

# **IPT 1965: Indonesia, impunity and the the International People's Tribunal**

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## **THE PREAMBLE**

The price of impunity; the scope of the International People's Tribunal 1965

The internationally-acclaimed film *The Act of Killing* (2012) by Joshua Oppenheimer has shown the world the face of impunity in relation to the crimes against humanity committed in Indonesia after October 1 1965 in the form of swaggering killers, aggrandizing political leaders, aggressive militias and bloated businessmen. In the second part of his dyptich, the *Look of Silence* (2014), we watch impunity from the point of view of the victims. But the impunity around the 'events of 1965' is much larger than the great injustice that the mass killers walk free and that the victims and their families are faced with enduring stigma, marginalisation and economic deprivation and are powerless to demand justice. The impunity around the 'events of 1965' is a social cancer that affects Indonesian society in multiple ways.

Impunity, as defined by Orentlicher, involves a 'failure by States to meet their obligations to investigate violations; to take appropriate measures in respect of the perpetrators, particularly in the area of justice, by ensuring that those respected of criminal responsibility are prosecuted, tried, and duly punished; to provide victims with effective remedies and to ensure that they receive reparation for the injuries suffered; to ensure the inalienable right to know the truth about violations; and to take other necessary steps to prevent a recurrence of violations' (2005: 7). Key words thus are the rights to truth, to justice, to rehabilitation and the guarantee of non-recurrence. The Indonesian state has done nothing to guarantee those rights. It has made no effort to assess the truth about the crimes against humanity committed in the aftermath of the army purge/coup attempt of the September 30<sup>th</sup> group and has not followed up on the recommendations of the 2012 report of the National Commission of Human Rights. It has blocked the Indonesian people from knowing the truth about these crimes against humanity. It has not provided justice to the victims and has not provided any form of rehabilitation (barring isolated efforts of individual office bearers such as in Poso). The militias are still allowed to engage in violence without being checked, there is no guarantee of non-recurrence.

The impunity around the 'events of 1965' is embedded in both a social and political amnesia around the events and in a deliberate distortion of the facts. The propaganda campaign rolled out by the military and its associates immediately after the abduction and murder of the six generals and one lieutenant is so pervasive and successful that up till now the Communist Party of Indonesia (PKI) and its affiliate organizations are associated with atheism, unspeakable cruelty, sexual perversion and the inherent intention to destroy the nation. These insidious myths are persistent and have been propagated via all kinds of cultural genres (Herlambang 2011). A core element of the campaign were the stories fabricated around the presence of young girls of the Communist Youth Movement at the field where the abducted generals were killed. They were accused of have seduced (in a lurid dance) and castrated the generals (Wieringa 2002). This ludicrous story has never officially been withdrawn and lingers on. The events of 1965 are still surrounded by taboo and secrecy.

Generations of school children have been fed these lies. The general public still believe them and prefer not to discuss this period in the history of their nation. This has resulted in a social mindset in which historical reflection has become almost suspect. As a result it has become virtually impossible to ask a number of critical questions which directly impact the vision on what kind of society Indonesia wants to become. In this atmosphere critical thinking about developing the 'mental revolution' of Mr Joko Widodo (Jokowi), Indonesia's new president, is difficult.

These questions include such issues as what conditions made it possible that these crimes against humanity were committed? How was the New Order of General Suharto created, and what made it so powerful for such a long time? These are important issues for they are related to the social and political conditions that will either allow or prevent such atrocities to be committed again.

Thus 1965 was a watershed with more profound implications than the issues mentioned above. The massive propaganda of the New Order ideologues not only obfuscated discussions on the direct 'events of 1965' but also distorted the narratives on Indonesia's Old Order, and even, one might argue, on the nationalist movement in colonial times. History writing itself has been appropriated by the government, particularly the army, leaving civil historians little space to conduct their research (McGregor 2007; Zurbuchen 2005). The massive New Order intelligence apparatus thwarted any attempt at remembering a past that was not sanctioned by army historians. The emphasis on the crisis in 1948 around Madiun (and other historical incidents) and the one sidedness of its representation has framed the PKI as 'always already traitorous' and has resulted in an overemphasis on the tensions between communist/socialist groups in society and Muslim organizations. This has effectively silenced discussions on reconciliation between socialist and Muslim groups, or even on the linkages between Islam and socialism. Knowing how these debates have been framed, how historical awareness has been created, can help open up discussions on the possibilities of combining social justice with religious teachings.

Such discussions should include but not be limited to debates on the wide and rising gap between the rich and the poor, the role of the paramilitary youth and the absence of means for redressing violations of rights. The events of 1965 took place in a period of intense debates on these issues. The suppression of any sentiment other than the army-approved version of history has effectively frozen Indonesia's past, as exemplified in the diorama's in the Museum Pancasila Sakti (McGregor 2007). The memories of the vibrancy of the Old Order, its rowdy debates on the 'revolutionary emancipation' that peasants, workers, women, artists, teachers and other intellectuals waged have been delegated to the dustbins of Indonesian history. But the memory and assessment of these struggles is important: they teach us something about Indonesian society that we cannot afford to forget. About the nature of violence in Indonesia, the (im)possibilities of social and economic reform, the political games that obscure the interests certain groups have in maintaining the status quo.

