

Fighter/Victim: Problem of Double Identity in the Struggle for Justice and Human Rights

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Abstract

Does the problem of double identity disqualify the former fighters as an agent of struggles for justice? By “problem of double identity,” I mean the problem of martyrdom, a tendency to underline the heroic nature of victims who had had “fighter” backgrounds before, and the second problem, problem of innocence, sympathies attracted to families of victims and innocent civilians. The problem might put those who became victims as a consequence of their political activities in a disadvantaged position compared to victims who have no such backgrounds. With the case of activist kidnappings in 1997-1998, I maintain that such an assumption can be actually reversed. The role of “fighter/victims” was crucial in public testimonies (1998) and development of victims’ movements for transitional justice and human rights advocacy, precisely because of their double identity. Further examination of the process how they could successfully fashion the new identity as survivor/activists with the help of the universal frame of human rights may shed a new light on the studies of political victimhood.

Introduction

“I don’t agree with your statement that wives of the disappeared are those most suffered from conflicts... apparently, those who got disappeared suffered more!”¹

“I am a fighter [*pejuang*], and a victim too, because I spent six years in jail without reason... But I don’t agree with them [human rights NGOs like KontraS] who say victims need to be protected, victims have rights. *Ibu, anak*, they are victims. However, A.M. Fatwa and I are warriors, not victims. But you can call me a victim... In fact, I feel a bit uncomfortable when I say I am a victim [*agak malu bilang korban*]. But my wife and children are clearly victims...”²

In this paper, I will explore the nature of political victimhood in the struggle pursuing justice (and reconciliation) on state-sponsored violence. In particular, I focus on the role of fighters-cum-victims, i.e. those who became victims of state violence *precisely because of* their political activities. The main argument here is that those fighters-cum-victims, those who fell under arbitrary abuses of state power because they were targeted by the state for some reason – therefore, no incidental causalities – can contribute to the struggle for justice in significant ways, if they overcome the problem of their double identity. Their contribution comes primarily from two sources: first, their former identity as a political “fighter,” and second, their skills accumulated from the former activities. In the case study of activist kidnappings in 1997-1998 in Indonesia, it will be shown that these two related sources worked at different stages of struggle for justice.

Before I proceed to the case study, some of conceptual and theoretical issues must be addressed. First of all, who are political victims, and what do I mean by political victimhood as an identity? In this paper, I define “political victims” as those sacrificed by or suffered from extraordinary political violence both in consequence and in intention, such as wars, internal armed conflicts, and arbitrary abuses of state power, directly or indirectly.³ When one decides to shoot at protestors to torture political activists, it is hardly true that she or he cannot see the consequence of such actions. The term “extraordinary” distinguishes the situations in concern from normal practices of, for example, police abuses on petty criminals.

In her research of the role of the state in recognition of victimhood, Wilke asks whether victimhood is identity or status, and answers her question by exploring the dimension between subjective identities and objective recognition of victim status. “...the category of victimhood seems to veer between identity and status. Some people identify themselves as victims, and some people are recognized as victims—these categories of victimhood are overlapping but not congruent.” (Wilke, 2007) Huysse uses the word “victim identification” in an administrative or legal sense, thus making it close to Wilke’s “objective recognition of victim status.” The difference between identity and status is indeed important, because some kinds of victims, such as dead victims and those who are not aware of their

¹ Comment by a discussant at a session titled “Human Rights in Post-Conflict States,” International Studies Association Annual Convention 2010, New Orleans.

² Author’s interview, April 29, 2010. Following the IRB rule at Ohio State University, I will call the interviewee “Mr. A.”

³ See Huysse 2003 for the categories of victims (individual/collective, directly/indirectly, etc.) “Indirect” victims means family members of direct victims.

victimhood, cannot have victim identities. However, contrary to Wilke, I do not use “victim identity” as a completely subjective dimension, a self-recognition of one’s suffering from unjust violence: i.e., “a sense of injustice.” It involves more than an awareness of injustice and suffering. It requires one to accept the meaning attached to the term by social and political contexts, as we can see from Mr.A’s oscillation between identities as quoted in the beginning. Although he is well aware of his suffering and of an opinion that his suffering was unjust, he refuses to identify himself as a victim - because, according to his understanding, he does not see the meanings attached to “victims” in contemporary Indonesian society to be fitting for himself. In other words, it requires a certain intersubjective dimension, because political victims are typically a member of victims’ communities. For a victim identity to be socially meaningful, the subjective dimension must be supported by groups of the similars in the broadest sense.

