because of the near-bankruptcy of the company and a general slowdown in the lumber industry. The workers lived in a housing complex on the timber concession logged by the company and were forced to report for work every morning, even though there was nothing to do and no money to pay them. At the same time, they were told that if they took on secondary employment, they would be fired, thus losing their housing, and receive no compensation. They complained to the Central Sulawesi office of the official government-controlled union, SPSI, and to the provincial office of the Ministry of Manpower but got no response. When questioned by a local reporter about why the SPSI office always seemed to side with the company in cases of labor disputes, the director explained that as most companies in the province were family-run, disputes had to be settled within the family, rather than by outside intervention by his office.⁵

Reforms announced by the minister of manpower in January 1994 had, by early May, had no visible effect on increasing freedom of association or decreasing military involvement in labor disputes.⁶ And in a major source of

⁴ "150 Buruh Wanita Datangi Komnas HAM," *Merdeka*, March 4, 1994.

⁵ "SPSI Dinilai Rugikan Karyawan," *Suara Pembaruan*, March 18, 1994.

⁶ The reforms included a new ministerial decree, PER/01/1994, that allows workers in companies employing at least twenty-five people to form company unions and negotiate binding collective labor agreements, but the same decree defines "labor union" as meaning the official union, the SPSI, and states that SPSI should "guide" company-level unions. Moreover, if workers want to federate at the regional or national level, they must do so through SPSI. A second decree, Kep.15A/MEN/1994, repeals an earlier

worker unrest, employers found numerous ways of getting around new minimum wage laws. At one company, income tax that used to be paid by the company began to be deducted from workers' salaries. In another, the THR was decreased. Not unnaturally, workers expected that the widely-publicized rise in wages would mean an overall increase in their take-home pay, but for many, the anticipated increase did not materialize. When yet another rise, announced in January, took effect on April 1, most workers knew what they were supposed to receive and were prepared to take action if they did not get it.

MEDAN: PRELUDE TO APRIL 14

A series of wildcat strikes, some involving violence, hit Medan in early March, most of them linked to the demand for the THR bonus. On March 2, thousands of workers from PT United Rope went on strike, claiming that insurance was being deducted from their salaries, but that they had never received insurance cards and still had to pay their own medical costs. Complaints to the provincial SPSI office produced nothing. They also demanded one month's THR.⁷ The next day, after some 4,000 workers from the company took to the street, blocking the Medan-Belawan road, tying up traffic and climbing on top of stalled cars, a delegation of nineteen workers met with the subdistrict council called the Muspika, including the military and police commander (thereby demonstrating the institutionalized nature of military intervention); the owner and manager of the company; and representatives of SPSI and the Ministry of Manpower. A complicated "agreement" was reached that resulted in the workers going back to their jobs, but with most still dissatisfied.

Workers in other factories followed suit, and by the end of the first week in March, the North Sumatra provincial office of the Ministry of Manpower office estimated that 30,000 workers had demonstrated during the week in support of their demands for a Lebaran bonus and other benefits. By March 11, some twenty-nine factories in and around Medan were hit by strikes, most focusing on the failure of employers to pay a reasonable THR as well as to provide other benefits, such as insurance. Most of the protests were peaceful, but several companies suffered minor vandalism. The head of the Manpower office, Khairun, was quoted in one paper as saying, "These actions arose because SPSI at the factory level is not functioning as it should," and indeed, some workers demanded the dissolution of SPSI. But the Medan workers complained that the Ministry of Manpower was also at fault for not forcing employers to comply with the provisions of Indonesian law.⁸

On March 11, violence broke out during demonstrations involving an estimated 12,000 workers at seven factories along the Medan-Belawan road. Half of the demonstrators came from three factories, PT Tjipta Rimba Djaja, PT Gunung Gahapi Sakti and PT Industri Karet Deli (IKD), all located in the Medan Industrial Estate. After security guards at IKD, a factory which produces tires for export, tore down posters put up by the workers and the personnel director refused to discuss the demonstrators' concerns, a group of workers proceeded to sack the main IKD office, smashing computers, typewriters and other equipment. At PT Gunung Gahapi Sakti, workers blocked the road to the

regulation, No.342/1986 which authorized military intervention in labor disputes. But even as it was repealed, military officers made clear that their role remained unchanged, and NGOs acknowledged that their intervention remained legally possible under the terms of an internal security decree, Decree No.2/STANAS/XII/1990 on guidelines for handling industrial relations.

