

INTERVENTION

RIPPLES OF HOPE: ACEHNESE REFUGEES IN POST-TSUNAMI MALAYSIA

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Can you tell me why Malaysia will not give us shelter [as refugees], and why “third countries” like Denmark, Norway and Canada are willing to? We are of the same racial origins (*serumpun bangsa*), of the same religion, of the same culture... why [does Malaysia] not see our suffering? What is the point of sending so much assistance to Aceh, of rebuilding Banda Aceh to be like Putrajaya, when the Acehese people are suffering here? Don’t get me wrong, we are very thankful to Malaysia for giving us help. But help those who are here in Malaysia too. And help us to end the violence in Aceh so that we can go home (field interview, Acehese refugee, Kuala Lumpur, Malaysia, February 2005).

It is highly hypocritical for the Malaysian government, on the one hand to send relief and aid to Aceh in the wake of the tsunami while on the other hand arrest, detain and deport Acehese [refugees] back to Aceh (K. Shan, Solidarity for Aceh spokesperson, Kuala Lumpur, cited in *Malaysiakini*, 5 March 2005).

There is no point sending aid to Aceh, if a political resolution is not found. It is like building a house today that will become ashes tomorrow (field interview, Acehese refugee, Kuala Lumpur, March 2005).

The tsunami struck Aceh just six days before the Malaysian government’s planned “crackdown” on “illegal immigrants”. First announced in July 2004, this campaign promised to mobilise around 400,000 RELA (*Ikatan Relawan Rakyat Malaysia*, “People’s Volunteer Corps”) personnel to arrest and deport some 1.2 million immigrants: those arrested would be charged under the Immigration Act, with the attendant possibility of months of imprisonment and whipping (AI, 2004a). This had generated particular anxiety among thousands of Acehese in Malaysia¹ who had escaped from military clampdowns in Aceh over the past years. They were well aware that the Malaysian government does not give legal recognition to asylum seekers and refugees such that, in the event of a crackdown, Acehese were unlikely to be distinguished from other “illegals”.² An amnesty period beginning in October 2004 that allowed “illegal immigrants” to leave Malaysia without threat of arrest at immigration resulted in the departure of over 400,000 migrants, the majority of whom were from Indonesia. Given continuing military operations in Aceh, however, most Acehese decided that it was safer to remain in Malaysia. In the weeks leading up to the crackdown, many lost their jobs as employers became increasingly nervous about being arrested for employing those without official work permits.

It was in this context of political fear and socioeconomic marginalisation that Acehese

in Malaysia learned about a great “*mussibah*” – a disaster of overwhelming proportions – that had hit their homeland. Some received news of how the tsunami had destroyed their houses, swept their families away and even wiped out whole villages; after two weeks, friends and relatives who were still missing were presumed dead. Acehnese refugees interviewed in many parts of Kuala Lumpur talked about going “home” to search for loved ones, being with their surviving family members and rebuilding their houses. However, reports from home indicated that the Indonesian military (*Tentera Nasional Indonesia*, TNI) were still conducting operations to “flush out” alleged members of the Free Aceh Movement (*Gerakan Aceh Merdeka*, GAM), despite official promises of a ceasefire after the tsunami.

Grief and helplessness at being stranded in Malaysia was, in part, tempered by a faith that the tsunami could change the course of Aceh’s political future for the better. “This is an act of God”, said a *teungku* (religious leader) who had fled to Malaysia just five months before the tsunami hit:

While thousands have died, there is mercy (*rahmat*) in this disaster. Now there are international bodies in Aceh. Now they will see what has been going on all this while, how we have been treated like animals in our own lands, how our lives have been made so worthless by the colonisers (*penjajah*) who occupy our homes.

The post-tsunami international presence in Aceh – humanitarian organisations, troops, United Nations (UN) agencies and journalists – was a source of great hope as international observers had been barred from the province since the imposition of martial law in 2003. The ongoing forced displacement of thousands of villagers, arbitrary arrests, torture and killings, as well as the burning of homes and looting of property (HRW, 2003; AI, 2004b) had therefore largely escaped the gaze of the international

community. Up until the tsunami, any news of the social and political upheaval in Aceh came primarily from the thousands who fled the province, boarding boats, ferries and airplanes, to find safety in other parts of Sumatra, the Riau Islands (Batam and Bintan) and Malaysia (Figure 1). The ravages of the tsunami placed Aceh in the international spotlight in a way that years of international lobbying – on human rights violations, for humanitarian assistance and for pro-independence support – had not accomplished.

