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Üngör, U.U.; Adler, N.

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## Indonesia in the Global Context of Genocide and Transitional Justice

Uğur Ümit Üngör<sup>a,b</sup> and Nanci Adler<sup>a</sup>

<sup>a</sup>Holocaust and Genocide Studies, NIOD Institute for War, Amsterdam, The Netherlands; <sup>b</sup>Utrecht University, Utrecht, The Netherlands

### ABSTRACT

This epilogue highlights some of the main issues examined in this special issue. It argues that, compared to other cases, the scholarship on the Indonesian genocide is sophisticated and agenda-setting. We focus on the issues of organization and morphology of the 1965–66 violence, the problem of genocide denial, and questions related to transitional justice; finally, we propose promising new avenues of research.

### KEYWORDS

Paramilitaries; genocidal process; denial; Indonesia; Indonesian Communist Party (PKI); transitional justice

The articles in this special issue were first presented at a conference in Amsterdam on 1 and 2 October 2015. The lively conference reflected a dynamic research field that is burgeoning and transcending its area studies boundaries and embracing broader discussions on the relevant themes. This reflection aims to contribute to that broader discussion by examining, through the articles presented in this special issue of the *JGR*, what the case of Indonesia in 1965–66 can offer to comparative research on genocide and transitional justice, and vice versa: how can expert research be better informed by the conceptual-theoretical discussions in these fields? The conference succeeded admirably in taking these two challenges forward; arguably, this special issue will make a major contribution to the scholarship as well. It is to the credit of these historians/Indonesianists/social scientists that they have taken the debate further than many other case study specialists, who tend to be self-referential. In this section, we will draw out common denominators of these contributions, group some of our observations, and reference the wider scholarship on mass violence and transitional justice.

First and foremost, we would like to recognize and acknowledge the quality of the scholarship in this special issue. This is a remarkable collection of essays on a genocide that began to be studied in detail and with the appropriate scholarly care only in the past two decades. These contributions decisively move the debate forward and gear towards each other well. Geoffrey Robinson's article scopes out some of the most relevant research questions in the field: why did the persecution develop into a fully fledged genocide? How can we explain the geographical and temporal variation of the genocide? Whereas international norms and networks facilitated *and* inhibited violence, only when

**CONTACT** Uğur Ümit Üngör  [u.ungor@niod.knaw.nl](mailto:u.ungor@niod.knaw.nl)  NIOD Institute for War, Holocaust and Genocide Studies, Herengracht 380, Amsterdam,  1016, The Netherlands; Utrecht University, Drift 6, 3512 BS, Utrecht, The Netherlands

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the army took the lead did it become genocidal. His discussion of the different dimensions of army leadership (discourses, decisions, paramilitarization, capacities and denial) offers convincing arguments and preliminary answers to the questions raised: the confluence of army leadership and international norms and actors was a fatal combination that made genocide possible. Jessica Melvin expounds on this thesis through an exemplary methodological combination of top-down analysis of newly discovered military documents, and bottom-up interviews with eyewitnesses. Her discovery of 3,000 Indonesian military documents represents a watershed in the history of genocide research. These types of operative documents are vital, for at least three reasons: they are secret, internal dispatches, which the perpetrators intend to remain confidential; they outline how the command structure should be set up; and they possess strong provenance on the thinking of the higher echelons of genocide perpetrators. Much like the secret Katyn massacre order of 5 March 1940, the Wannsee Protocol of 20 January 1942, or the many deeply incriminating orders signed by Talaat Pasha on the deportation of Ottoman Armenians, the Indonesian genocide documents open a unique window into the agency and intent of the army. Annie Pohlman's lucid contribution is based on hundreds of extensive oral history interviews with survivors of sexual violence, collected by the International People's Tribunal for 1965. Pohlman argues that sexual violence was a form of torture, "a consequence of the army's virulent misogynous propaganda campaign that posited communist women as sexually dangerous." As Robinson also argues, these acts were caused by the portrayal of Gerwani women in official army propaganda as lascivious and immoral atheists.

For the most part, the contributions here avoid an unhelpful preoccupation with legal categories, but some come close to doing so. Melvin's focus on making a case for genocide (or not) is perhaps less important than asking the open question: to what extent, how, and why, was the campaign genocide? Which aspects of the campaign were more genocidal in nature, and which ones were not? And why? In a similar vein, Pohlman's article opens by using legal definitions of sexual violence as torture (whereas one might just as well approach sexual violence as genocide, as the International Criminal Tribunal for Rwanda (ICTR) has done in the Akayesu case).