⁷ "Tuntut THR, Ribuan Buruh Medan Gelar Mogok Kerja," *Republika* (Jakarta), March 3, 1994.

⁸ Khairun responded to criticism by noting that of 7,936 companies in the province, only 17 percent were in violation of the law, based on its own inspections; it also acknowledged, however, that its eleven-member inspection department could not assess all companies in the province. Given the labor problems, however, his department was going to classify them into "troubled [by unrest]"; "moderately troubled" and "not troubled," and would give priority to the 1,920 "troubled." He noted that just because they were "troubled" did not mean that they were breaking the law; it had more to do with location, since about eighty percent of the companies concerned were located in and around the city of Medan. ("1,187 Perusahaan di Sumut Langgar UU Ketenagakerjaan," *Pelita*, March 9, 1994.

Belawan port and damaged cars. The police and army were called, but a police patrol car was stoned as it tried to make its way down the Medan-Belawan road where the workers were gathered. Riot police tried to break up the crowd, and in one incident, apparently chased a group of nine people including a twenty-two year-old IKD worker named Rusli. To evade capture, all nine reportedly jumped off a bridge into the Deli River. Eight swam to shore, but Rusli drowned; his body was found two days later.

By the end of the day, twenty-nine people had been arrested and taken to police headquarters. Ten days later, all but five had been released, although criminal charges against most of them were not dropped. Human rights organizations in Medan complained that their arrests had been in violation of the Indonesian Criminal Procedure Code, as they were shown no warrant, even though they were arrested at home and not caught red-handed in any act of violence; several returned home with faces bruised from being beaten while in detention.⁹

One worker from IKD, for example, a man named Sukiman, was seized by men in civilian clothes from his house on the afternoon of March 11, after the demonstration was over. He was taken to a sugar plantation, beaten up with a piece of wood and a length of cable until he confessed to throwing rocks at security forces, and brought back to his house. The same men then took him to the Medan police headquarters, where police charged his wife Rp.10,000 (about \$5) to visit him. Of all those arrested, Sukiman was the last to be released; a local NGO close to the family thought the police wanted his injuries and bruises to heal before anyone outside his family saw him.

The next day, March 12, some 5,000 workers gathered in front of the provincial parliament building to press their demands for THR and improved benefits, as well as to seek the release of their detained colleagues. The local military commander, Lt. Col. Agus Ramadhan of district command (KODIM) 0201, who spoke with the workers, told them he had no objections to demonstrations, as long as they were peaceful.¹⁰ Mobil brigade police officers, meanwhile, were deployed around police headquarters to prevent a group of several hundred workers from entering to free their friends.

Unrest died down during the Lebaran holidays but picked up again shortly afterwards, with the death of Rusli, the IKD worker, a major issue. Since he was known as a good swimmer, many assumed he had been beaten and then pushed over the bridge by police. (According to the police, an autopsy showed no marks of beatings.) By March 16, thousands of workers were demonstrating again, many of them from the factories in the Medan Industrial Estate, demanding the minimum wage, a seven-hour workday, and food and transport allowances. A week later, at PT Growth Pasific, hundreds of peaceful demonstrators marched around carrying posters with slogans such as "We Are Not Robots" and "Long Live the Head of SBSI."

On April 11, Amosi Telambanua, head of SBSI-Medan, led a delegation of 900 workers to the provincial parliament building; he was arrested and held overnight at the Medan police headquarters as a result. It was the second arrest of Telambanua in less than a year -- together with his SBSI colleague, Soniman Lafao, he had been arrested and tortured in an earlier incident on June 25, 1993 and accused of having fomented a strike in the Medan area; both were released after a week.

THE WORKERS' RALLY AND ITS AFTERMATH

⁹ Of those arrested, eight were from PT Tjipta Rimba Djaja, twelve from PT Gunung Gahapi Sakti, and nine from PT Industri Karet Deli. Within a few hours, thirteen were released. Of the sixteen who remained, six more were released on March 18, five more two days later. The police said the charges against the sixteen were not being dropped, but the suspects were allowed to return home. They were charged with destruction of property.

