

Reproduced from *From the Ground Up: Perspectives on Post-Tsunami and Post-Conflict Aceh* edited by Patrick Daly, R. Michael Feener, Anthony Reid (Singapore: Institute of Southeast Asian Studies, 2011). This version was obtained electronically direct from the publisher on condition that copyright is not infringed. No part of this publication may be reproduced without the prior permission of the Institute of Southeast Asian Studies. Individual articles are available at < <http://bookshop.iseas.edu.sg> >

FROM THE GROUND UP

The **Institute of Southeast Asian Studies (ISEAS)** was established as an autonomous organization in 1968. It is a regional centre dedicated to the study of socio-political, security and economic trends and developments in Southeast Asia and its wider geostrategic and economic environment. The Institute's research programmes are the Regional Economic Studies (RES, including ASEAN and APEC), Regional Strategic and Political Studies (RSPS), and Regional Social and Cultural Studies (RSCS).

ISEAS Publishing, an established academic press, has issued more than 2,000 books and journals. It is the largest scholarly publisher of research about Southeast Asia from within the region. ISEAS Publishing works with many other academic and trade publishers and distributors to disseminate important research and analyses from and about Southeast Asia to the rest of the world.

FROM THE GROUND UP

**Perspectives on Post-Tsunami and
Post-Conflict Aceh**

Edited by

Patrick Daly • R. Michael Feener • Anthony Reid



INSTITUTE OF SOUTHEAST ASIAN STUDIES
SINGAPORE

First published in Singapore in 2012 by
ISEAS Publishing
Institute of Southeast Asian Studies
30 Heng Mui Keng Terrace
Pasir Panjang
Singapore 119614

E-mail: publish@iseas.edu.sg

Website: <<http://bookshop.iseas.edu.sg>>

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior permission of the Institute of Southeast Asian Studies.

© 2012 Institute of Southeast Asian Studies, Singapore

The responsibility for facts and opinions in this publication rests exclusively with the authors and their interpretations do not necessarily reflect the views or the policy of the publisher or its supporters.

ISEAS Library Cataloguing-in-Publication Data

From the ground up : perspectives on post-tsunami and post-conflict Aceh / edited by Patrick Daly, R. Michael Feener, Anthony Reid.

1. Disaster relief—Indonesia—Aceh.
2. Tsunamis—Indonesia—Aceh.
3. Peace-building—Indonesia—Aceh.
4. Aceh (Indonesia)—Politics and government.

I. Daly, Patrick.
II. Feener, R. Michael.
III. Reid, Anthony, 1939–

HV555 I5F93 2012

ISBN 978-981-4345-19-4 (soft cover)

ISBN 978-981-4345-20-0 (e-book, PDF)

Cover photograph by Patrick Daly: Aceh, Indonesia, 2007. The spray painted words in the building reads: "It is better to stay here in our village".

Typeset by Superskill Graphics Pte Ltd
Printed in Singapore by

CONTENTS

<i>Preface</i>	vii
<i>List of Figures and Tables</i>	x
<i>The Contributors</i>	xiii
<i>Glossary and Abbreviations</i>	xviii
Introduction: Unpacking the Challenges of Post-2004 Aceh <i>Patrick Daly</i>	xxiii
1. The Sunda Megathrust: Past, Present and Future <i>Kerry Sieh</i>	1
Part I: Reconstruction Efforts	
2. Disaster Recovery: An International Humanitarian Challenge? <i>John Telford</i>	25
3. Linking Relief, Rehabilitation and Development (LRRD) to Social Protection: Lessons from the Early Tsunami Response in Aceh <i>Ian Christoplos and Treena Wu</i>	40
4. Cultural Heritage and Community Recovery in Post-Tsunami Aceh <i>Patrick Daly and Yenny Rahmayati</i>	57

5. Managing Post-Disaster Reconstruction Finance: International Experience in Public Finance Management <i>Wolfgang Fengler, Abya Ihsan and Kai Kaiser</i>	79
6. Between Custom and Law: Protecting the Property Rights of Women after the Tsunami in Aceh <i>Daniel Fitzpatrick</i>	114
7. Factors Determining the Movements of Internally Displaced Persons (IDPs) in Aceh <i>Saiful Mahdi</i>	132
8. Aceh's Forests as an Asset for Reconstruction? <i>Rodolphe De Koninck, Stéphane Bernard and Marc Girard</i>	156
Part II: Conflict Resolution	
9. Managing Risk: Aceh, the Helsinki Accords and Indonesia's Democratic Development <i>Michael Morfit</i>	179
10. Making Peace Agreements Effective: The Aceh Monitoring Mission Experience <i>Pieter Feith</i>	214
11. Justice and the Aceh Peace Process <i>Leena Avonius</i>	225
12. Managing Peace in Aceh: The Challenge of Post-Conflict Peace Building <i>Rizal Sukma</i>	242
<i>Index</i>	258

PREFACE

The tsunami that struck a dozen countries around the Indian Ocean on 26 December 2004 evoked international sympathy on a scale beyond any previous natural disaster. The unprecedented media coverage and humanitarian response was prompted not only by dramatic images relayed from hand-held cameras and phones, but by the inclusion of “First World” victims in an essentially “Third World” catastrophe. Among the areas hit by the tsunami were popular beach resorts in southern Thailand and Sri Lanka; Europeans, Americans and Australians were among the Indonesians, Indians, Thais and Sri Lankans who perished in huge numbers. The international relief effort broke all records both in scale and diversity, with seven billion U.S. dollars donated from all over the world through public and private agencies for Sumatra alone.