The problem of double identity as a fighter and a victim comes from two dimensions, of martyrdom and of innocence. Typically, the former problem stems from one’s hesitance to accept a “weak” self as a victim,⁴ in contrary to a “strong” self as a fighter, courageously opposing the arbitrary power. Discussing the variously overlapped identities, Elster shows that those who have double identities as “resisters” and victims often refuses the latter one. He quotes a German Communist Paul Merker, who argued that Antifascist fighters cannot claim material compensation unlike victims of genocide, because the former made voluntary sacrifices. Instead, their compensation lay in “every successful battle and final victory and the erection of a democratic power.” (Elster, 2004: 113) In this line of argument, martyrdom – or heroism, to sarcastic eyes? – and victimhood are two incompatible categories. The fighters-cum-victims are clearly different from those who suffered because of racial or religious attributes they did not choose. They chose to fight, somehow expecting tragic consequences of such resistance to themselves.⁵

If Mr. A and Merker silently establishes a hierarchy between strong and heroic martyrs and helpless victims, the problem of innocence reverses the order. The argument might go like this: the more innocent victims are, the more “legitimacy” they can claim in the struggles for justice. The impressive success by the Mothers of the Plaza de Mayo in Argentina nationally and internationally, followed by the emergence of similar family organizations in every corner of the world, speaks for the power of innocent victims, especially the female family members of the direct victims. First of all, the suffering of innocent civilians who have no political backgrounds, combined with their gender and identity as mothers, invokes strong sense of sympathy to the public. Moreover, the situation that mothers (or wives) shout for justice is likely to mean that the direct victims are not in a position to speak for themselves. They might be already dead or disappeared, thus putting their family members on the upper stratum of an implicit hierarchy of sufferings.

Does the problem of double identity disqualify the former fighters as an agent of struggles for justice? I believe not. Fighter/victims can contribute to such struggles with the doubleness of their identities. For sure, they do not need to be the sole agent of the struggles; they might be along with other types of actors, such as family members, advocacy NGOs, and other social forces. However, their double identities give them particular roles to play, roles

⁴ The term “survivor” [*penyintas*] is a device to detach such connotation, but it is rarely used in everyday language.

⁵ As Elster puts it, “Regimes that maintain themselves by violence are unlikely to abstain from using it against those who oppose them.” (113)

not substitutable by other actors. In the following sections, I will show their identities and roles with the case study of activist kidnappings of 1997-1998 in Indonesia.

Case Study: Activist kidnapping of 1997-1998

The Case in the Indonesian Context

The advocacy movements against grave “human rights abuses”⁶ by the state apparatuses have been active since the early 1990s, when the Santa Cruz massacre in Dili (November 1991) led to international uproar on the brutality of the Armed Forces. Since then, cases of extrajudicial killings had been revealed by the social groups and often investigated by the Army itself or the newly established National Commission of Human Rights (Komnas-HAM). The advocacy activities and the official and semi-official measures on state violence in the 1990s were different from those in the post-reformasi period in several ways. First, they dealt with contemporary abuses of human rights by a case-by-case approach, rather than on a comprehensive approach encompassing the decades of the authoritarian rule. The nature of the approach shows both the urgency to prevent further abuses by the state and the circumscribed space for action given to defenders of human rights under the authoritarian New Order regime. Second, it is hard to say that there was a self-identified victims’ movements as we have seen since the *reformasi*. The victims of publicized human rights abuses, such as the Liquisa killings in East Timor (1994), the Timika killings in West Irian (1995), and Nipah dam incident in Madura, East Java (1993)⁷ lived in the regions far-off from the capital, Jakarta, and from one another, thus it was practically impossible for them to make coordinated actions to pressure the government for justice. For sure, there was a more important factor that the nature of regime deterred victims to form groups and make political demands. It was usually the specialized human rights national and international NGOs, as well as the religious authorities, who take up the role of demanding justice for human rights violations by the state.