¹⁰ "5000 Masuk DPRD Sumut," *Waspada* (Medan), March 13, 1994. The KODIM commander was quoted in Indonesian as saying, "Silahkan unjuk rasa, tapi jangan merusak dan ribut."

A major demonstration, that SBSI acknowledges having helped organize, was planned for April 14 and was to be known as the Medan Workers' Rally (*apel besar buruh Medan*). At about 6:30 in the morning, thousands of workers from over forty factories in the Medan Industrial Estate and outlying areas of Medan, began to gather in Lapangan Merdeka, a large open area in the city. Three hours later, they began to march peacefully toward the office of the governor of North Sumatra, carrying banners with slogans such as "Give us the right to organize!" "Long Live SBSI!" and "We're Not Beasts of Burden." When they reached the office, they demanded to see the governor. The governor's staff tried to persuade them to select three representatives, and after the workers demanded to have one representative from each factory, a compromise of twenty-three worker representatives was agreed on.

At noon, the workers' delegation was received not by the Governor, but by an officer from the regional internal security agency, Bakorstanasda¹¹, a few provincial officials including the public relations chief, and three members of the provincial Manpower office. The workers were led by Haryati, treasurer of the Medan branch of SBSI. The four key demands raised in the meeting were an increase in the minimum wage from Rp.3,100 to Rp.7,000 (about \$3.50); repeal of Ministry of Manpower regulation No.1/1994 that reinforced SPSI's position as the sole trade union; that the death of Rusli be investigated and those responsible punished; and that the Governor intervene directly in settling the problem of 389 workers from the Deli Match Factory who were fired en masse.

Colonel Latmono of Bakorstanas assured them that their demands would be seriously considered, although the wage increase could not be guaranteed. The workers were not happy with the outcome of the dialogue, but were told to return the next day and they could meet directly with Governor Raja Inal Siregar.

As they left to return along Yos Sudarso Street, heading toward the Medan-Belawan road, some workers began to stone shops and banks, most of them owned by ethnic Chinese. Two cars and motorcycles were destroyed. An anti-riot squad was sent, assisted by the garrison from the district military command, and three workers were arrested; all were later released. That night, Riswan Lubis, the secretary of the Medan branch of the SBSI, was arrested from his home at 2 A.M.

By Friday morning, the military had erected a virtual blockade around Medan to prevent the workers from coming back into the city along the Belawan-Medan road. The blockade consisted of units from the police and army, and troops were also stationed at strategic points around the city, including the governor's office, Lapangan Merdeka and the shopping center called Sinar Plaza. About 1,000 workers succeeded in entering the city despite the troop presence, and by 10 A.M., the number had grown to some 25,000. The demonstration quickly turned violent, with workers throwing stones at security forces and engaging in vandalism. Security forces used tear gas to control them. More trouble erupted at the Medan Industrial Estate, where workers clashed with security forces and broke the glass of windows at two factories. About a dozen cars and vans were also wrecked. A Chinese businessman, Yuli (July) Kristanto or Kwok Joe Lip, was killed when he tried to enter the Industrial Estate by car, and the mob seized him. Kristanto, aged fifty-three, was the director of PT Saudaratama Agra Perkasa, a bleach factory.

On April 16, two demonstrations broke out in Pematang Siantar, about 127 kilometers to the east of Medan, and Belawan. In the first, about three hundred women from a cigarette factory, PT Sintong Sari Union, went on strike, demanding that their legal rights be respected. Seven women were injured after a clash with security forces, who later tried to prevent them from going to the home of the company president to seek a meeting.

In Medan itself, security forces were on high alert, with six trucks of troops brought into the city and two

¹¹ Bakorstanas is the Indonesian acronym for "Coordinating Agency for the Maintenance of National Stability." The regional offices, which overlap with the regional military commands, have the suffix "-da" attached, short for "daerah" or region, hence, Bakorstanasda.

military helicopters ready to take off from Lapangan Benteng. The city, for all practical purposes, was shut down.