The disbursement of those funds and the rebuilding of housing, infrastructure and economy posed major national and international challenges. Indonesian President Susilo Bambang Yudhoyono (SBY) welcomed an unprecedented international relief effort which brought thousands of government and private aid workers to Aceh, transforming it from isolated backwater to international hub. After some initial uncertainty, he sidestepped the Indonesian bureaucracy and took the unprecedented step of establishing the novel Agency for the Rehabilitation and Reconstruction of Aceh and Nias (known by its Indonesian initials, BRR). The head of BRR, Kuntoro Mangkusubroto, had complete autonomy to act, as a minister responsible directly to the president.

However, this was not simply a reconstruction effort. Aceh at that time was a war zone; Indonesia’s military was engaged in a major operation to

crush a separatist rebellion that had been simmering since 1976. Curiously, two other hotbeds of separatism and repression, southern Thailand and Sri Lanka, were also severely affected by the 2004 tsunami, but without any peace dividend. In Aceh, however, the scale of the disaster, in conjunction with some other factors detailed in this book, became part of the remarkable peace of 2005. Even though the funds had been donated for tsunami relief, any real reconstruction of Aceh had to consider the impact of the conflict on the well-being of the population, as well as on governance and administrative capacities. Regardless of the exact nature of the relationship between the conflict and the tsunami, timing dictated that processes of reconstruction, reintegration and development had to address both sets of dynamics.

During the exceptional period from 2005–09, both the reconstruction and peace processes in Aceh were highly international, in a province where conflict had virtually excluded foreigners for decades. The Helsinki peace agreement mandated that the ceasefire and disarmament would be monitored by the Aceh Monitoring Mission (AMM), headed by the European Community's Pieter Feith. The success of the peace process created the stable platform and security necessary for the longer-term reconstruction and development efforts. It was within this context that the BRR funded an initial International Conference of Aceh and Indian Ocean Studies (ICAIOS) in Banda Aceh on 24–27 February 2007. Its organization was entrusted to the Asia Research Institute (ARI) of the National University of Singapore, of which Anthony Reid was then Director, and to the other editors of this volume. The Indian Ocean context was intended to emphasize that Aceh's significance was not limited to Sumatra or Indonesia, but was enmeshed by geography, history and the tsunami in a much wider world.

Most of the chapters in this book derived from three of the six conference panels, devoted to seismology, geology and environmental issues; conflict resolution, peacemaking and democratization; and disaster relief and reconstruction. The other three panels dealt with history; Islamic law and society; and language, culture and society in Aceh. The bilingual discussions in Aceh during the conference generated great local interest; group discussion sessions ensured that Acehnese academics and intellectuals could debate with colleagues from around the world to evaluate the state of knowledge and the way forward towards a more open future. The relationships begun there have deepened and improved the chapters. Papers dealing with Acehnese history are assembled in a companion volume by the same editors.¹ These volumes serve the purpose not only of discussing some of the lessons of the Aceh reconstruction and peace processes, but also of maintaining critical links between Aceh and the international community after the initial tranches of

aid expire. Both of these books were prepared in the hope that Aceh will continue to be engaged in wider national and international contexts, and that it will move forward from its isolated and traumatic recent past.

The editors would like to thank those who made the 2007 conference possible, notably Kuntoro Mangkusubroto and Heru Prasetjo of BRR, and the admirable Alyson Rozells of the Asia Research Institute. Saharah Abubakar and Joyce Zaide, also of ARI, made valuable contributions to the preparation of the manuscript.

Note

1. *Mapping the Acehnese Past*, ed. Michael Feener, Patrick Daly and Anthony Reid (Leiden: KITLV Press, 2011).

LIST OF FIGURES AND TABLES

Figures

Figure 1.1	Idealized Cross-section through the Sumatran Plate Boundary	3
Figure 1.2	Setting and Sources of the Great 2004, 2005 and Earlier Earthquakes	5
Figure 1.3	Aerial Photograph of the Western Tip of Simeulue Island	6
Figure 1.4a	Idealized Cross-section through a Coral Colony	8
Figure 1.4b	This coral on Simeulue Island was mostly submerged below the sea until a foreshock of the great 2004 earthquake occurred in 2002	8
Figure 1.5	Great megathrust ruptures occurred in 1797 and 1833 in central western Sumatra (beneath the coloured patches)	9
Figure 1.6	The Sumatran GPS Array currently consists of 27 continuously recording GPS stations	9
Figure 1.7a	Padang is now a sprawling city of about 800,000 people. Most of the town is less than 10 m above sea level	13
Figure 1.7b	Many smaller towns and villages along the western coast of Sumatra will also be inundated by future tsunamis	13
Figure 1.8	Uplift of the seafloor produced by the six megathrust ruptures used in the study by Borrero et al. (2006)	14

Figure 1.9	Maps of Computed Tsunami Flow Depths and Inundations over Local Coastal Topography near Padang (Upper) and Bengkulu (Lower) for Model Scenarios 1 and 3	16
Figure 1.10	The English version of the latest in our series of educational posters is aimed at coastal residents of mainland Sumatra	18
Figure 5.1	Implementation Phases of the Reconstruction Process	82
Figure 5.2	The Process of Mobilizing and Executing Reconstruction Finance	85
Figure 8.1	Aceh. Districts and Major Towns 2005	158
Figure 8.2	Aceh. The Ulu Masen and Leuser Ecosystems 2005	159
Figure 8.3	Sumatra. Forest Cover Evolution 1940–96	161
Figure 8.4	Sumatra. Forest Cover Evolution 1980–c.1985	163
Figure 8.5	Sumatra. Forest Cover Evolution c.1970–c.1990	164
Figure 8.6	Aceh. Land Use c.1966	165
Figure 8.7	Aceh. Encroachment on the Leuser Ecosystem 1996–2001	167
Figure 8.8	Aceh. Entire Google Earth Mosaic	170
Figure 8.9	Southern Aceh. Google Earth Focus	171