The transitional period in 1998 saw a changed context for the activities against serious human rights abuses. What happened in Jakarta in May 1998 – the Trisakti shooting and the ensuing riot – left a deep scar on Indonesian society. These incidents might be called as “transitional” violence in that it triggered the regime transition and gained a heavy symbolic meaning in society. Along with the series of kidnapping of political activists in early 1998, these violent incidents ignited public anger over the repressive practices of the military. The three sets of cases – activist kidnappings, the Trisakti shooting, and the May riot – had characteristics different from the earlier incidents in the 1990s. They occurred in Jakarta – or, in the case of activist kidnappings, the victims and their families were free to move around compared to the villagers in the earlier period – and, in the newly opened political space of *reformasi*, they could organize themselves relatively free from fear. For instance, an umbrella group of the May riot victims was organized with the help of a humanitarian NGO, *Tim Relawan untuk Kemanusiaan* (TRK; Volunteer Team for Humanity) in the immediate aftermath of the incident (Thufail, 2007: 175). The IKOHI (Ikatan Keluarga Orang Hilang Indonesia; Association of Families of Disappeared Persons), the organization of family

⁶ I call state violence and political violence “human rights abuses” thereafter, as contemporary Indonesian language puts it.

⁷ See Human Rights Watch/Asia, 1994 for the situation in the 1990s.

members of disappearances, followed in September 1998. Now the IKOHI grew up to encompass the victims of major human rights abuses in Indonesia, and the *Paguyuban Mei* is also one of its communities.⁸ Now the victims' movements in Indonesia, working closely with NGO groups, is a visible part of the human rights scene. They form communities of victims, whose members range from the *ex-tapols* in the 1960s, family members of the Tanjung Priok victims, and to more recent Semanggi shootings in 1998 and 1999.

It should be noted that the demands of struggles for justice in 1998 were not entirely different from those of the 1990s: resolving "contemporary abuses of human rights by a case-by-case approach." Neither the NGO activists nor the victims themselves had something like a comprehensive plan to develop victims' communities in the next ten years. Instead, their demands were thorough investigation and accountability measures as soon as possible. The time span between the incidents and achievement of such goals was not expected to be very long. In the next twelve years, however, the dynamics of struggles was transformed. Although the cases went through some investigation and some accountability measures, the victims and their allies found such measures unsatisfactory. Once being organized, they did not simply give up their demands.⁹ Comprehensive measures to resolve the past abuses, notably the Ad-hoc Human Rights Court and the Truth and Reconciliation Commission, have been discussed, adopted officially, and implemented to a certain extent. To trace the case of activist kidnappings in 1997-1998 will shed light on the process of transformation, as well as on our question of double-identities of fighter/victims.

Chronology of the Events

The case of kidnappings [*penculikan paksa*], "missing persons" [*orang hilang*], or more formally enforced disappearances [*penghilangan (secara) paksa*] of political activists in 1997-1998 emerged publicly with the press reports on the kidnapping of the SMID [Solidaritas Mahasiswa Indonesia untuk Demokrasi] leader, Andi Arief, in late March, 1998. The activists themselves, especially those in the PRD (Partai Rakyat Demokratik)-SMID circle, had been already aware that some of their friends are "disappearing" in earlier months, and asked human rights activists for help such as sheltering at the office of YLBHI.¹⁰ On their side, the human rights activists in the legal aid circle have been collecting data from the field on the abuses by the regime since the political crisis in 1996. They had a concern that the phenomena of "missing persons" in the Latin American style might be prevailing in Indonesia. The group of such human rights activists, KIP-HAM, transformed itself into KontraS (Komisi untuk Orang Hilang dan Korban Tindak Kekerasan; The Commission for "The Disappeared" and Victims of Violence) on March 20, 1998, with support of other existing legal aid-human rights organizations. Born in the last days of the Suharto regime, KontraS – also an acronym of contra-Suharto – continued public activities such as revelation of kidnappings using released victims' testimonies and demanding further investigation with families of those who have not come back yet. Separately from the KontraS, Pius

⁸ Another network of victims of human rights abuses, the JSKK (Jaringan Solidaritas Korban untuk Keadilan; Network of Victims' Solidarity for Justice) includes a family member of the Semanggi incident.

⁹ Some individuals gave up their efforts, and perhaps others are now investing less in their activities. Still, such facts do not make this statement invalid.

¹⁰ On a separate occasion, ibu Tuti Koto, mother of the disappeared person Yani Afri, contacted the legal aid agencies to find her son.