The next day, Brimob troops broke up a demonstration of two hundred workers from PT Ganda Seri Utama in Binjai, about thirteen kilometers from Medan, who were demanding, among other things, a rise in the minimum wage to Rp.3,100 and dissolution of SPSI. In the course of the demonstration, the factory gate and several windows were broken; twenty workers were detained.

On April 18, in Tanjung Morawa, about eighteen kilometers east of Medan, some 4,000 workers in a furniture factory demonstrated, calling on the company to respect their legal rights and pay their wages on time. Troops had ordered shopkeepers to close down shops and factories in the town, even before the demonstration began; they broke it up by mid-afternoon. The next day, however, some 8,000 workers from fifteen factories in Tanjung Morawa, came to work to demonstrate; in the course of the protests, some six cars were destroyed, including a Mercedes Benz belonging to one of the owners. Many workers in Medan stayed out on strike or factories were kept closed by the owners, who feared that violence would erupt if the workers were allowed back in. Troops ringed many of the larger factories in the city. About 2 P.M., rumors began spreading in Medan that another mob of demonstrators was about to enter the shopping district. Immediately, all major shopping centers in the area, including Medan Plaza, Olympia Plaza, Sinar Plaza, Perisai Plaza, Thamrin Plaza and Aksara/Buana Plaza, began to close down in a panic.

Sporadic unrest continued through April 21. By April 22, Medan was relatively calm, but Reuters reported that fourteen squads of 120 soldiers each had been deployed to guard factories and keep order, and many Chinese-owned shops remained closed.

THE ANTI-CHINESE ELEMENT

The anti-Chinese violence was apparently incited in part by flyers (*selebaran*), which first appeared on Thursday. They appear to have been hastily prepared, although it is not yet known by whom. One flyer, partially legible, read as follows:

Crush the Chinese, who have totally colonized *pribumi* [ethnic Malay] Indonesia, who rape, murder, steal state money which belongs to the pribumi, oppress the workers and drain the riches of Indonesia which is needed by and belongs only to the pribumi.

Send the Chinese back to their own country; Indonesia is not their native land[...]They are moneylenders who squeeze and oppress pribumi working men and women, students, employees and civil servants. The Chinese are ex-convicts who commit economic crimes, rob us of our independence, and besmirch the Constitution and Pancasila and the laws and regulations of the country.

Take nationalist action against Chinese factory owners who have become arrogant maharajas[...] who treat workers like animals and obliterate the rights of pribumi in our beloved land.

Lynch, crush [...]and cripple the bosses and corrupt state officials who work with the Chinese colonizers and surrender Indonesia into Chinese hands, who cannot even see the next generation, who do not value our heroes or the history of our struggle, who join forces to oppress students, workers, the army[...]to their hell as a result of their economic and political pressure. They are selling our nation and people cheap, to the point that the Chinese have become citizens and total owners of our beloved Indonesia.

Where has our status and pride gone, what will become of the next generation? There is no need for development if the Chinese own our prosperity and our rights.

In periods of social upheaval or in specific incidents of unrest in Indonesia, the ethnic Chinese have often become a target, in part because of their domination of the economy. They were targeted by the armed forces during the anti-Communist pogroms of 1965-66 and the invasion of East Timor in 1975. In 1980, a wave of anti-Chinese violence swept Central and East Java; and Chinese-owned shops, banks and houses became targets of crowd violence after a riot in the Tanjung Priok area of Jakarta in 1984.

In recent years, ethnic Chinese financiers in Indonesia have taken on a higher profile, in part because of their participation, with other overseas Chinese, in the economic boom in Asia in general and in China in particular. President Suharto, in a very calculated way, drew particular attention to their wealth by inviting dozens to his ranch in Tapos, West Java in 1990 and urging them to share their wealth. Some observers suggested at the time that he was focusing public attention on the wealthiest so as to set up a potential target that might deflect criticism from himself. In the last two months, a major financial scandal involving a Chinese financier has been in the front pages of the Indonesian media; stories have focused not only on his ability to draw on virtually unlimited credit from state banks but also on his ties to leading officials and the President's son.