However, we should try to avoid an overtly legalistic gaze. Law does not necessarily concern itself with the nature of relationships between people, or complex historical and sociological processes, and it is primarily interested in qualifying an act and ascribing it to a person to establish "guilt" or "innocence." This binary thought process sustains monocausality and leads to dead-end debates such as "was it genocide or not?" All in all, guilt and blame are not helpful points of departure for understanding genocidal processes. Moreover, legal responses to genocide are often direct products of political compromises struck between perpetrator elites and third parties. Legal responses to genocide lack relative autonomy from power and do not always offer a useful mode of orientation.

The articles in this special issue offer much food for thought, but we would like to limit our comments to four themes: organization, morphology, denial and aftermath.

## **Organization**

One important finding that different scholars' research converges on is that there is not one single, top-down order to exterminate all Indonesian communists and alleged

communists. During the conference, the experts all agreed that sometime in October/November 1965, a central decision must have been taken that detainees were to be killed. "Must have been" is the strongest possible and maximally allowable inference. In genocide studies, some informed inference is necessary for a certain phase of the genocidal process, due to the high levels of tight secrecy surrounding the decision-making process. Robinson and Melvin discuss the levels of organization in detail, and Melvin's incredible archival discovery unmask the construction of an untouchable parallel apparatus of violence: significantly revised chains of command, training exercises and legal regulations. The central role played by the army in the organization of the genocide highlights another crucial process: the proliferation of pro-state paramilitaries.

Paramilitarism refers to clandestine, irregular armed organizations that carry out illegal acts of violence against clearly defined civilian individuals or groups. Many studies of genocide have convincingly demonstrated the central role of paramilitaries in the perpetration of genocide.<sup>1</sup> States embroiled in civil wars, counterinsurgencies and repression are thought to spawn paramilitary units as a covert augmentation of state power for special purposes such as mass murder.<sup>2</sup> States benefit from relying on these groups and individuals as this provides them with plausible deniability. States can disavow any linkage with these shadowy organizations by claiming they were private groups committing violence of their own volition. Deniability is considered necessary not only for domestic reasons (the voting public, state bureaucracies), but also for international reasons, including the threat of foreign intervention, monitoring by non-governmental organizations (NGOs), the UN, international criminal tribunals, the EU, and "sanction-busting" to circumvent embargos.<sup>3</sup> In fact, many authors place deniability at the centre of their analyses.

The Indonesia genocide is a case in point: the army mobilized several different paramilitary groups, from the official citizens' auxiliary forces like Hansip and Hanra, to the party-affiliated groups like Nahdatul Ulama (NU)'s Ansor and Banser and Partai Nasional Indonesia's (PNI) Pemuda Marhaen (a.k.a. Tameng Marhaenis), under the umbrella organization of KAP-Gestapu. Whether political party youth, state auxiliaries or petty criminal gangs, mobilizing pre-existing structures and repurposing them for mass violence must have been more efficient than spawning them from scratch amid the conflict. The military documents seem to have resolved the debates on the relationship between the militias and the army, and a consensus has emerged that the army had superior control and outsourced the massacres to the paramilitaries. The authors in this special issue argue, correctly in our opinion, that manufacturing ambiguity is often a stated objective during and after the commission of the violence, even though we can infer from the patterns of violence who the likely perpetrators must have been. It is then fascinating to read how the Indonesian army made the genocide appear spontaneous by noting in their documentation that a victim had been slain by "killer unknown" (Melvin).

This fits well in the global history of mass murder and violent persecution of a specifically targeted group. The Turkish government argued that the similar, seemingly nebulous, killings of prominent Kurdish individuals in the 1990s were carried out not by Turkish death squads, but "unknown assailants" (*faili meçhul*). Slobodan Milošević, too, vehemently denied having any links to the Serb paramilitaries that were active in Croatia and Bosnia and Herzegovina in the 1990s, even though very strong evidence has been produced by the International Criminal Tribunal for the former Yugoslavia (ICTY) to the

contrary. These types of framing and distancing devices further the notion that the killings and massacres were interethnic rivalries, criminal score-settling and so on, but in any case spontaneous outbreaks of violence and certainly not of the government's making. Interestingly, two decades after the 1965 genocide, Indonesia would experience a similar wave of government-sponsored assassinations of suspected criminals. These "mysterious shootings" (*penembakan misterius*) were later convincingly argued to have been organized by the state, more specifically the army.<sup>4</sup> An even clearer example is the mobilization of paramilitaries in East Timor between 1975 and 1999, culminating in the massacres of 1999.<sup>5</sup> The continuities and discontinuities between these two processes of mass violence remain to be properly understood.