Tables

Table 5.1	Post-Natural Disasters vs. Post-Conflict Reconstruction	83
Table 5.2	Needs Assessments vs. Damage/Loss Assessments	86
Table 5.3	Regular and Reconstruction Budget Cycles	89
Table 5.4	Institutional Arrangements for Post-disaster and Post-conflict Reconstruction	94
Table 5.5	Managing the Reconstruction Process: Institutional Options and Considerations	96
Table 5.6	Natural Disaster and Post-conflict World Bank Financing Modalities	100
Table 5.7	Selected Performance Criteria for Reconstruction PFM	101
Table 6.1	Preliminary RALAS Data for Banda Aceh and Aceh Besar	119

Table 6.2	Desa Lambung RALAS Analysis	120
Table 6.3	Ulee Lheue RALAS Analysis	120
Table 7.1	Community Formation and Association in Acehnese Society	135
Table 7.2	Distribution of Tsunami IDPs in “Conflict-prone” Areas in Northeastern Aceh	142
Boxes		
Box 5.1	What is Different about Reconstruction Budgeting?	88
Box 6.1	Examples of Locally Negotiated Inheritance Solutions in Tsunami-Affected Aceh	123
Box 6.2	Uxorilocal Traditions in Aceh	124
Box 6.3	Inheritance Rights for Youngest Daughters in Parts of Aceh	124
Box 6.4	Localized Denial of Women’s Rights to Land in Parts of Aceh	126
Box 6.5	Local Uncertainty in Complex Inheritance Cases	128
Annex		
Annex 5.1	Framework: Conventional and Post-disaster/ Post-conflict PFM Cycle	108
Annex 5.2	Country Cases: Key Facts	109
Annex 5.3	Country-cases	111
Appendices		
Appendix 7.1	Letter from United Nations Recovery Coordinator for Aceh and Nias (UNORC) to the Head of Aceh and Nias Rehabilitation and Reconstruction (BRR) on IDP Definition	153
Appendix 7.2	Distribution of Tsunami IDPs in all 21 Districts in Aceh	155

THE CONTRIBUTORS

Leena Avonius received her Ph.D. in anthropology at Leiden University in the Netherlands in 2004. In 2005–06 she worked as EU observer and Reintegration Coordinator for the Aceh Monitoring Mission. She worked as a postdoctoral researcher at the University of Helsinki in Finland. She is currently the director of the International Center for Aceh and Indian Ocean Studies, Banda Aceh.

Stéphane Bernard is assistant professor at the School of International Development and Global Studies, University of Ottawa. His work deals mostly with agricultural and environmental issues in Southeast Asia, with a current focus on Borneo.

Ian Christoplos is a researcher at the Swedish University of Agricultural Sciences and an independent consultant. His research engagements focus on risk, recovery, rural development and agricultural services. He is the author of the Tsunami Evaluation Coalition's study *Links between Relief, Rehabilitation and Development in the Tsunami Response*.

Patrick Daly is a research fellow at the Asia Research Institute at the National University of Singapore. His research focuses on community-level responses to conflicts and natural disasters, most recently issues of reconstruction and recovery in Aceh, Indonesia, following the 2004 Asian Tsunami. He has conducted research as well as worked with local NGOs in Palestine, Cambodia, Philippines and Indonesia on issues related to reconstruction and reintegration post disaster/conflict.

Rodolphe De Koninck is professor of geography and Canada Chair of Asian Research at the University of Montreal. His work concerns primarily Southeast Asian agrarian and environmental issues. He has authored or co-authored 20 books, and published nearly 200 refereed articles, including *Agricultural Modernization, Poverty and Inequality*, co-authored with D.S. Gibbons and I. Hasan (1980), *Malay Peasants Coping with the World* (1992), *Deforestation in Viet Nam* (1999), *Singapour: la cité-État ambitieuse* (2006), *Malaysia: la dualité territoriale* (2007) and *Singapore: An Atlas of Perpetual Territorial Transformation*, co-authored with Julie Drolet and Marc Girard (2008).

R. Michael Feener is associate professor of history at the National University of Singapore and senior research fellow at the Asia Research Institute. Born in Salem, Massachusetts, he was trained in Islamic studies and foreign languages at Boston University, Cornell and the University of Chicago, as well as in Indonesia, Egypt and Yemen. His recent books include *Muslim Legal Thought in Modern Indonesia* (2007), *Islamic Law in Contemporary Indonesia: Ideas and Institutions* (2007) and *Islamic Connections: Muslim Societies in South and Southeast Asia* (2009).

Pieter Feith was appointed on 9 September 2005 by the Council of the European Union as head of mission for the EU-led Aceh Monitoring Mission (AMM), to help facilitate the implementation of the Memorandum of Understanding between the Government of Indonesia and the Free Aceh Movement (GAM), signed in Helsinki on 15 August 2005. He has spent his life in diplomatic service, with the Netherlands diplomatic service, NATO, UN and the European Union.

Wolfgang Fengler was the head economist of the World Bank in Jakarta, where he led the World Bank's Decentralization and Public Finance Team. He also led the World Bank's analytical work supporting Aceh. He was team leader for flagship reports such as "Aceh and Nias One Year after the Tsunami".