Anti-Chinese feeling would thus seem relatively easy to incite, and Medan has a higher percentage of ethnic Chinese than many other cities in Indonesia; many wondered why it did not happen sooner. On the other hand, none of the earlier strikes and demonstrations in Medan or elsewhere had raised the question of Chinese economic dominance.

ARRESTS

As of early May, over a hundred people were believed detained, not only in Medan but also in many of the other North Sumatran cities and towns hit by strikes, including Tanjung Morawa, Pematang Siantar and Tebing Tinggi. Of those held, fifty had been investigated, almost all of whom were accused of violating Article 170 of the Indonesian Criminal Code, use of violence against people or things, a charge that carries a maximum five and a half year sentence. Two men were charged with the murder of Yuli Kristanto, and many had not yet been indicted.

But it was the Medan branch of SBSI that was charged with instigating the violence. Amosi Telambanua, turned himself in on April 30, together with two other officials who had been in hiding, Fatiwanolo Zega, aged twenty-three, the deputy head of the executive council of the Medan branch, and Soniman Lafao, aged thirty-two, deputy secretary. As of May 2, the three were undergoing "marathon" interrogation sessions in the Medan police headquarters and were facing possible subversion charges. Riswan Lubis, as noted above, had been arrested in the early morning of April 15; and Haryati, the woman who negotiated with the Bakorstanas official on April 14, was arrested a few days later. The head office of SBSI in Jakarta said that twenty of its members were detained.

WHO WAS RESPONSIBLE FOR THE VIOLENCE?

Four explanations were put forward for how and why the April 14 march turned violent. The military placed all the blame on SBSI, with armed forces chief of staff Lieutenant Colonel Mantiri saying that SBSI had used "communist-like tactics" to mobilize the workers and the Medan police chief asserting that the anti-Chinese violence, far from being an unfortunate byproduct of labor unrest, was in fact the primary aim of SBSI and its leaders. SBSI said the violence and the anti-Chinese sentiment were deliberately incited by "certain parties" (read the military) and implied that the aim of those parties was first and foremost to crush the labor movement. A third explanation was that the army sought to discredit Governor Siregar, a Suharto protege, as part of the ongoing struggle between President Suharto and the military. Only a handful of observers suggested that the violence was spontaneous -- "the natural outcome in a blocked political system", according to former parliamentarian and current human rights commission member, Marzuki Darusman.

What evidence is there for any of these positions? The Medan branch of SBSI openly acknowledged its role in organizing the April 14 rally, together with local NGOs¹² but denied any part in the violence. The head office of SBSI in Jakarta issued a statement on April 16 condemning the violence and blaming it on unnamed elements who "did not want to see workers struggling for their rights." It went on to note that SBSI had never tolerated its members resorting to violence and regarded strikes as a measure of last resort when negotiations had failed. It urged the government not to use repressive means against workers but to recognize the need to improve working conditions throughout the country. It also said it would send a team to Medan to investigate.

A second statement, issued a few days later, blamed the violence on manipulation by "certain parties" in civilian clothes, leaving the strong impression that they were in fact members of the security forces -- or thugs employed by them.¹³

When the workers came back to meet with the governor, they were blocked by thousands of security

¹² "Pangab: Kerusuhan di Medan, Liar," *Republika* (Jakarta), April 17, 1994.

¹³ The word used is *preman*, which in this context may mean "gangsters." Medan has been wracked in recent years by fighting between two gangs, Pemuda Pancasila and Angkatan Pemuda Karya, which compete in protection rackets. See Jeremy Wagstaff, Reuter dispatch, April 24, 1994.

forces, including the police, Brimob, Yon Zipur [infantry battalion]; KODIM [district military command]; Linud [air force] and CPM [military police] equipped with shields and tear gas. Confronted with a force like this, the frustrations of the workers exploded, to the point that they were easily provoked into destructive acts by certain elements, who deliberately turned the strike to their own advantage.

The involvement of certain parties, some consisting of people in civilian clothes from Medan [*preman Medan*], indeed is beginning to be uncovered by the SBSI team which is now conducting an investigation in Medan. Various kinds of evidence are being collected, including several flyers and the admissions of several civilians that they were indeed paid by certain parties to manipulate the strike by various means such as vandalism and beatings directed at a certain group of people, in a way that smacked of racism.¹⁴

Muchtar Pakpahan claimed that a few workers in Medan had admitted receiving payments from the army to incite the workers.