### **Morphology: Genocide as an Intersectional Process**

Genocides are a complex process: they assume a certain "morphology," shape or structure, including temporal and geographic diversity. The factors that determine these differences in morphology need to be examined, comparatively, within each genocide. Genocides are temporally different, which means we need to think meticulously about distinct phases like initiation, escalation and routinization—and transitions from one to the other. Geographic diversity is just as important. Whether we are dealing with Aceh, East Java or Sulawesi, we need to both disaggregate into minute case studies ("micro-histories"<sup>6</sup>) and synthesize into the broader picture. Any discussion of regional differentiation must be based on intensive comparative research on more than one province, focusing on relevant aspects and juxtaposing similar dimensions. Possible explanatory factors include the personal whims of the local power holders (governors, district governors, mayors, municipal authorities), the geographic conditions, the conduct of local social elites, ideological popularity, and structural factors such as proximity to the border, social stratification, settlement patterns, poverty and unemployment, population density of the victim group, opportunity structures, pre-existing conditions of state power and so on. Only through a systematic comparison can we understand which combination of factors accounts for which kind of variation in genocidal processes.

All authors make clear that the genocide was conceived of first as a project to destroy the Indonesian Communist Party (PKI) as an abstract political category, and then to descend on the immense, diverse Indonesian society to find actual human beings (communists, or leftists in general) as specimens of that political category. The fate of Chinese minorities added an ethnic element to the genocide, in much the same way as the Khmer Rouge largely targeted class identities in Cambodia, but also committed "subsidiary" ethno-religious genocides against the Cham, Vietnamese and Chinese minorities. Therefore, the Indonesian case is remarkable as an intersectional genocide: the victims were persecuted and killed mainly for political, but also for class and gender and ethnic and religious reasons. Intersectionality helps to explain the direction of the violence: the Chinese were not exclusively attacked for their ethnic identity, but their political identity; communist women were attacked as communists and as women.

One important open question is how the political identities of the victims were determined and constructed. Were children of suspected communists treated like communists and killed? (The contributors suggest this wider circle of victimization.) Or could they be redeemed? In the former case, we are dealing with the essentialization or "racialization"

of political identities. Forthcoming research strongly suggests that the negative consequences for children of victims were significant: formal and informal restrictions on, as well as discrimination and stigmatization of former communists and their families continued for decades, as the Suharto regime viewed affiliation with the left as a “sin of inheritance” (*dosa turunan*).<sup>7</sup>

## Denial

It is a relief to realize that the historiography on the 1965–66 genocide is making serious strides forward, much like Soviet historiography after 1990, if even in fits and starts. Other genocides, like the Armenian or Rwandan, are still largely patchwork, suffer from a lack of key sources, and develop in a piecemeal way due to authoritarian impositions of particular narratives and official histories. Anyone working in the field of Armenian genocide studies knows that Turkish state denial of that genocide is a subject so prominent that one cannot avoid it. In that research field, denial is often seen as an epiphenomenon, a side issue that detracts from the real historical research questions. But the Indonesian case teaches us that denial is far from that; indeed, it is central to the commission of the genocide. The Indonesian army’s “psy-war” (Robinson) ran simultaneous to the killings, and the army began writing the official history of the events when the victims’ blood had not yet even dried (Melvin). It is striking to realize that denial was well organized, purposeful and widespread after the genocide. The hackneyed idea is that denial is the “last phase of genocide,” but the contributions in this issue demonstrate that denial was part and parcel of genocide itself. In fact, it might even have preceded it: the secret military planning can be seen as denial of ill intentions towards the PKI.

During the conference, several forms of denial were discussed: definitional denial due to the limits of the 1948 UN Genocide Convention; statistical denial by minimizing the number of victims; hyper-scepticism towards the sources; denial of murderous intent (including demands that accusers produce a Suharto *Führerbefehl* while apparently confident this does not exist on paper); denial by confusing or misrepresenting perpetration and victimization; denial by indifference; and the old Russian chestnut: “it was a long time ago, and it never happened anyway.” The denialists have also milked the abortive coup by speculating about the violence they would have committed, whereas the real coup was Suharto’s complete takeover and subordination of any civilian government and civil society to his ruthless military dictatorship. Denial was also facilitated by certain orientalist imagery, like Indonesians as peaceful, meditating naturalists, or conversely of Indonesia as a country of savagery and the New Order as a protector against chaos. How does Indonesian state denial relate to other cases? It seems that the main pillars of denial are the same as the Turkish, Sudanese or Serbian cases: political reasons (fear of power loss); economic reasons (fear of having to pay reparations); sociological reasons (fear of ostracism); reasons related to memory (fear of identity loss); psychological reasons (“just world” myth). But there are some differences too. For example, there seem to be differences between the Indonesian state’s internal and external narratives of 1965. Also, Indonesian diplomatic personnel seem not to show up for events just to deny the conference topic—we have noted radically different behaviour from Sudanese and Turkish diplomats. The bad news is that Turkey still denies its genocide, after one