Daniel Fitzpatrick has written widely on land law and policy in the Third World, with a particular focus on recovery from disaster or conflict. He was the UN's land rights adviser in post-conflict East Timor (2000) and post-tsunami Aceh (2005–06). He is the author of the UN's *Guidelines on Land Programming after Natural Disasters* (in press). He has undertaken professional consultancies on law and development with AusAID, the Asian Development Bank, Oxfam International, the OECD, UNDP and UN-Habitat. His work

with AusAID includes co-authoring the 2008 *Making Land Work* report for its Pacific Land Programme.

Marc Girard is a cartographer and GIS specialist in the Department of Geography, University of Montreal.

Ahya Ihsan is a research analyst in the Poverty Reduction and Economic Management Unit at World Bank Office Jakarta. Prior to joining the World Bank, he was a part-time staff member at the Provincial Planning Board (Bappeda) of Aceh-Indonesia. His research interests are public finance, decentralization and intergovernmental transfers, and reconstruction finance. He is currently a core team member in the Macro and Fiscal Policy team, analysing fiscal policy development and government expenditure in Indonesia. He has led several studies, including Aceh Public Expenditure Analysis (2006, 2008), designing the intergovernmental transfer formula of the special autonomy fund in Aceh, and reconstruction finance analysis after the 2004 Indian Ocean Tsunami.

Kai Kaiser is senior economist at the Public Sector Group, PREM. He is co-leader of the World Bank's Decentralization and Sub-National Regional Economics Thematic Group. Previously he was based in Jakarta, Indonesia, where he worked on post-tsunami reconstruction. He has extensive experience across all regions in intergovernmental fiscal reform issues

Saiful Mahdi is a Ph.D. candidate in Regional Sciences, Department of City and Regional Planning, Cornell University, Ithaca, New York. He is on study leave from his lecture position at Syiah Kuala University, Banda Aceh. He is a co-founder of The Aceh Institute, an independent research institute in Banda Aceh of which he is executive director.

Michael Morfit is senior vice-president at Partners for Democratic Change, a nonprofit organization that specializes in conflict resolution and dispute mediation in the developing world. He is adjunct professor at Georgetown University and the American University in Washington D.C., where he teaches courses on democracy, governance and development.

Yenny Rahmayati is writing her Ph.D. in Architecture at School of Design and Environment, National University of Singapore. Her research focuses on the socio-cultural impacts of disaster and reconstruction. She is the Director of

the Aceh Heritage Community Foundation, which works on architectural and cultural heritage issues in Aceh. She was active in during the reconstruction process, working for several international aid organizations. She is a leading member of the Lestari Heritage Network, which promotes heritage issues and activities in Asia and the West Pacific.

Anthony Reid is a Southeast Asian historian at the Australian National University, after serving as founding director of the Center for Southeast Asian Studies at UCLA (1999–2002) and of the Asia Research Institute at the National University of Singapore (2002–07). His relevant and recent books include *The Contest for North Sumatra: Atjeh, the Netherlands and Britain, 1858–1898* (1969); *The Blood of the People: Revolution and the End of Traditional Rule in Northern Sumatra* (1979); *Southeast Asia in the Age of Commerce, 1450–1680*, 2 vols. (1988–93); *An Indonesian Frontier: Acehese and Other Histories of Sumatra* (2004); *Imperial Alchemy: Nationalism and Political Identity in Southeast Asia* (2010), and *Verandah of Violence: The Historical Background of the Aceh Problem* (as editor; 2006).

Kerry Sieh is professor of geology and director of the Earth Observatory of Singapore at Nanyang Technological University. A former professor at the California Institute of Technology, his principal research interest is earthquake geology, which uses geological layers and landforms to understand the geometries of active faults, the earthquakes they generate, and the crustal structure their movements produce. More recently, he has investigated the multitude of active faults in Taiwan and figured out how their earthquakes are creating that mountainous island. He is currently exploring the earthquake geology of Myanmar. His principal research interest is the subduction megathrust that produced the devastating giant Sumatran earthquakes and Indian Ocean tsunamis of 2004 and 2005.

Rizal Sukma is currently deputy executive director at the Centre for Strategic and International Studies (CSIS), Jakarta. He received his Ph.D. in international relations from the London School of Economics and Political Science (LSE) in 1997. He has worked extensively on Southeast Asia's security issues, ASEAN, Indonesia's defence and foreign policy, military reform, Islam and politics, and domestic political changes in Indonesia.

John Telford is an Irish consultant specializing in international aid. In the last twenty-eight years he has worked as a practitioner, lecturer, analyst, evaluator, teacher and trainer worldwide, especially in Latin America,

covering both natural disaster and conflict-related aid. Previously, he was a senior UN official, teacher, journalist, and national director of the Irish section of Amnesty International. He is one of the authors of the Tsunami Evaluation Coalition's *Joint Evaluation of the International Response to the Indian Ocean Tsunami*.

Treana Wu is a Ph.D. research fellow funded by the European Commission Marie Curie Fellowship at the Maastricht Graduate School of Governance, Maastricht University. Her research focuses on the design of social protection policy in Southeast Asia.