SBSI leaders were not the only ones to suggest third party involvement. One NGO noted several peculiarities of the April 14 demonstration:

- posters with anti-Chinese slogans were not carried by workers marching into Medan from outlying industrial areas on April 14, but they appeared after workers had gathered in the Lapangan Merdeka field.
- the anti-Chinese posters were professionally prepared and painted, in sharp contrast to the crudely drawn placards with labor rights slogans that many of the workers carried.
- the anti-Chinese flyers made no mention of the most common of worker demands, such as a rise in the minimum wage.

While it was clearly to SBSI's advantage to demonstrate its capacity to mobilize tens of thousands of workers, it is difficult to see what advantage it could gain from inciting the workers to violence. In contrast, the violence gave the military a useful pretext to crack down on a labor movement that had been growing with a speed and intensity that the military found alarming.

SBSI had only been formed in April 1992, but in some parts of the country, and Medan was one, it demonstrated a real capacity for organizing. Just over a year later, in June 1993, the chair and vice-chair of the Medan branch were arrested for fomenting strikes at a shrimp farm. On July 29, 1993, the police broke up SBSI's first attempt at a national congress in West Java and sent the delegates home. By January 1994, SBSI claimed to have branches in every province of Indonesia and sent a letter to the Ministry of Manpower saying it now met all the requirements for being officially recognized as a union. In addition, it called for rise in the minimum wage to Rp.7,000 a day and said it would call a one-hour general strike for February 11 if that demand were not met.¹⁵ The military was concerned enough about the proposed strike to arrest SBSI founder Muchtar Pakpahan and two other SBSI officials in Semarang, Central Java, on February 9, as well as seventeen other SBSI members in Tangerang and Bekasi, West Java, on charges of "spreading hatred against the government of Indonesia." All were released within two days, but the charges against Pakpahan and five SBSI members in Tangerang were not dropped.

¹⁴ Serikat Buruh Sejahtera Indonesia, "Press Release: *Mogok Sebagai Pilihan Terakhir Menyalurkan Kekecewaan Yang Menumpuk*" (Strikes As the Last Resort to Channel Accumulating Grievances), Jakarta, undated, but probably April 20, 1994.

¹⁵ Letter No.01/E/SBSI/1/1994 from SBSI to Manpower Minister Abdul Latief, dated January 29, 1994.

The military commander for Central Java, Major General Soeyono, was quoted two days after Pakpahan's arrest as saying with reference to the proposed general strike, "There is clearly someone manipulating this in the name of human rights, and their primary objective is to destroy Indonesia."¹⁶ The next day, General Soeyono, accompanied by his assistant for military intelligence, Col. R. Siregar, conducted an "emergency inspection" of factories throughout Semarang to warn workers that the military was prepared to confront any strike such as was being "incited" by flyers sent out by SBSI. He told workers that problems never needed to be settled by strikes, and while the army did not prohibit demonstrations, they had to be based on "rational objectives" (rather than demands for a minimum wage of Rp.7,000) and could not be allowed to disrupt public order.¹⁷

The escalation of labor unrest in March, and SBSI's growing prominence, may have led to a decision of military officials to crack down. On the other hand, local military officials in Medan seemed to take the growing number of strikes and demonstrations before Lebaran, some of which were SBSI-organized, in stride; the general tolerance toward worker demonstrations did not foreshadow a major confrontation.

The third explanation, of local politics mirroring a larger power struggle in Jakarta, went as follows: one odd feature of the April 14 demonstration was that workers chose to present their grievances to Governor Siregar, whereas in all previous demonstrations, workers had sought out either the local parliament, the DPRD, or the provincial office of the Ministry of Manpower. Governor Siregar was a particularly interesting choice, because in the "election" for governor two years earlier, he had been backed by President Suharto and the Association of Muslim Intellectuals (ICMI), while his opponent, Modiono, had been favored by the military. As labor unrest increased in 1993 and 1994, Modiono, chairman of the DPRD, was seen as sympathetic to worker demands, whereas Siregar was not. By inciting the workers, the army effectively showed Siregar's inability to control the situation and thus the weakness of the hand-picked candidate of President Suharto.