This intervention draws attention to extended human and (geo)political resonances of the tsunami that struck Aceh on 26 December 2004, as part of what the editors of this journal termed the “myriad geographies of the event, context and aftermath” (Sidaway & Teo, 2005:2). Important attempts to “unpick” such geographies have demanded – and will continue to demand – on-site observation and other forms of fieldwork (see Wong, this issue). Yet geographical analyses are clearly not limited to sites directly impacted by the tsunami. In human geographical terms, affective consequences extend extra-locally through familial, ethnic and media networks, many of which have also been mobilised in efforts to provide assistance from afar. Such connections are particularly apparent in the case of Acehnese, thousands of whom have left their conflict-ridden homeland in recent years, seeking refuge across the Straits of Malacca in Malaysia. At one level, therefore, our focus here on Acehnese in Peninsular Malaysia provides an example of transnational human geographies of the tsunami. Yet it is also important to emphasise ways in which the lives and voices of these people in turn speak to multiple political and geopolitical contexts in which post-tsunami reconstruction is taking place. While the refugees in Malaysia find hope in Aceh’s international visibility, media reports – including those from “the field” – often oversimplify, obscure or are simply blind to complex geographies of power in which reconstruction efforts are entangled (see Roosa, 2005). We begin our attempt to

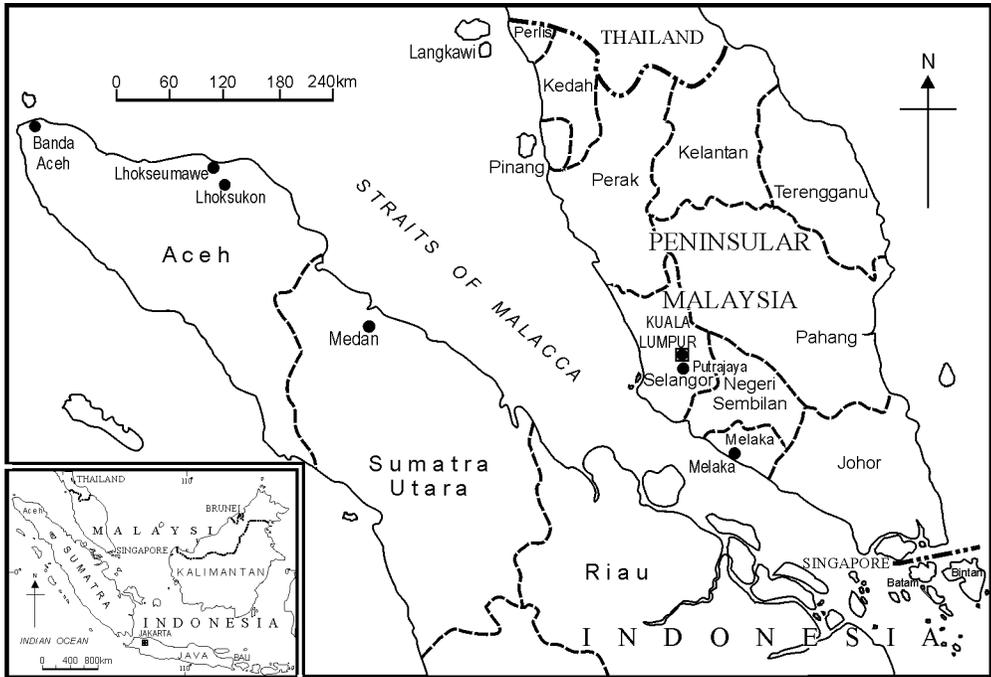


Figure 1. The sea which joins and divides: the Straits of Malacca, Aceh and Peninsular Malaysia.

address such complexity in the next section with a sketch of geohistorical connections between Aceh and what is today the nation-state of Malaysia.

THE SEA THAT DIVIDES ALSO JOINS: GEOHISTORIES OF STRAITS CONNECTIONS

Since the founding of the Aceh sultanate in the 1500s, links have been forged across the Straits through political struggle, warfare, inter-marriage, rich scholarly exchange and, in particular, trade (Reid, 2005). The Straits constituted a vibrant and significant space of commercial interconnection (Lee, 2004). Even European-imposed geopolitical separation between Aceh and the Malay Peninsula in 1824 – when a treaty demarcated Dutch and British colonial interests on the western and eastern sides of the Straits of Malacca respectively – did not end its role as a sea

which “joined”.³ As Anthony Reid (2005:337) has put it, “Up until the Dutch conquest in the late 19th century, Aceh’s economic, political and cultural linkages were to the Indian Ocean and the Malayan Peninsula, not to the Java Sea world, dominated by first Java and then the Dutch”. Conflict with the Dutch from 1873 prompted migration across the Straits, where Acehese driven into exile in Malaya by three decades of war against the Dutch as well as their subsequent *corvee* system (Reid, 2005) established permanent settlements in Kedah, Perak, Pinang and Langkawi.⁴