GLOSSARY AND ABBREVIATIONS

<i>adat</i>	customary law
AFEP	Aceh Forest and Environment Project
AMM	Aceh Monitoring Mission
<i>aneuk yatim</i>	orphan
ASEAN	Association of Southeast Asian Nations
BAKORNAS	Disaster Management Coordination Board
<i>bantuan langsung tunai</i>	direct cash aid
BAPPENAS	National Development Planning Board
BPN	<i>Badan Pertanahan Nasional</i> , Indonesian National Land Authority
BRA	<i>Badan Reintegrasi Aceh</i> , Aceh Reintegration Body
BRR	<i>Badan Rehabilitasi dan Rekonstruksi Aceh dan Nias</i> , Rehabilitation and Reconstruction Agency for Aceh and Nias
<i>camat</i>	head of a <i>kecamatan</i> , sub-district
CDA	Community Driven Adjudication
CFAN	Coordination Forum for Aceh and Nias
CMI	Crisis Management Initiative
CoHA	Cessation of Hostilities Agreement, signed by GAM and Indonesian government, 9 December 2003
COSA	Commission on Security Arrangements
DAD	Development Assistance Database
<i>desa</i>	Indonesian administrative unit at village level

DFID	Department for International Development
<i>diyat</i>	compensation given by the provincial authorities to the family of persons killed in the conflict
DPR	Indonesian National Parliament
DDR	disarmament, demobilization and reintegration
DRR	Disaster Risk Reduction
EC	European Commission
ERRA	Pakistan's Earthquake Reconstruction and Rehabilitation Agency
ESDP	European Security and Defense Policy
EU	European Union
<i>fakir miskin</i>	poor person
FOREC	<i>Fondo para la Reconstrucción y el Desarrollo Social del Eje Cafetero</i> , Agency established to coordinate post-earthquake reconstruction in Colombia, 1999
<i>Forum Bersama Damaia</i>	Joint Peace Forum
GAM	<i>Gerakan Aceh Merdeka</i> , Free Aceh Movement
<i>gampong</i>	Acehnese village
<i>gedung sosial</i>	community hall, social building
GHD	Good Humanitarian Donorship
GLNP	Gunung Leuser National Park
GoI	Government of Indonesia
<i>gotong royong</i>	Indonesian concept of self-help and community involvement
GPS	Global Positioning System
<i>gunung</i>	mountain
<i>harga mati</i>	fixed price, red line, bottom line
HDC	Henry Dunant Centre
HRC	human rights court
<i>hukum</i>	law
<i>ibu</i>	mother
IDLO	International Development Law Organisation
IDP	Internally displaced person
IFES	International Foundation for Electoral Systems
IFI	International Financial Institutions
<i>ilmu</i>	knowledge
<i>imam meunasab</i>	<i>gampong</i> -level Islamic religious leader
IMP	Initial Monitoring Presence

INGO	International Non-governmental Organization
IOM	International Organization of Migration
ISEAS	Institute of Southeast Asian Studies
<i>kabupaten</i>	Indonesian government administrative unit at the regency level
<i>kawom</i>	kinship
KDP	<i>Kecamatan</i> Development Programme
<i>keadilan</i>	justice
<i>kecamatan</i>	subdistrict, Indonesian government administrative unit
<i>kelurahan</i>	Indonesian administrative unit at village level
<i>kepala desa</i>	village head
<i>keucik</i>	head of an Acehnese <i>gampong</i>
KPK	<i>Koalisi Pengungkapan Kebenaran</i> , Coalition for Truth Recovery
LRRD	Linking Relief, Rehabilitation and Development
LIF	Leuser International Foundation
LoGA	Law on Governing Aceh
LOGICA	Local Governance and Infrastructure for Communities in Aceh Project, Australia
<i>lurah</i>	head of a <i>kelurahan</i>
<i>Mahkamah Syariah</i>	Syariah Court
MDTF	Multi-Donor Trust Fund
MDG	Millennium Development Goals
<i>merantau</i>	to migrate in pursuit of economic fortune
<i>meudagang</i>	to trade
MoU	Helsinki Memorandum of Understanding
MPR	<i>Majalis Rakyat Papua</i> , Papuan People's Assembly
<i>mupakat</i>	agreement, consensus
<i>musafir</i>	traveller
NAD	<i>Nanggroe Aceh Darussalam</i>
NATO	North Atlantic Treaty Organization
NGO	Non-Governmental Organization
NKRI	<i>Negara Kesatuan Republik Indonesia</i> , principle of the territorial integrity of the Indonesian state
<i>Operasi Terpadu</i>	Military operation by the TNI to eradicate GAM — May 2003

OPM	<i>Organisasi Papua Merdeka</i> — Free Papua Organization
<i>Patah</i>	broken
PEFA	Public Expenditure & Financial Management Accountability
<i>pendobrak</i>	batterer, demolisher
<i>pengungsi</i>	refugee, IDP
<i>perantauan</i>	time spent on <i>merantau</i>
PFM	Public Financial Management
PFMA	Public Financial Management & Accountability
PIU	project implementation units
POLRI	Indonesian National Police
Posko	<i>Pos Komand</i> , centre for distribution of aid in Aceh
PRSP	Poverty Reduction Strategy Papers
RALAS	Reconstruction of Land Administration Systems in Aceh and Nias
<i>rapat</i>	meeting
<i>reformasi</i>	reform
<i>saudara seperjuangan</i>	Comrade in struggle
<i>sayam</i>	settle, pacify
SBY	Indonesian President Susilo Bambang Yudoyono
Sida	Swedish International Development Cooperation Agency
<i>silaturrahmi</i>	Muslim communal sentiment
<i>suloh</i>	Conflict resolution, peace settlement
SUSENAS	Indonesian National Socio-economic Survey
<i>tawakkal</i>	submission to and trust in God
TEC	Tsunami Evaluation Coalition
TKI	<i>Tenaga Kerja Indonesia</i> , Indonesian labour migrants
TKW	<i>Tenaga Kerja Wanita</i> , female Indonesia labour migrants
TLC	Temporary Living Centre
TNI	<i>Tentara Nasional Indonesia</i> , Indonesian Armed Forces
TRC	Truth and Reconciliation Commission
TRSH	Tropical Forest Heritage of Sumatra