Lustrilanang, a political activist who supported Megawati and Amien Rais, provided his testimonies to the public upon his release in April 1998, a month before the fall of Suharto, and played a similar role throughout the year.

Already being the center of public attention before the fall of Suharto, the case led to several investigation teams and accountability measures, repeating the “Santa Cruz” pattern of the early nineties.¹¹ On May 8, 1998, the internal fact-finding team of the armed forces (TPF-ABRI), established by the commander Wiranto to make an inquiry into “missing persons,” met Komnas-HAM to discuss the matter.¹² The TPF-ABRI continued to examine scores of people – both victims and soldiers – until mid-July, when they suddenly arrested seven soldiers of the Special Forces, Kopassus, as suspects.¹³ On the next day, it was reported that “the seven suspects’ testimony might lead to the interrogation of former Kopassus commanders”¹⁴ including Prabowo Subianto, although evidence was not made public as before. A body for internal disciplinary measures, the Military Honour Council (Dewan Kehormatan Perwira), was established in a month, leading to the quick recommendation that Prabowo and Muchdi PR should be subjected to administrative sanctions or brought to the military court.¹⁵ Late in August, Prabowo was discharged from the military, while another two high-ranking officers, Muchdi PR and Chairawan, were demoted. The possibility of bringing them to the military court was never realized. Instead, eleven low-ranking Kopassus members, who had been detained since July, were brought to the military court and sentenced to 12-22 months, variously. They were charged for kidnapping of nine activists who came back home, and no further information on the thirteen disappeared ones was revealed from the trials; in other words, they were far from “truth trials.” Lately, the KontraS revealed that the convicted officers, who were supposed to be dishonorably discharged from the military, were actually promoted and still serving in the forces (KontraS, 2009: 71). In spite of all these, it can be appreciated that the activist kidnapping involved “naming and shaming” of the most high-ranking general.

The case was revived by the Komnas-HAM, when the independent official body established a team of study on the enforced disappearances (*Tim Pengkajian Penghilangan Orang secara Paksa*) on September 23, 2003, as a preliminary step to the legal process of bringing cases of gross human rights violations of the past to the Ad-Hoc Human Rights Court.¹⁶ In early 2005, the case was once combined with the May riot in another study team, *Tim Penyelidik Penghilangan Orang secara Paksa Peristiwa Kerusuhan Mei 1998 dan Penculikan Aktivis oleh Tim Mawar* (TPOSP), but later it was decided to form the follow-up inquiry team exclusively on the kidnapping case. The inquiry team was active from October 2005 to March 2006; on November 18, 2006, the plenary session of the Komnas-HAM decided that there are indications of elements of gross human rights violations, thus submitting the case to the Attorney General’s Office (AGO). On February 27, 2007, the DPR established a special committee on the case, as a step to proceed to the Human Rights

¹¹ *Media Indonesia*, July 15, 1998; *Suara Merdeka*, July 15, 1998.

¹² *Kompas*, May 09, 1998

¹³ *Jakarta Post*, July 15, 1998; *Media Indonesia*, July 15, 1998.

¹⁴ *Jakarta Post*, July 16, 1998. Commander Wiranto soon corroborated on this.

¹⁵ *Kompas*, August 15, 1998.

¹⁶ Chronology of this paragraph relied heavily on Simon, “Setelah Keputusan Paripurna DPR-RI 2009,” *Kembalikan: Suara Korban Pelanggaran HAM*. Buletin IKOHI Edisi “Kongres” 05/12/2009.

Court.¹⁷ After two years, before the end of the term of DPR 2004-2009, the special committee submitted four points of recommendations to the General Session on September 28, 2009, which was approved by the Session. Although the recommendations have not been followed-up since then, the decision of the Parliament on the activist kidnapping was exceptional, because no other cases have reached the step so far, save the post-referendum violence in East Timor (1999) and the Tanjung Priok shooting (1984), which were handled as a sort of package as a response to the international pressure on East Timor.¹⁸

The Role of Fighter/Victims (1): Public Testimonies

What made the activist kidnappings one of the most high-profile cases among the numerous human rights abuses by the regime? A number of factors possibly contributed to the public attention and the ensuing discharge of high-ranking officers; the increased public attention to human rights issues in the transitional period in general, the willingness of the army leadership to show that the military is serious about the human rights issues,¹⁹ the quick response of human rights activists and their skills of data-collecting, public relations, and coordinating actions of victims and their family members. In this section, I argue that the courageous testimonies of those victims who came back from the cell were crucial in raising the profile of the case.