The more recent migration flows emerged from conflict associated with Aceh’s incorporation into the nation-state of Indonesia. From 1953, Teungku Daud Beureu’eh led a rebellion against the political control of Jakarta (Reid, 2005). Even though Aceh was subsequently awarded *Daerah Istimewa* (“special region”) status, this did not amount to much, especially in the Jakarta-centred

“New Order” regime of President Suharto from 1965. The “colonial” resonances of Jakarta-Aceh relations were most clearly evident from flows of revenue generated by oil and gas exploitation. Not only did most Acehnese see little direct benefit from this “enclaved” resource extraction around Lhokseumawe and Lhoksukon but, “ironically, one of the most staunchly independent regions, long in conflict with the central government, [was] subsidising that government and the rest of the country” (Dawood & Sjafrizal, 1989:115). New Order “regional” development only fuelled Acehnese nationalism and demands for regional autonomy, with Hasan Muhammad di Tiro declaring independence in 1976 (Reid, 2005).

After a series of attacks by GAM in 1989-90, the Indonesian military launched a major counter-insurgency operation (*Daerah Operasi Militer*, or DOM). According to Sydney Jones (2000:24), by 1991, “[d]ozens, perhaps hundreds of Acehnese had fled to Malaysia to escape the army operation and many of the thousands of Acehnese already resident in Malaysia were sympathetic to the rebellion, if not to Aceh Merdeka itself”. The Malaysian government pursued what Jones (2000:25) termed a “go-away-come-hither policy” as regards migrants from Indonesia: on the one hand, carrying out raids and deportations, while on the other, seeking to satisfy the labour needs of an economy growing at upwards of 8 per cent per year. Workers from Aceh and elsewhere – “legal” or otherwise – did not find it difficult to secure employment in the “boom” economy of 1990s Malaysia (though the “illegal” ones, in particular, lived in constant fear of arrest, deportation and associated possibilities for police extortion). If former Prime Minister Mahathir Mohamad was the architect of a “modern Malaysia”, it was these workers – and others like them from countries such as Bangladesh, India, Vietnam and Myanmar – who performed much of the literal work of “nation building” in the construction frenzy. The Petronas Towers, which as the tallest

building in the world was intended to put Malaysia “on world maps”, and Putrajaya, the new “electronic” federal government administrative centre south of Kuala Lumpur, are both products of this “cheap” transnational labour (Bunnell, 2004). Yet, before Putrajaya was completed, “boom” turned to economic (and later political) “crisis” in Malaysia and government attitudes towards “illegal” workers from Indonesia (and elsewhere) shifted to a more concerted “go away” policy (see Case, 2000).

While successive operations and crackdowns did not specifically target “illegals” from Aceh – state lenses failing to differentiate them from any other citizen of Indonesia – for Acehnese, the consequences of deportation were potentially stark. During the DOM period in Aceh, TNI’s “campaign of terror designed to strike fear in the population and make them withdraw their support from GAM” (Kell, 1995:74) had resonances across the Straits. In a particularly bloody and violent incident in March 1998, still remembered and narrated as the “Semenyih Tragedy” among present-day refugees, 545 Acehnese from Semenyih detention camp south of Kuala Lumpur were forcefully deported on an Indonesian military ship (including some documented by the UN High Commissioner for Refugees, UNHCR). Prior to deportation, several were killed and some seriously injured during protest riots that broke out in the immigration detention centres where they were held (AI, 1998; HRW, 1998; Jones, 2000). Only with the rise of the *reformasi* movement and resignation of Suharto in May 1998 did the terror of deportation subside as President Habibie ended military rule in Aceh and freed the press, bringing into the public realm atrocities associated with a decade of TNI control. With this opening of democratic space, many Acehnese who had sought refuge in Malaysia during the DOM period travelled back to their homeland.

In what turned out to be a brief period of demilitarisation, GAM reorganised and

mobilised popular support for its aims. The movement eventually “successfully control[led] between 70 and 80 per cent of the province including local government through their shadow civil service structure” (Schultze, 2004:2) and “looked more and more like a government in waiting” (Reid, 2005:351). The quest for Independence, however, extended beyond GAM’s initiatives, and mass rallies were held by student groups and non-governmental organisations calling for a referendum. However, disintegration of the Cessation of Hostilities Agreement between GAM and the Indonesian government led to the declaration of martial law in Aceh on 19 May 2003. A dramatic increase in the numbers of TNI troops deployed to Aceh and associated violence prompted the latest mass movement of refugees to Malaysia.