<i>tuha peut</i>	village elders
<i>uleebalang</i>	Aceh territorial chief
UNCHS	United Nations Centre for Human Settlements
UNDP	United National Development Programme
UNHCR	United Nations High Commission for Refugees
UNIFEM	United Nations Development Fund for Women
UNIMS	United Nations Information Management System
UN-OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UNORC	United Nations Recovery Coordinator for Aceh and Nias
UNTAET	United Nations Transitional Administration for East Timor
UUPA	<i>Undang Undang Pemerintahan Aceh, 2006</i> Basic Law on the Governance of Aceh
<i>waki</i>	Representative, delegate

INTRODUCTION

Unpacking the Challenges of Post-2004 Aceh

Patrick Daly

How can we achieve post-disaster reconstruction and development that both rebuilds and protects people from potential loss in future catastrophes? How can we nurture a peace that assuages previous grievances and reduces the possibilities for renewed hostilities between parties with a long history of antagonism? These have been two of the main challenges facing Aceh following the 2004 Indian Ocean tsunami and the 2005 Helsinki Peace Accords that ended hostilities between the Gerakan Aceh Merdeka (GAM — Free Aceh Movement) and the Indonesian Government. Such questions are clearly important to the people of Aceh, who have experienced decades of conflict and isolation, the sudden devastation of the tsunami, and the painful and drawn-out process of mourning and rebuilding. The future of Aceh has been dramatically transformed by events since December 2004, and it will take years, if not decades, for things to stabilize.

The above questions are of immense importance to the wider international community. The experiences of Aceh will undoubtedly influence the texture and outcome of both future post-disaster responses and peace processes around the world. A large cadre of humanitarian aid workers, people involved in conflict resolution, and reconstruction and development advisers have already begun to bring their experiences from Aceh with them to their next

posting or assignment. A whole generation of NGO staff, policy-makers and academics has been influenced by what happened around the Indian Ocean in the wake of the tsunami. The efforts in Aceh — both conflict and tsunami related — are extensively well documented and relatively transparent, opening possibilities for the kind of in-depth research and appraisal that are often not possible in the aftermath of large-scale trauma. The sheer amount of resources that was poured into the region to deal with the conflict and rebuild the shattered lives of victims of war and disaster warrants — indeed obligates — a comprehensive reflection in which previous standards are questioned and new knowledge generated.

This new knowledge should not be restricted to merely practical “lessons learned” or generic solutions that can be automatically applied during the next major crisis. Organizations, both governments and NGOs, have already put great efforts into compiling assessments of their actions in Aceh. These are widely available; several of the contributors to this volume have been deeply involved in the production of such analyses. While many of these are certainly of great value and necessary to the quality control and oversight processes for such organizations, they come with considerable limitations as well. There are pressures in the policy world that place serious time constraints on such assessments; many organizations typically do not have the mandate to engage in the long-term study necessary to more fully understand the implications and consequences of their work. Furthermore, it is hard to expect truly unbiased research and critiques on specific organizations and the wider humanitarian, reconstruction and development fields from people who are deeply implicated in, or funded, by such organizations.

Unfortunately, it is also typically the case that people with years of valuable on-the-ground experience working with relief, aid and development organizations are not encouraged to approach their work from a truly critical perspective, and are almost never given the chance to properly digest their experiences and distil what they have learned before moving on to the next “situation”. Just as many of the early arrivals in Aceh were schooled in East Timor or the Balkans, many of those who have spent the past several years engaged around the Indian Ocean will inevitably move on to Afghanistan, Darfur, Haiti, Chile or wherever the next emergency arises that garners global attention. This rotation of talent leads to a fragmented view of the complex and long-term processes necessary for reconstituting shattered communities and societies. A brief conversation with staff at any large NGO will make it clear that many intelligent and experienced people have a wealth of insights that never formally see the light of day because of structural and institutional constraints.

It is also very difficult to get solid, meaningful output from academics that can be usefully factored into practical discussions of post-conflict and post-disaster situations. Academics are burdened with their own sets of institutional constraints. Unlike their counterparts in the policy and NGO worlds, very few academics from any discipline have the opportunity to spend enough time on the ground to develop deeper insights into the underlying dynamics of post-trauma situations. While distance and lack of affiliation lend a different perspective, arguably a useful and necessary one, they also reduce sustained, everyday engagement with the situations in question. Armchair reflections, drawing heavily upon NGO progress reports and supplemented by brief field visits, do not automatically give birth to profound new insights. Additionally, most researchers employed by academic institutions do not have to make the difficult decisions under less than optimal conditions that practitioners do.

The fragmented nature of academia leads to highly specialized foci on selected aspects of reconstruction and post-conflict situations. It is difficult to pull together and sustain the types of multidisciplinary partnerships that are necessary to foster more holistic research on what are incredibly complex problems. Furthermore, results from research often take years to pass through peer review and publication processes, and end up in journals or edited volumes that are rarely read by practitioners, or even other academics from different disciplines who work on the same broad problems. This can be easily verified by taking a quick look at the bookshelves of NGO workers on location which will often hold a handful of books deemed essential for a long stretch in the field. Rather than finding collections of articles or books by academics, one is much more likely to encounter a local language phrasebook, a Lonely Planet guidebook, maybe Naomi Klein's *The Shock Doctrine* and, in the case of Aceh, Anthony Reid's *Verandah of Violence*.

