PROBLEMATIZING THE PLACE OF VICTIMS IN *REFORMASI* INDONESIA

A Contested Truth about the May 1998 Violence

Jemma Purdey

> The bloody massacre in Bangladesh quickly covered over the memory of the Russian invasion of Czechoslovakia, the assassination of Allende drowned out the groans of Bangladesh, the war in the Sinai Desert made people forget Allende, the Cambodian massacre made people forget Sinai, and so on and so forth until ultimately everyone lets everything be forgotten.
>
> —Milan Kundera, *The Book of Laughter and Forgetting*[1]

The riotous violence of May 1998 that broke out in Indonesia's major cities, including the capital Jakarta, terrorized the entire nation. Its main victims included women, the urban poor, and ethnic Chinese, but the audacity and impunity with which its perpetrators acted shocked all of Indonesia and much of the international community. In late 1998, Indonesia was a nation filled with great hopes for its newly claimed democratic future, and yet the country was already visibly struggling to identify how it should

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1. Milan Kundera, *The Book of Laughter and Forgetting,* translated by Michael Henry Heim (Harmondsworth, Middlesex: Penguin Books, 1981), pt. 1, sec. 5. Citations for subsequent epigraphs in this article are as follows: Judge Richard J. Goldstone, Constitutional Court, South Africa, and former chief prosecutor, International Criminal Tribunals on the former Yugoslavia and Rwanda, "Foreword," in *Between Vengeance and Forgiveness: Facing History after Genocide and Mass Violence*, ed. Martha Minow (Boston: Beacon Press, 1998) p. x; and Ariel Heryanto, "Race, Rape and Reporting," in *Reformasi: Crisis and Change in Indonesia*, eds. Arief Budiman, Barbara Hatley, and Damien Kingsbury (Melbourne: Monash Asia Institute, 1999), p. 324.

best deal with the past. Notions of truth and reconciliation were only just beginning to enter the national psyche and discourse and even then they were still unknowns. In July the Habibie government chose a Joint Fact-Finding Team (TGPF, Tim Gabungan Pencari Fakta) as the means to produce the truth demanded about the May 13–14 violence and in particular identify the perpetrators. "Fact finding" was a familiar method of truth-seeking employed in Indonesia under the New Order; however, as the National Commission for Human Rights (Komnas HAM) can attest, finding justice for victims was quite another story.

The TGPF was put together at a critical early point in Indonesia's transition from autocracy to democracy, and the team's processes and members as well as problematic outcomes they generated reflect the complexity of politics at this time. The TGPF was to be the first test of the resolve of Indonesia's *reformasi* process as its supporters battled against still present New Order forces. The team took up potentially divisive issues and its findings would expose these areas of contention and concern. The rapes that occurred during the May violence were among the most contentious of these issues, not only within the TGPF but also in society at large, and the responses reflected gender insensitivity within Indonesian culture and the legal processes. In many ways, the struggle to name those responsible for the violence subverted the victim and her story. Furthermore, despite the important gains made on some points, bickering among individuals on and off the team did great harm to the integrity of this report as a historical document.

This attempt at fact finding about the May 1998 violence in Jakarta and other cities demonstrates the power to be gained by having a monopoly not only of violence within a state but also over "representations" of that violence.[2] That years later no one has been brought to trial or even charged with the violence reveals the extent to which the search ran contrary to the wishes of the government and military elite, even in post-Suharto Indonesia. The results were such that, even after the TGPF finally reached a consensus on its contents and conclusions, the report was rejected by the military upon its release, ignored by the government,[3] and contested by some sections of the national media.[4]

2. Paul Brass, *Theft of an Idol: Text and Context in the Representation of Collective Violence* (Princeton: Princeton University Press, 1997), pp. 3–31; and Paul Brass, ed., *Riots and Pogroms* (London: Macmillan, 1996), pp. 1–6, 45–46.

3. "Menhankam/Panglima TNI: Hasil TGPF Tidak Diremehkan" [Minister of defense and security/commander of the armed forces: Results of the joint fact-finding team will not be taken lightly], *Kompas*, May 15, 1999; and "Government Promulgates Latest Facts on Rape during Rioting," *Jakarta Post*, December 22, 1998.

4. "Fakta Lain Tentang Pencari Fakta" [Another fact about the fact finding], *Tempo*, November 16, 1998.