SEEKING REFUGE IN MALAYSIA (AGAIN)

While thousands of asylum seekers and refugees from Aceh were documented by the UNHCR in the two years prior to the tsunami, two events during this period – necessarily grossly abbreviated here – render visible the precarious political and socioeconomic position of asylum seekers and refugees in Malaysia. First, on Tuesday, 19 August 2003, police officials in Kuala Lumpur cordoned off the single road leading to the UNHCR office in Bukit Petaling and arrested over 400 asylum seekers – including children – eventually detaining 239 of them (*Malaysiakini*, 19 August 2003). This operation was repeated the following Tuesday, resulting in the arrest of 50 more asylum seekers (*Malaysiakini*, 26 August 2003). Despite strong protest by the UNHCR and civil society groups, some Acehnese asylum seekers were deported back to Indonesia (UNHCR News Stories, 2003). Second, during the preparations for the tenth session of the Organisation of Islamic Conference (OIC) held in Putrajaya in mid-October 2003, some 200 police and immigration personnel – equipped with bulldozers – targeted a temporary Acehnese settlement

adjacent to Putrajaya, destroyed over 100 shelters (SUARAM, 17 September 2003). What these two high-profile examples reveal is a more quotidian sense of how Acehnese and other asylum seekers, as “illegals”, are effectively placed beyond international legal protection or national (human) rights (see also Rajaram & Grundy-Warr, 2004).

In addition to drawing international attention to Aceh and putting the conflict-ridden territory back on world maps, the tsunami re-humanised Malaysia’s Acehnese refugee population. Images and reports of the devastation in Aceh in the mainstream media prompted Malaysians of different ethnic backgrounds – some of whom had apparently never heard of Aceh despite its geographical proximity – to approach Acehnese refugees to ask about the tsunami and to talk about their presence in Malaysia. Malaysian Islamic groups contacted refugee community leaders to find out how they could contribute to disaster relief; prayers for tsunami victims were held in district mosques, attended by both Malaysians as well as Acehnese refugees; and dialogue between Acehnese “Malay” citizens⁵ of Malaysia and the refugee population began to strengthen. Malaysian humanitarian organisations were some of the first to reach Aceh after the disaster.⁶ In the weeks and months following, hundreds of volunteers – doctors, nurses, psychiatrists, community workers – flew across the Straits to provide assistance. Famous dignitaries, politicians and media stars – some with Acehnese ancestry – paid visits to Banda Aceh, publicly expressing condolences.

For its part, the Malaysian government offered to share its urban planning expertise in the reconstruction of Banda Aceh. This gesture fitted in with the Malaysian state’s (self-) image as a progressive, “fully developed”, Muslim country. Malaysia had already proven its capacity to completely transform landscapes into modern cities and townships. As one media report noted, Malaysian planners could “draw on their

experience in developing the country's impressive new administrative capital of Putrajaya, which was built from scratch in an area formerly covered in palmoil [*sic*] plantations" (AFP, 8 February 2005). In addition, given that "Putrajaya's architecture combines elements of modern western design with strong Islamic influences", Malaysian planners appeared well placed to infuse the "blueprint" for a new Banda Aceh with what Indonesian President Yudhoyono has insisted is Aceh's "special characteristic": "that of Aceh as a center for Islam" (cited in AFP, 8 February 2005). Malaysian Deputy Prime Minister, Najib Abdul Rajak envisioned a new city which would be "based on Acehnese historical and cultural values" while also taking into consideration "the requirements of the Indonesian government and people" (cited in AFP, 8 February 2005).