It is clear that our understanding of post-conflict and post-disaster situations faces serious institutional limits from all sides that need to be overcome. One way to do so is to foster more substantial interaction between practitioners and academics, involving international, national and "local" parties. This was part of the logic behind the First International Conference for Aceh and Indian Ocean Studies, held in Banda Aceh in February 2007, which served as the starting point for this volume. Additionally, it is important to find ways to bring together the valuable experiences and perspectives of members of both of these communities in a mutually constructive dialogue. Unfortunately, the standard formats within which each publishes does not readily support such efforts. Major organizations want pragmatic and focused assessments that can be easily translated into practice, while academic journals

want contextualized and often more abstract discussions of the ideas. The end result is that the circles of academics and professionals working on the same issues are often largely distinct and disconnected.

Our aim with this volume is to provide a venue for the types of dialogue that are often lacking. The contributing authors have been asked to draw upon their varied experiences in Aceh to unpack some of the fundamental concepts underlying community recovery, reconciliation and governance, to name just a few. During the editorial process we respected the different styles and standards that the authors brought, and gave latitude for very different kinds of contributions. These range from academic research papers to broader policy assessments and personal and professional reflections. To begin to understand what has happened in Aceh since 2004, it is necessary to engage with all of these voices and perspectives.

CONTENTS OF THE VOLUME

The volume leads off with a chapter by Kerry Sieh, a leading professor of geology, who outlines the physical processes that resulted in the earthquake and tsunami. This gives the volume its temporal range, and sets the stage for the subsequent discussions of the post-tsunami reconstruction. Sieh goes to lengths to point out the continuing vulnerability in the region to future large-scale seismic events. His work in the region aims not just to produce scientific data about the nature of instability in the region, but also includes a significant outreach programme to inform people at the community level about the results of his team's research. His call for more integration of scientific and academic research with programmes of outreach is a necessary step to ensure that results and valuable information are made available to the people to whom it most matters, and to build up disaster mitigation efforts.

Following this initial chapter, the book is divided into two sections. The first section looks at the post-disaster situation. While it would be almost impossible to cover all of the relevant sectors, given the scale and complexity of operations in Aceh, the chapters were chosen to give a range of perspectives on some of the key facets of post-tsunami Aceh. Unfortunately, there are important issues not included in this book, such as reflections on the economic processes brought about by the relief and reconstruction efforts, and the outcome of the democratic political process. Given these recognized limitations, we hope that this book will make a solid contribution to what will become a vibrant and expansive body of literature.

Part I: Reconstruction Efforts

John Telford, an aid and development consultant and one of the authors of the Tsunami Evaluation Coalition (TEC) Report, provides an overview of some of the key findings and recommendations of the TEC, focusing on issues that are faced in many large-scale humanitarian aid missions. He discusses funding, illustrating how the unusual dynamics of funding in Aceh led to considerable overlap in projects, as well as to organizations far exceeding their sectoral or regional expertise. If the response to the tsunami is going to form the blueprint for how the international community engages with future major catastrophes, it is critical to understand core issues of feasibility and standards when large numbers of organizations get involved. In a theme which surfaces in a number of the contributions to this volume, Telford stresses the need for aid efforts to be more centred around and run by people in affected areas, which in spite of constant rhetoric is often far from the case in practice.

This next contribution draws heavily on the experiences of the TEC. Christoplos and Wu, both academics with extensive consulting and project evaluation experience, turn their attention on the Links between Relief, Rehabilitation and Development (LRRD), which has become a major element in post-conflict and post-disaster situations. As part of their chapter, they present a nuanced argument for the usefulness of having a more integrated reconstruction and development policy, and discuss some of the institutional shortcomings that disrupted the effectiveness of LRRD in Aceh. One of their main conclusions deals with the need to better ground LRRD efforts within local institutions to ensure suitability and sustainability. In what has become a standard part of post-disaster recovery vocabulary, LRRD emphasizes the need to focus not just on immediate solutions, but also on approaching underlying vulnerabilities to mitigate future disasters.

The next chapter, by Wolfgang Fengler, Ahya Ihsan and Kai Kaiser, looks at the mechanics of finance for post-tsunami operations from a more technical perspective. Given the scale of the budgets, and the serious reservations about accountability and transparency in Aceh, a number of institutions and oversight boards, such as the Multi-Donor Trust Fund, were put into place to monitor and attest to the distribution of donations and aid. This chapter brings a wealth of practical experience, obtained while Fengler was the head economist of the World Bank's Jakarta office, dealing with large-scale reconstruction finance, and it discusses some of the key dynamics in managing the diverse streams of funding that fuelled the recovery efforts around the Indian Ocean world. It also provides a useful starting point for better understanding how post-

conflict and post-disaster reconstruction operations are funded and managed, while stressing the functional and budgetary differences between emergency humanitarian situations and longer-term development projects.

Daniel Fitzpatrick, drawing on his years of experience as an Indonesian land law expert and legal academic, contributes a chapter that looks at issues of land ownership and titling following the tsunami. Many basic aspects of reconstruction are predicated on having a workable plan for formalizing land ownership in cases where such issues are unclear. This complex process, led by the RALAS initiative of which Fitzpatrick was part, needed to contend with informal and customary notions of land ownership, Islamic legal guidelines, destruction and lack of records, and complex webs of inheritance. Additionally, it was necessary to reconcile such disparate notions of land ownership with the expectations and requirements of donor agencies, which included explicit consideration for issues of gender and inclusiveness. Interestingly, his research indicates that an emphasis upon formal inclusion of “gender-sensitive” programmes with regards to land titling did not always have the intended results. In fact, he suggests that in some cases such programmes excluded the very people they were designed to include.