hundred years and counting, and Indonesia does not seem to be altering its official position much.

### Transitional Justice?

Partly because of this persistent, systemic denial of a truth most knew, the Indonesian case is an example, *par excellence*, of the long shadow of repression. This phenomenon is not unique to Indonesia; it characterizes numerous post- and still-repressive societies that have been unable, unwilling or resistant to embrace transitional justice measures. Such an enduring culture of repression in societies aspiring to be post repressive also stymies efforts to confront the past in countries like Russia, where transitional justice is not on the state agenda, Serbia, where it is restricted or resisted, and Rwanda, where it is ambivalently implemented but its achievements are undermined by divisive narratives that justify the repression of rights.<sup>8</sup> Consistent with other *non*-cases of transitional justice that circumvent institutionalized measures, the Indonesian government has managed national history by repressing the history of state-sponsored mass murder. Consequently, the official narrative regarding 30 September and its violent aftermath was at variance for decades with the lived experiences of many citizens. The narrative of Indonesia's "heroic struggle" against communism was privileged, while the stories of those who were brutally murdered, or incarcerated and tortured for real or alleged PKI sympathy were ignored or negated. Identifying victims is only the first step in dealing with the repression; identifying their oppressors, still mostly unnamed, is the next step towards remediating the past and improving the future. Thus far, the failed measures to recognize and rehabilitate the victims of human rights violations have led not only to impunity for government officials and the military, but also to competing narratives on who was a victim, as witnessed in Joshua Oppenheimer's harrowing 2012 documentary portrait of perpetrators, *The Act of Killing*.

Ascertaining the scope of the violations that took place is fundamental to understanding the dynamics of any repression, and to crafting the approaches that transitional justice might take. This has been problematic in Indonesia, where minimizing the numbers of victims, or "statistical denial" as Robert Cribb terms it,<sup>9</sup> aided the social contract of official silence and amnesia. Even at the 2016 Jakarta symposium devoted to the mass atrocities—estimated by historians at 500,000 victims—numbers as low as 80,000 were suggested by former participants in the massacres. Continued disagreement on facts and causes marginalizes victims, intensifies rival narratives, and can facilitate the recycling of old repressions into new ones. Here, as Hearman confirms in this issue and Gerlach at the conference, the net cast by the repression was wide, also because the second-class, vulnerable, stigmatized status of former victims affected the social and financial functioning of their family members as well. Kate McGregor speaks of an "ongoing discrimination" suffered by returnees. Thus viewed, the number of victimizations of the crackdown that followed 30 September 1965 is arguably in the millions.

Half a century later, despite the fact that there still have not been prosecutions or victim rehabilitations, Martijn Eickhoff, Donny Danardono, Tjahjono Rahardjo and Hotmauli Sidalok, as well as McGregor, have found a few reasons for cautious optimism. Eickhoff and his co-authors cite, for example, the local, public recognition in the form of an official commemorative marker at the mass graves near Semarang and other killing sites. Such



demarcation could constitute the beginning of filling the void created by the avoidance of these victims in the official narrative and the public space. McGregor, in turn, considers that the current “sustained memory activism” initiatives with a focus on impunity may help to influence justice outcomes.