The search for the truth about the Jakarta violence can be described as a dual struggle to name the victims and name the perpetrators. At times, the two struggles could not be easily separated. Importantly, the TGPF's failure to produce the perpetrators of this violence, together with the further harm that failure brought to the victims, reveals the need to find alternative ways of facing history in Indonesia. To this end, the means available to the Indonesian people for finding ground somewhere between vengeance and forgiveness range from trials and truth commissions to reparations. In addition to these possibilities, however, another way to start "facing history" is by giving victims back the voice that administrative and legal procedures had taken from them and allowing them to be heard.

The TGPF Report: Finding the "Facts" about the May 1998 Violence

> There are no tidy endings following mass atrocity.
>
> —Judge Richard J. Goldstone

The TGPF was appointed to investigate the violence that had taken place in Jakarta, Solo, Medan, Lampung, Surabaya, and Palembang in mid-May. The decision came down from the new president and the ministers of defense and security, justice, internal affairs, foreign affairs, and women's affairs. They were largely responding to international condemnation and agitation as well as significant pressure from sectors of the Indonesian public, particularly human rights organizations. Chaired by Marzuki Darusman, then head of Komnas HAM, the TGPF comprised a unique mix of members from the Armed Forces of the Republic of Indonesia (ABRI, Angkatan Bersenjata Republik Indonesia), police, and government, as well as civil society organizations (CSOs). It is true that the report the team produced is recognized by many as a remarkable document for the content under investigation, the methodology used, and most particularly for the conclusions and recommendations presented.[5] Nonetheless, as has already been observed it is also considered a failed attempt at truth seeking about this violence.

While the story behind the report's creation reveals much about the creators—some of whom were at odds with one other—the story's real significance can be found from looking at the processes and conflicts involved. It is along the lines of disagreement that the politics behind controlling the story of the May violence appear. Examining the processes behind the report's

5. Jose Manuel Tesoro, "Assessing the May Riots: Investigators Cite Links to a 'Political Struggle'," *Asiaweek.com*, November 13, 1998, <http://www.asiaweek.com/asiaweek/98/1113/nat2.html>; "Mulya Lubis: Analisis TGPF Tepat" [Mulya Lubis: TGPF analysis is accurate], *Suara Pembaruan* (Jakarta), November 6, 1998; and Saparinah Sadli, Rosita Noer, and Fr. Sandyawan Sumardi S.J., TGPF members, author interviews, Jakarta, July-August 1999.

creation can also draw attention to important questions about the expectations associated with "seeking truth" as a means to finding justice. For a nation struggling to face its often violent history in order to move into a peaceful future, this is a critical investigation.

Objectives and Methods: A Dubious Inquiry

The TGPF's investigation was perhaps the most ambitious attempt at public truth seeking yet made in Indonesia's history. The scale of the task confronting its members was matched by that of the expectations held by the victims, the international community, and the Indonesian public—expectations that the truth, once known, would lead to justice.

The team was given just three months to compile its report, a short time considering the complexities it faced. The obstacles the TGPF confronted included the scale of the events under investigation; the difficulty of locating witnesses willing to testify; the logistics of conducting investigations in multiple cities; the members' relative lack of experience at data collection; and the conflicting methods they employed, a factor of their having come from a diverse range of social sectors. Further difficulties arose as the team raced to collect data, analyze it in various sub-teams, and then collaboratively write a final report to be presented to the ministries concerned.

In the beginning, the team's objectives and level of independence granted for its investigation were considerable, particularly given its membership composition, which included representatives of the military, the police, relevant ministries, and CSOs. Some members such as Saparinah Sadli from Komnas Ham and Rosita Noer from the CSO Communication Forum for National Unity (Bakom PKB; Badan Komunikasi Penghayatan Kesatuan Bangsa) believed they had been given a mandate that included not only seeking out the truth about the May 1998 violence but also drawing conclusions and making recommendations. Their understanding of the limits on the TGPF's role would later prove to be a point of critical conflict.

Given the limited time period for the completion of the team's tasks, members received only brief training at best in how to conduct fact-finding and verification. As a consequence, the methods each member employed in carrying out research varied considerably. Particularly noticeable differences emerged between groups within the TGPF over the question of naming the victims. Who qualified as a victim in general? Who constituted a rape victim? And what evidence was required in order for victims to count?