Saiful Mahdi’s paper, drawing on his experience as both an academic and prominent figure in Acehese civil society, looks at how mobility has been used as a strategy by the Acehese in response to both the conflict and the tsunami. During heightened times of conflict, and in the immediate post-tsunami period, internally displaced persons (IDPs) moved widely around Aceh. This chapter, grounded in a deep understanding of Acehese cultural practices, emphasizes the cultural orientations of Acehese towards movement, travel and hospitality, and the social capital implicit within village networks. He asks critical questions about the impact of aid efforts upon Acehese responses, and suggests that many of the organizations involved in post-tsunami work neglected to adequately factor in the communal strengths and cultural attributes of the Acehese.

Finally, the chapter by Rodolphe De Koninck, Stephane Bernard and Marc Girard gives us a deeper historical perspective on the nature of land change in Aceh. Their analysis of maps of forest cover and land use make it clear that there has been a definite increase in the rates of deforestation over the past several decades. Perhaps ironically, as they point out, the ending of the conflict opened up new possibilities for logging, as previously inaccessible lands became more open. Furthermore, efforts to connect disparate areas of Aceh also grant access to the deeply forested interior regions, facilitating logging operations. The forests and biodiversity of Aceh might be one of the

most important and intact ecosystems in all of Southeast Asia; pressures of expanding agriculture and harvesting timber need to be balanced against the long-term social and economic importance of preserving Aceh's forests.

Part II: Conflict Resolution

The second section of the book looks at the peace process that ended the long-standing conflict between GAM and the Indonesian Government. Given the chronology of events in Aceh, it is only natural that the peace process and post-tsunami response have become conflated both in discussion and to some degree in the administrative mandates of government agencies and NGOs. While this connection does have some validity, and the two will remain linked in popular imagination, it is important to see them both as very different sets of processes, and to more fully understand the unique dynamics of each, as well as the areas of genuine overlap. All the contributing authors in this section have been deeply and, in some cases, personally involved in the conflict and peace process.

Michael Morfitt, in a very well-documented chapter, starts the section with a comprehensive discussion of how the peace process played out. Using his access to the key figures involved, he charts a narrative that began well before the tsunami, spanning several presidential administrations in post-New Order Indonesia. In addition to providing a very useful overview of the steps leading up to the signing of the Helsinki Accords in 2005, he clearly maps out the main actions and stances of all the pivotal players involved, ranging from the Indonesian President and Vice President and GAM leaders, to professional and "amateur" conflict resolution personnel. The story of peace in Aceh should not be subordinated to a secondary impact of the tsunami, but rather be seen for what it took: immense amounts of concerted efforts by various actors, bold decisions and stances by the political leadership on both sides of the conflict, and deep and engaged support from the international community. Finally, this chapter touches on the broader implications of the peace process for Indonesia, and for wider reforms within the country.

This chapter is nicely followed up by a more personal account by Pieter Feith, who oversaw the Aceh Monitoring Mission, charged with overseeing the implementation of the Helsinki Accords. Feith, an established figure in the conflict resolution field, emphasizes some of the key factors that so far have allowed the peace process to proceed with relative success. He provides a very different perspective on the situation and expands on the steps needed to ensure the successful maintenance of an enduring peace. While peace in

Aceh never could have occurred without the actions of the Acehnese and Indonesian leadership, it is equally unlikely that the implementation of the Helsinki Accords would have progressed smoothly in the absence of a firm and effective monitoring team. The presence of a third party that both sides could trust, and that could also bring the weight of EU financial, political and practical assistance to bear, has been a major part of the post-conflict story in Aceh.

Leena Avonius's chapter takes a more from-the-ground-up approach, looking at important issues of justice in post-conflict situations. It provides a theoretical overview of different forms of justice prevalent within the conversation of post-conflict situations, such as human rights courts and truth and reconciliation commissions. Additionally, drawing upon extensive personal experience in Aceh, Avonius makes a strong case for the need to better appreciate and work within Acehnese constructs and understandings of justice. As there are a number of different levels of authority within Aceh, including "official" government institutions, Islamic Sharia courts and village-level customary laws, it is essential to find a balance that is both broadly understood and applicable, while also sensitive to Acehnese customs, practices and institutional frameworks.

Finally, Rizal Sukma discusses the vast challenges of managing the peace in Aceh. As the international spotlight shifts from Aceh, the burden is increasing on local actors to assume full and unfettered responsibility for building a peaceful future for Aceh and a successful relationship between Aceh and Jakarta. This chapter presents an important Indonesian perspective on the events surrounding the peace process, as well as a focused perspective on the issues that still need to be resolved to ensure the area remains stable. Critical are continued improvements in the capacities for governance in Aceh, as well as a broader agenda of economic development throughout Aceh, in particular in areas that were not directly involved in the tsunami but nonetheless remain mired in poverty.

Overall, the two sections bring in a range of voices, all from people who have been deeply involved in various facets of the post-disaster and post-conflict processes in Aceh. These voices represent Indonesian, Acehnese and international parties, as well as academics, NGO workers and policy-makers. Some of the perspectives deal with macro-level institutional issues, while others focus more on smaller-scale issues. One of the threads that ties both together is the repeated emphasis within the chapters for post-disaster and post-conflict interventions to be firmly in line with "local" processes to maximize "local" ownership of such endeavours. This ensures a higher level of investment by people on the ground in Aceh to take responsibility for core

decision-making and implementation, which leads to capacity creation and development. Furthermore, it is essential to long-term sustainability that all programmes fit within the blueprints that the Acehnese have for their lives post-2004. With the conflict over and communities moving forward from the trauma of the tsunami, Aceh has greater scope now to shape its future than at any other point in its recent history.