Violence in Indonesia has a specific history and a particular culture. The brutality and arrogance of Dutch colonial power was accompanied by two phenomena: the vigilante violence of local gangsters (jago) and private neighbourhood and village watches and the emergence of vibrant youth groups who would spearhead national independence. Since then these two groups would emerge again and again during the various subsequent periods of violence Indonesia experienced; the Japanese occupation, the chaotic brutality of the national revolutions, the (Muslim) rebellions in Sulawesi, West Java and elsewhere in the early 1950s, CIA-backed regional uprisings in the late 1950s. Militias and right wing students appeared side by side again in the extermination campaign against the PKI - this time spurred on and coordinated by the military. The sustained terror campaign of the New Order, and the extreme brutality in East Timor, Aceh, Papua and elsewhere are other instances of this prolonged history of violence (see the collections of Anderson 2001 and Colombijn and Lindblad 2002).

Martha Meijer (2006), who studied the scope of impunity in Indonesia, its political, legal, cultural and international aspects, stressed the cultural aspects which lead to impunity. She discusses the feudalistic remnants, particularly in Javanese culture (which is still dominant) and which lead to a culture of violence which is characterized by a tendency to use violence in conflict resolution (instead of debate), the use of taboo and falsification and the culture of political corruption. In this feudal culture of violence critique on those who are more powerful is discredited. Criticism is muted, the police does not protect those who protest. Open discussion and the open display of dissent is discouraged, rather reality is fabricated to suit those in power. Human rights violations were considered bad news, better not to be discussed. The role of the army is consistently portrayed as 'saving the nation' instead of as murdering hundreds of thousands of people. This attitude is propped up by denials, misinformation and propaganda (Meier 2006: 2008-16). The events of 1965 are still surrounded by taboo and secrecy.

The continued impunity around the 'events of 1965' blocks the path to a reassessment of the history and culture of violence of the-1965 period. A period of increasing polarisation on the one hand, but also of a hotly debated vision on Indonesia's future. This future was to be shaped by the many thousands of enthusiastic students who were being trained abroad. Together with the increasing numbers of students and intellectuals within Indonesia they were destined to become the nation's intellectual elite. Instead many of them wasted the rest of their lives as political refugees, after their passports had been revoked. The deep stigma surrounding open discussions on the 'events of 1965' obscures an honest analysis of the postcolonial heady atmosphere of creating a new, just nation.

The International People's Tribunal is set up to address this culture of impunity, to break down the vicious cycle of denial, distortion, taboo and secrecy. In the first place it will give voice to the victims. Their stories must ring out clearly, breaking down the stigma they and their families still suffer. Secondly the Tribunal will provide a public record of the crimes against humanity committed after October 1 1965. The 2012 report of the National Human Rights Commission has been the first public record of these crimes, but it has never received recognition of the state and no action has been undertaken so far. Thirdly the Tribunal will help open up a space for public debate on the history of Indonesia, on its postcolonial ambitions, on its efforts to build social justice, on its attempts to establish the rule of law, on its endeavours to combine the centrifugal forces of socialism and Islam, on its exertions to minimize its culture of violence.

Further, the Tribunal can help open debates on the history and the culture of the persistent nature of violence in post colonial Indonesia. It can help restore the right to know their own history to the millions of school children and students. It can help create the 'mental revolution' that is needed to build a society that is governed by the rule of law and sustained by vibrant debates about its future. It can help break through the culture of violence and create an Indonesia in which social and gender justice and equality become important values, sustained by religious and socially progressive groups alike.

The IPT will pay special attention to the propaganda campaign around the 'events of 1965'. As such the IPT will be a moral instrument to help break through the cycle of violence and to help ensure the non-recurrence of such violence. The process of forgetting or remembering is an ethical issue. It is also deeply political. The Indonesian people have the right to know what happened in the aftermath of the army purge/coup attempt. They have the right to reassess the factors which led up to this enormous tragedy. And they have the right to question whether the mechanisms that led up to the mass crimes, the 'culture of violence' still play a role in Indonesian society, and in what ways. Only then can they devise strategies to prevent such violence from recurring.

Ultimately the Indonesian state has to assume its responsibility. The IPT will not be a criminal court, it will not ensure justice and compensation for the victims. Those are tasks of the state. The

Indonesian state is also the only actor that can investigate the truth – the extent of the crimes of humanity committed by the army and the vigilante groups it controlled. The IPT is not filling in to the state, but it will help push the state to take its responsibility – towards the victims and their families, and towards Indonesian society as a whole.

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