The importance of Pius's testimonies in terms of timing was already mentioned in the section above. Having come out in April when Suharto was still in power, his testimonies made the human rights abuses one of the important issues of the reformasi movement. It should also be remembered that the fact-finding mission of the military was established before Suharto's fall, possibly to counter the public anger in the sensitive political situation. After the meeting with the press and the Komnas-HAM, he fled to overseas and provided public testimonies to the international audience, until he came back to Jakarta in July 1998, filling the newspaper pages again. In addition, his detailed information on the situation in the cell helped establishing the link between the kidnappings in 1998 and earlier "disappearances" in the previous year.

Other victims lined up to provide public testimonies. On June 4, Rahardjo Waluyo Jati held a press conference at KontraS, offering description of torture and interrogation, such as being forced to sleep on ice.²⁰ The next week, three student activists who were kidnapped together – Aan Rusdianto, Mugianto and Nezar Patria – followed Jati in a testimony at YLBHI office.²¹ Later in the same month, another student activist, Faisol Reza, who was kidnapped gave public testimony to the journalists as well, describing severe beating he was

¹⁷ The DPR recommendation of the establishment of an ad-hoc court is a necessary procedure applied to cases going back to the era before the Law on Human Rights Court, which was enacted in November 2000. The position of KontraS and IKOHI, however, was that the DPR does not need to form a special committee for that matter. Instead, the Parliament should bring such recommendation somehow automatically to the President.

¹⁸ The DPR had a similar special committee on the Trisakti and Semanggi shootings, but it was not exactly the procedure stipulated in the Law on Human Rights Court. The DPR move *preceded* the pro-justicia investigation of the Komnas-HAM, not *followed* it. Moreover, the DPR decided the incidents were "ordinary" human rights violations, rather than gross human rights violations.

¹⁹ Also, internal rivalry might have influenced the process.

²⁰ *Kompas*, June 5, 1998.

²¹ *Media Indonesia*, June 9, 1998; *Merdeka*, June 9, 1998.

subjected to.²² The series of public testimonies by these student activists seem to have contributed to the intensified inquiry into the case by the fact-finding team of the military in the following month, leading to the DKP and the military trial. Their testimonies also provided information on persons who are still missing; the evidence collected by the congruent testimonies from multiple sources might be one of the reasons why the case is now ranked first in the waiting list of human rights trials on the past abuses.

To fully appraise the weight of these public testimonies, it should be remembered that these activists were young, mostly in their 20s, and the trauma from torture was still fresh in their mind. In addition, the torturers threatened them to not reveal the details of information. The military and police in Indonesia are still strong, and it was even more so in June 1998. There was no guarantee that they would be free from repeated harrassment. In fact, the three student activists who testified together said they were not ready to give the details for such reasons, and they had full rights to do that. Even without the details of brutality, their very presence in the public scene was crucial in putting the military under pressure with increased public attention to the case. Unless their identity as fighters encouraged and motivated them to participate in testimonies inside and outside the country,²³ in a move to reveal the injustice, to discredit the regime, and last but not least, to find clues on whereabouts of their comrades by further pressing the government.

The victims were not alone in these moves. Other human rights activists coordinated the schedule of the press conferences, accompanied them, offering the analysis of the events in terms of international human rights norms, etc. Also, family members of the disappeared activists were very vocal in demanding thorough investigation of the kidnapping. Perhaps the parents who are looking for their missing children might have been more “successful” in terms of “public relations,” for the same reason why Argentine mothers impressed the world in the first place. However, another function of the testimonies, providing evidence, cannot be substituted by parents or human rights lawyers. For sure, the nature of the incident, and the very fact that victims themselves were back alive, was an advantage in this measure, contrary to shootings, for example. Still, a quick comparison with a series of incident which occurred in the same period, the gang rape of ethnic Chinese women during the May riot, shows us the value of the testimonies by these victims. Looking into the rape cases, the investigators and journalists had come across difficulties in every step of the process to recruit witnesses. Even medical doctors who were asked to testify as expert witnesses refused, apparently not willing to take the risk.²⁴

The Role of Fighter/Victims (2): Facilitating “Victims’ Movements”

The backgrounds of the nine kidnapped victims as political activists were conducive to their roles in public testimonies in 1998. It also meant, however, that they had other political agenda and consideration of their careers. For several years, all nine victims continued their political activities following to their backgrounds before kidnapping and the

²² *Jawa Pos*, June 27, 28, 29, 1998.