The Malaysian government's neighbourly assistance in a time of need had limited effects for Acehnese refugees in the political territory of Malaysia itself. While funds and human resources were being pumped across the Straits with great publicity, the Acehnese who sought refuge in Malaysia were rapidly being let go from what few jobs they had been able to find in view of the looming crackdown. The extension of the amnesty period meant only a temporary postponement – until 1 March 2005. Hopes of a more sustained reprieve for Acehnese refugees were raised by a press conference held in Putrajaya on day two of the crackdown. Home Affairs Minister Datuk Azmi Khalid reportedly stated: "We are very sympathetic to their cause and will not send them back. We know the extent of damage that the tsunami caused in the province" (cited in *New Straits Times*, 2 March 2005), and furthermore that: "It is a waste for them to stay in the country illegally and jobless, which eventually would force them to become beggars. Thus, it is better for them to be registered as legal workers" (Azmi Khalid, cited in *Bernama*, 12 March 2005). But the ripples of hope and relief generated by such compassion soon dissipated. The very next day, after

symbolically receiving funds earmarked for tsunami victims, Deputy Prime Minister Najib clarified: "We will take action against anyone who is here illegally. There is no exemption on this including those who are carrying letters, genuine or otherwise, from the UNHCR. If the UNHCR wishes to appeal after these people are arrested, then it is up to them. But it is up to us whether we accept the appeal or not" (cited in *The Star*, 4 March 2005).

CONCLUSION

Intertwined histories as well as geographical proximity appear to place Malaysia in an important position for the post-tsunami reconstruction of Aceh. Yet recent statements by the Deputy Prime Minister suggest that actions of the Malaysian state are likely to have little direct progressive impact for Acehnese on either side of the Straits of Malacca. While the human devastation of the tsunami may have generated humanitarian concern and even stirred consciousness of cross-border ethnic affiliations, the Malaysian state continues to view the region through conventional political geographical lenses such that Acehnese refugees are seen as "illegal Indons". Similarly, the contribution of Malaysian expertise to the reconstruction of Banda Aceh appears to be proscribed by working through – and thereby perpetuating – existing Jakarta-centred political imaginings. At best, optimistic proposals to build Banda Aceh in the image of Putrajaya reduce the problem of post-tsunami reconstruction to a matter of infrastructure, obscuring crucial (geo)political dimensions (not to mention commercial motivations to secure lucrative construction contracts).

What does Malaysia stand to gain from the (re)construction of a peaceful post-tsunami Aceh? On the one hand, there is clearly the possibility of reinvigorating geohistories of commerce across the Straits space that has long joined Aceh and Peninsular Malaysia. On the other hand, especially during the 1990s, Malaysia benefited from the supply of "illegal"

labour including Acehese refugees involved in the construction of national mega-projects such as Putrajaya. However, it now appears unlikely that demands for cheap labour, particularly in the construction industry, will return to levels associated with the pre-crisis boom era. Where Acehese “illegals” are concerned, the “go home” policy may yet be realised, not by more crackdowns, but as a result of ongoing events in Helsinki, Finland, where GAM and the Indonesian government are negotiating a “durable solution” to the political reconstruction of Aceh. The Malaysian government shares with Acehese refugees on its shores the hope that out of military and natural devastation emerges a post-tsunami Aceh to which they would voluntarily wish to return.

ENDNOTES

¹ The observations and primary material upon which this intervention is based arise from work conducted through Alice Nah’s role as the Refugee Affairs Coordinator of the National Human Rights Society (HAKAM) in Malaysia. While such institutional support, in addition to Acehese whose voices and other contributions have been anonymised here, is gratefully acknowledged, the views expressed in this intervention are those of the authors alone.

² Malaysia has signed neither the 1951 Convention relating to the Status of Refugees nor the 1967 Protocol. As such, Malaysian law does not recognise the legal position of refugees, and considers those without valid passports and national identity cards as simply “illegals”. Nevertheless, the Malaysian government acknowledges the role of the United Nations High Commissioner for Refugees (UNHCR), which maintains operations in Malaysia, verifying asylum seekers and refugees and issuing identity documents for those under its concern. These include Acehese “mandate refugees” (determined on an individual basis) as well as those afforded “temporary protection” (identified through group-determination procedures), both of whom who are deemed in need of “international protection”. It is in relation to such official UNHCR definitions that we deploy the term “refugee” in this intervention. Nonetheless, we recognise that it is a much contested term, the use of which has varied historically and geographically (see Black, 1993).

³ The notion of a sea “joining” as well as “dividing” was used by an Acehese refugee in Kuala Lumpur when describing the effects of the ongoing conflict on Acehese on both sides of the Straits (interview, 28 February 2005).

⁴ Kampung Yan in Kedah, for example, was established in the early 1900s by Acehese who fled from Dutch domination of Aceh (Abdul Majid, 1980).

⁵ Given the constitutional definition of “Malay” in Malaysia, Acehese living in the peninsula prior to the declaration of Malayan (later Malaysian) Independence in 1957 have been incorporated as “Malay” citizens.

⁶ MERCY Malaysia was reportedly the first humanitarian organisation to land in Aceh on 27 December 2004 (*The Star*, 27 December 2004).

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