In the early 2000s, fact-finding was aided by witness testimonies and oral histories from survivors who had the courage to come forward with their counter-narratives about the killings and abuse. They published memoirs and formed NGOs. The core of these stories was, not surprisingly, threatening to anti-communist forces, who violently disturbed public gatherings. Indeed, the work of historians and civil society actors who challenge the dominant narrative in post-conflict, post-authoritarian or post-repressive societies is often marginalized, and sometimes dangerous. The plight of these Indonesian individuals and organizations is not unlike that of the anti-Stalinist Memorial and other civil society organizations in today’s Russia. Under the current regime, their research, documentation and exposure of past and present human rights violations meets such substantial public and official resistance that their very survival is at stake.<sup>10</sup>

Indonesian human rights activists have similarly persevered, even if the results are still meagre. The efforts of the National Human Rights Commission to attribute the killing, exterminations, slavery, forced removal, torture, rape and other forms of violence to Suharto and regional and local military commanders did not lead to the recommended further investigations in the form of an Ad Hoc Human Rights Court or non-judicial settlement. Nor has the commission’s archive been fully opened to the public. In consequence, a coalition of NGOs followed up on this initiative with a “Year of Truth Telling” that, as McGregor explains in her contribution to this issue, “sought to expose how patterns of violence prevalent in the 1965 case had been repeated over and over again by the security forces.” The connection of past human rights violations to later, more current human rights violations is a narrative that authoritarian governments are generally wont to accept. Such was the case here. The reports that followed these mechanisms recommended legal judgements, the reform of legal institutions and the security sector with an eye on preventing human rights violations, officially sponsored truth-telling mechanisms, reparations, rehabilitation for victims, and measures for non-repetition. This order was apparently too tall, and did not result in the breakthrough that activists had hoped to generate.

The chronic inaction on the part of the Indonesian government ultimately led to the 2015 convening of the “International People’s Tribunal on 1965 Crimes against Humanity in Indonesia,” which took place—not without symbolism—in The Hague. This public discussion by individual activists and survivors garnered broad attention in Indonesia and the international media. In partial response, although the government declined to apologize or offer expressions of remorse, it did endorse and allow a public discussion of 1965 to take place in Jakarta. McGregor suggests that this may be a sign of future concessions from a government that has been “very reluctant” to address its past.

While that may be so, the persistence of incompatible and coexisting “truths,”<sup>11</sup> based on the different perceptions of different groups, will remain a great challenge to the process.<sup>12</sup> The belief in communism—or the promise of communism—combined with anti-capitalism and anti-colonialism ran deep. The contribution of Eickhoff and his co-authors to this issue describes this ideological embeddedness. Not only did the “bright future” that communism promised its adherents never arrive, but they were brutally punished along with many others, who may or may not have been associated with it or them,



for believing that it might. Conversely, altering the perceptions of those who felt antipathy towards communism and allegiance towards Suharto will pose an equal challenge. These interpretive frames structure and sustain their version of reality and impede transitional justice from taking root. Elazar Barkan and others have suggested historical dialogue between groups on different sides of the political divide as a potential starting point to repair the schism of competing narratives.<sup>13</sup>

We may hope that the data generated by a full investigation of the extent and nature of the human rights violations committed in the aftermath of the aborted coup of 1 October 1965 will contribute to an inclusive, shared history of the repression that identifies and recognizes the victims and their heirs, while it verifies, analyses, records, acknowledges and seeks to understand the competing narratives on this violent past. Such an undertaking could potentially facilitate a shift from duelling monologues to engaging dialogues, move Indonesia beyond the post-1965 impasse, and shorten the long shadow of repression.

### Disclosure Statement

No potential conflict of interest was reported by the authors.

### Notes on Contributors

**Uğur Ümit Üngör** is Associate Professor in the Department of History at Utrecht University, and Research Fellow at the NIOD Institute for War, Holocaust and Genocide Studies in Amsterdam. His main areas of interest are state formation and nation formation, with a particular focus on mass violence. His most recent publications include *Genocide: New Perspectives on Its Causes, Courses and Consequences* (Amsterdam University Press, 2016), *Confiscation and Destruction: The Young Turk Seizure of Armenian Property* (Continuum, 2011) and the award-winning *The Making of Modern Turkey: Nation and State in Eastern Anatolia, 1913–1950* (Oxford University Press, 2011). He is currently writing a global history of paramilitarism.

**Nanci Adler** is Professor of Memory, History, and Transitional Justice at the University of Amsterdam, and Programme Director of Genocide Studies at the NIOD Institute for War, Holocaust and Genocide Studies (Royal Netherlands Academy of Arts and Sciences). She has authored and/or edited, among others, *Keeping Faith with the Party: Communist Believers Return from the Gulag* (Indiana University Press, 2012), *The Gulag Survivor: Beyond the Soviet System* (Transaction Publishers, 2002), *Victims of Soviet Terror: The Story of the Memorial Movement* (Praeger, 1993) and *Understanding the Age of Transitional Justice: Crimes, Courts, Commissions, and Chronicling* (Rutgers University Press, 2018). Her current research focuses on transitional justice, memory, and the legacies of communism and mass political repression.

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