²³ Mugiyanto (Geneva 1998 among others), Rahardjo Waluya Jati (Hong Kong 1999), and Nezar Patria (Australia 2000) also campaigned outside the country by revealing the case to the international audience, along with parents of the disappeared.

²⁴ *Tempo*, October 6, 1998.

changing political situations, and some of them are still active in established political parties such as the Partai Demokrat (PD; Democratic Party) and Gerindra, “Prabowo’s party.” On the other hand, at some points, others began to cultivate their careers as human rights activists, thus facilitating victims’ movements in Indonesia.

One of them is Mugiyanto, now a chair of the IKOHI for three consecutive terms. IKOHI was officially formed in September 1998, at the height of the advocacy for the activist kidnapping case by the KontraS and victims’ families. Pak Rahardjo Utomo, father of Petrus Bima Anugerah, the kidnapped SMID activist who has not come back since the kidnapping, was the first chair of the IKOHI. Visiting conferences of the United Nations Working Group on Enforced or Involuntary Disappearances and Asian Federation Against Involuntary Disappearances by Pak Utomo and Mugiyanto was one of the earliest activities. In the earlier period, however, IKOHI did not have independent resources and depended on KontraS for that matter, until Mugiyanto volunteered to work as a full-time staff for the IKOHI in 2001.²⁵ The first Congress of the IKOHI was held in 2002, followed by two more nation-wide meetings in 2006 and 2009. Now the IKOHI transformed itself into a federation with member organizations in provinces such as Aceh and Sulawesi. The organization now covers not only the activist kidnappings in 1997-1998, but also various cases such as the May riot in 1998, Tanjung Priok killings in 1984, and illegal detention of alleged Communists in the aftermath of the 1965 incident. It has its own programs, such as psychosocial help to traumatized victims, and independent resources including full-time staffs as well.²⁶ There are other organizations working for victim empowerment and organization, such as the JSKK in Jakarta and the Syarikat network covering victims of the 1965 incident. The human rights NGOs working on human rights and transitional justice issues, such as KontraS and ELSAM (Institute for Policy Research and Advocacy), have also made attempts to listen to victims’ perspectives, represent their voices, etc.²⁷ Still, the role of IKOHI as a bridge of various groups of victims is crucial in encouraging victims to speak for themselves and to keep their eyes on resolving the past tragedies, in particular in this period many of the NGOs moved their major focus to current issues not directly related to transitional justice issues.

The development of the IKOHI would have not been possible without the efforts to promoting the organization to represent victims of violence. As the resource mobilization theory puts, grievances do not create social movements in themselves. The role of committed entrepreneurs who mobilize resources, both tangible (money and facilities) and intangible (organizational skills, legal skills, etc.) ones, is equally central and even necessary in initiating and sustaining social movements (Jenkins, 1983). A number of victims and their families without activist backgrounds beforehand are now a fighter in their own rights, with great willingness to resolve their cases. In terms of mobilizing resources, however, victims with activist backgrounds are in a better position. They already learned how to organize people and to plan protests from their experiences as student, labor, and party activists; compared to the elderly and/or poor victims of violence, they also have better office-work-related skills such as applying for funding, managing documents and cultivating international networks. Therefore, they are in a good position to develop and sustain victims’ movement. Mugiyanto is not alone in transformation from a fighter/victim into a survivor/fighter. Aan

²⁵Personal Communcation, March 24, 2010.

²⁶ A family member of one of the disappeared on September 12, 1984, the night of Tanjung Priok shooting, is a public secretary of the IKOHI.

²⁷ For ELSAM, see Fadjar 2007.

Rusdianto, another victim of kidnapping, has been active in IKOHI and People's Empowerment Consortium (PEC), an NGO dedicated to transitional justice with a focus on the 1965 incident. Rahardja Waluyo Jati, another kidnapped activist, is now a director of the Voice of Human Rights media; he was active in developing IKOHI too, as well as a few other activists from the PRD/SMID circle.