Governor Siregar himself appears to be a supporter of the theory that the violence was linked to the interests of the political elite in Jakarta and the struggle between Suharto and the military. According to the outspoken Jakarta magazine *DeTIK*, the governor claimed that aim of one -- unspecified -- faction of the elite was to "present impossible demands in order to inflame the workers and hence destabilize Jakarta. The mastermind is not in Medan but on the national level..."¹⁸

Finally, there are those who believe the violence was spontaneous, variously triggered by the failure of the governor to meet with the workers; the arrest of three workers on the afternoon of April 14; or simply accumulated frustration. Given the destruction that occurred in the IKD office on March 11 and other sporadic incidents of vandalism, the possibility of some violence during a mass demonstration involving 30,000 workers was reasonably high. It is also possible that ethnic Chinese could have been a target of that violence, even without being incited by flyers. But the appearance of those flyers does not appear to have been spontaneous, and the absence of ethnic violence in the preceding months suggests that it could have been averted.

CONCLUSIONS

With all the charges and countercharges swirling around the Medan events, it is imperative that a full, impartial and independent investigation be undertaken into allegations of incitement to violence, before any accusations are

¹⁶ "Subversif, Seruan SBSI agar Buruh Mogok," *Bernas*, February 11, 1994

¹⁷ "Pangdam Sidak ke Beberapa Pabrik," *Suara Merdeka* (Semarang), February 11, 1994.

¹⁸ *DeTIK*, April 27-May 3, 1994.

levelled against SBSI, the armed forces or any other party.

The government of Indonesia, at both the provincial and national level, must be careful to distinguish between acts involving the legitimate exercise of freedom of assembly, association and expression, such as calling a rally of workers to press specific demands, and criminal acts, such as destruction of property or murder.

All those detained only for their organizing efforts should be released, while full protection under international law and the Indonesian criminal procedure law should be extended to those detained on suspicion of committing criminal offenses. Those protections include immediate and regular access to family and counsel.

Looking beyond the Medan events, the government must remove existing barriers to freedom of association, allowing workers to organize freely. Among other things, this entails ending military intervention in labor disputes, not just on paper but in practice; reducing the number of branches and members required before a union can be officially registered as such; and allowing independent labor groups to meet and organize without harassment, intimidation and fear of arrest. These measures were urged in a statement issued on May 3, 1994 by INFID, the International NGO Forum on Indonesian Development, a coalition that includes twenty-five Indonesian NGOs.

The government should also make public the recommendations of the "direct contact" mission of the International Labor Organization which visited Indonesia in November to examine its compliance with ILO standards. The international community, for its part, should take steps to ensure that those standards are upheld.

Given the attention paid by the United States to worker rights in Indonesia over the last eighteen months, the U.S. Trade Representative's office, in carrying out the assessment of Indonesian labor rights practices due in August, should ensure that this assessment is rigorous and, if possible, based on an on-site investigation. If it is found that worker rights have not improved significantly from the time the U.S. review of labor rights practices was suspended in February 1994, tariff benefits provided to Indonesia under the GSP program should be revoked.

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Human Rights Watch/Asia (formerly Asia Watch)

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. Kenneth Roth is the executive director; Cynthia Brown is the program director; Holly J. Burkhalter is the advocacy director; Gara LaMarche is the associate director; Juan E. Méndez is general counsel; and Susan Osnos is the communications director. Robert L. Bernstein is the chair of the executive committee and Adrian W. DeWind is vice chair. Its Asia division was established in 1985 to monitor and promote the observance of internationally recognized human rights in Asia. Sidney Jones is the executive director; Mike Jendrzeczyk is the Washington director; Robin Munro is the Hong Kong director; Therese Caouette, Patricia Gossman and Jeannine Guthrie are research associates; Cathy Yai-Wen Lee and Grace Obama-Layat are associates; Mickey Spiegel is a research consultant. Jack Greenberg is the chair of the advisory committee and Orville Schell is vice chair.