

# Tommy Suharto given kid glove treatment by Indonesian police

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After more than a year on the run, Hutomo “Tommy” Mandalaputra, son of the former Indonesian strongman Suharto, was finally “captured” by police at a Jakarta hideout last month. He went underground after being convicted last year of fraud in relation to an \$11 million land deal and sentenced to 18 months in jail.

The arrest itself was a strange affair. It was not the police who appeared before the press triumphant after their lengthy, fruitless and at times farcical manhunt, but Tommy Suharto, who was smiling, looking relaxed and confident. He was brought before reporters without handcuffs and was warmly embraced by Jakarta police chief Sofjan Jacobs. After the press conference, his wife, sisters, lawyers and friends, including at least one member of parliament, filed into the police station to visit him, as if the prisoner were holding court as a member of royalty.

Incredibly, the police have not charged Suharto with defying the courts and evading the police, charges that would have led to his immediate incarceration. Instead the police announced that they will hold him for just 20 days in order to question him over the murder of the Supreme Court judge who initially jailed him, and a series of Jakarta church bombings. He is described simply as “a suspect”.

Indonesian Legal Aid and Human Rights Commission executive chairman Hendarli described the Suharto’s capture as “an engineered arrest and a farce... Since when does the police chief embrace a suspect and present him to the public without handcuffs?”

The *Jakarta Post* commented: “The way our legal system has bungled the Tommy Suharto affair has sent a chilling message that, not only does crime in this country pay, but that if you ever find yourself on the wrong side of the law, it pays to evade the law

altogether. Judging from Tommy’s case, you’re not going to be worse off if you are ever arrested after escaping from the law.”

According to the police, the arrest was the outcome of their year-long investigations. Police officials claimed that they had had a house under surveillance for several days after Suharto was spotted, and moved in to arrest him while he was asleep. But the timing and the circumstances of the detention indicate that it was Suharto who allowed himself to be detained. One of his lawyers Elza Syarif told the *Jakarta Post* that Suharto had phoned her one hour before the arrest, saying he was going to surrender to authorities.

In early October, a three-judge Supreme Court panel overturned his original conviction on the grounds that Suharto had not been a commissioner in the retail firm Goro Batara Sakti in 1996 and therefore had not been part of the operation to defraud the state National Logistics Agency (Bulog). It was the flimsiest of pretexts—there was no doubt that Tommy had a stake and had used his family influence to secure the deal. In fact, a spokesman for the Attorney General pointed out that the issue had already been considered in the original case.

The only reason why he did not immediately come out of hiding was that he still faces charges of involvement in the murder of the judge who heard his case—Syafiuddin Kartasamita—who was gunned down in a drive-by shooting on July 26. The two men detained by police allege that Suharto paid them \$10,000 and provided a gun to carry out the killing. At the press conference, Suharto expressed no concern over the accusations, simply saying: “At the right time I will clarify everything.”

Clearly Tommy Suharto has had high-level assistance to evade arrest, including from the military and police

top brass, many of whom still owe their allegiance to his father. Just four months after the presiding judge was gunned down and two months after the original verdict was overturned, he has decided to give himself up. The brazen character of the whole operation indicates that a deal has already been struck concerning the outstanding charges.

It is also a pointer to the shifting political climate in Indonesia.

The significance of Tommy Suharto's conviction was not the sum of money involved but that he was the first member of the Suharto family to be tried and found guilty of corruption. General Suharto, his children and business cronies built up a huge business empire, estimated to be worth \$45 billion. But attempts to prosecute the former dictator floundered after his lawyers successfully argued that he was unfit for trial on health grounds.

Since Suharto's fall in 1998, the Indonesian government has been under pressure from foreign investors to demonstrate that the widespread cronyism and corruption of the Suharto era have ended. One of the IMF's demands has been for the reform of the courts and legal system to ensure that foreign investors will be dealt with on the same basis as local Indonesian businessmen. Tommy Suharto's trial was widely seen as a test case.

Foreign Minister Hassan Wirajuda told the press that Suharto's capture showed that the country was serious about reforming its legal system. "It has been quite critical to reform that the government has made good progress in this pillar of the reform process—law enforcement—and I think the arrest of Tommy Suharto is positive for this issue."

The reality is somewhat different, however. President Megawati Sukarnoputri was only able to depose Abdurrahman Wahid in July with the assistance of the military, Golkar—the ruling party of the Suharto era, and various rightwing Islamic parties. All these political groups are represented in Megawati's cabinet and increasingly are calling the shots. With Megawati's approval, the military is suppressing separatist movements in Aceh and West Papua.

The old Suharto-era apparatus cannot just turn back the clock. To do so in the sphere of economics would be to incur the sanctions of the IMF and other international financial institutions, which would be

disastrous, given the country's precarious economic position. But Tommy Suharto's decision to give himself up and his kid-glove treatment at the hands of the police are further indications of the growing political confidence of the sections of the military, the state bureaucracy and business associated with Suharto.



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