In turn, such efforts might have not been possible without the process of getting the new identity as victims of human rights abuses on the kidnapped activists' side. The members of the PRD and the SMID were "classic" radicals, interested in organizing the workers, peasants, the urban poor, etc. They did not have knowledge on human rights issues before the incident, and the reason why they approached human rights workers were for survival in the first place. However, in the process of interaction with human rights workers such as Munir and continued struggles for justice, they came to have a new frame to interpret what happened to them – "enforced disappearances" as the international human rights law defines – and new identity as a victim, or more correctly a proud survivor, of violence. Combined with comradeship to kidnapped victims who are still missing and sympathy to their parents who now became fighters themselves, this new identity enabled their active engagement in human rights advocacy and empowerment of victims.

Recently, in the last week of September this year, family members of the disappeared activists, along with activists from IKOHI and KontraS, waged demonstration across the street from Presidential Palace in Central Jakarta, to demand a meeting with the President Susilo Bambang Yudhoyono and fulfillment of the DPR recommendations from 2009, in particular finding out whereabouts of thirteen missing persons.²⁸ Before using the tent for the planned overnight stay, right after the sunset, more than thirty activists were arrested by the police. In the meeting with the representative from the Presidential police, Ibu Tuti Koto, mother of Yani Afri who has been missing since 1997, said she was "behind the scenes."²⁹ The demonstration was followed by the birthday ceremony of IKOHI, where families of the disappeared, NGO activists and the chairman of Komnas-HAM discussed further strategies to make a progress on the kidnapping case, in the presence of victims from various groups. The achievement on the issue has been far from being successful. The thirteen missing activists have not come back, no further information has been provided by the authorities, and the state has not officially acknowledged the wrongs. Having developed into sustained victims' movements in a way not expected in 1998, IKOHI and its allies are still struggling to reach the goal of justice.

Discussion and Conclusion

In this paper, I explored the question of political victimhood by posing a problem of double identity derived from commonly used propositions. One is the problem of martyrdom, a tendency to underline the heroic nature of victims who had had "fighter" backgrounds before. The fighter/victims resisted the arbitrary regime in spite of their implicit or explicit awareness that consequences of their actions might lead to sacrifice of themselves. Moreover, the connotation attached to such "fighters" means they are strong figures, not helpless victims. Victim identity is for somebody else, who lost their lives or other precious things without

²⁸ See *Kompas*, September 27, 2010.

²⁹ Personal communication, September 29, 2010.

such strongmindedness; their victimhood must be denied. The second problem, problem of innocence, is the other side of the coin. Innocent civilians are the priority of protection. Sympathies are easily given to families of victims, most frequently female ones, rather than to youths who actually attempted to overthrow the regime. The backgrounds of victims, as well as the nature of the incident, matter to the studies of victimhood. While what I am arguing is not that victims with “fighter” backgrounds are any more or less important than other victims in any sense, I maintain that exploring the problem of potentially conflicting identities – or more generally, different types of victimhood – is crucial in understanding the process of transitional justice. The beginning of transitional justice mechanisms as we know today was exactly about missing activists, potential dangers to the regime, in Latin America.

The case of activist kidnappings in 1997-1998 was a breakthrough of human rights advocacy, along with other incidents of “transitional violence” in 1998. The timing of public disclosure, April 1998, was excellent, leading the way to discrediting the regime and the military. The major actors in this early period includes the KontraS, now a leading NGO in the field, which began as a coalition of NGOs to resolve the disappearances, and families of missing persons, who devoted themselves to finding whereabouts of their loved ones. The role of direct victims who came back from the cells was no less important, because they courageously testified to the public about their agonies, in spite of ongoing trauma and possibility of recurring dangers. I argue that their identity as political activists was important in this decision, because it provided them motives to testify, such as political agenda against the regime and the military and loyalty to their missing friends. In the following years, some of them have facilitated the development of victims’ movements with their transformed identities as victims and, at the same time, fighters for human rights, as well as their skills taken over from former political activities. They could successfully fashion the new identity as survivor/activists with the help of the universal frame of human rights. Further examination on the process of fashioning their new identity may lead to interesting new questions on political victimhood.

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