Naming the Victims: Stumbling over Numbers

> Any production of truth is reflective of an ongoing battle for power and temporary consensus.
>
> —Ariel Heryanto

The most controversial question within Indonesian society regarding the violence was that over the rapes. It was certainly the most problematic issue for the TGPF as the team grappled with trying to determine the number of victims. The TGPF considered data from numerous outside groups as well as that collected by the members themselves. These reports varied widely in the definitions of rape and processes of verification used, which complicated making assessments. Another problem arose from the composition of the team itself. The presence of members of the police and the military on the TGPF made most victims, particularly those who had suffered sexual assault, reluctant to testify because they believed that some of these security officials were themselves complicit in the violence. Consequently, there was concern that the pursuit of hard evidence regarding the rapes could lead to prosecutions being carried out by the very people implicated in the violence in the first place. The same concerns applied to certain prominent figures in politics and society who might also be involved in the prosecutions. In either case, victims saw giving testimony as having the potential to endanger their lives or cause further trauma.[6] Such reluctance on the victims' part made it clear to many TGPF members that the true number of rape or sexual violence victims would never be fully known. Finally, the team faced another problem after the violence had subsided in the form of statements from a number of politicians, social commentators, religious leaders, and military figures who publicly challenged the validity of the rape claims.[7] Having to confront such attitudes from the start only highlighted the fact that an investigation such as the TGPF's could not take place in a vacuum; these attitudes threatened to undermine the entire fact-finding process.

From the moment the rape story broke on Indonesia's "Info Untuk Anda" television program during an interview on August 8, 1998, with human rights worker Ita Nadia, the media played a central role in the representation of the

6. "Jalan Panjang Tragedi Itu" [The long road of this tragedy], *Tempo*, October 12, 1998. See also "Ita Fatia Nadia, Tim Relawan: Ini Murni Dari Hati Nurani . . ." [Ita Fatia Nadia, volunteers team: This is purely from the heart . . .], *D & R*, July 4, 1998, p. 50. For intimidation of victims and those who assisted them, see also "Rintihan dalam Kebisuan: Derita Korban-Korban Pemerkosaan" [Groans in the silence: The suffering of rape victims] *Matra*, July 1998.

7. Sri Muryono, "Did Mass Rapes Actually Happen?" *Republika*, August 2, 1998. See also Saparinah Sadli's response, "Open Letter to the Minister for Defense and Security," August 3, 1998, Jakarta, available from <http://www.hrw.org/hrw/press98/sept/denial908.htm> (accessed April 4, 2002); and "News Report Says Official Denials of Indonesian Rapes Hinder Investigation," Human Rights Watch press release, September 8 1998.

rapes. Local human rights CSOs such as Volunteers for Humanity (TRuK; Tim Relawan untuk Kemanusiaan) and their leaders became celebrities, and the debate over the veracity of the rape reports became a major story. There was great media and public interest over a report that TRuK issued in June stating that it had counted 168 victims of rape. In retrospect, Fr. Romo Sandyawan, one of TRuK's leaders, concedes that the group was too hasty in making the figure public and somewhat naive in its expectations of how the story would be covered.[8] Some elements in society reacted negatively to the work these volunteers were doing to assist victims of the violence. Their reaction was revealed most shockingly on October 9, 1998, when an 18-year old TRuK member named Marthadinata was discovered murdered in her home. Although police insisted the case was purely criminal and promptly produced a suspect in the form of a male neighbor, TRuK leaders believed that her death, which came just a week prior to the release of the TGPF report, was linked to her work with victims of the May violence.[9] Until the murder, TRuK members had been prepared to speak to the media on these issues; afterward, they became reluctant to do so and guarded in their comments, opting instead for a quiet approach in assisting victims and their families.

The TGPF already had been divided over different methods of verification and collection of data about victims of sexual violence. Now, the dispute was compounded by the public and political debate. On one side were the police, military, and supporters of the Jakarta Protocol (the name chosen by its implementers, the Indonesian Doctors' Association) verification process in which a doctor's confirmation of assault was required; on the other were those who supported procedures that accepted evidence given by third parties such as eyewitnesses and members of the victims' family on behalf of the victim while protecting those parties' identities. The debate over these standards was most definitely influenced by the wider public discourse about the rapes and it forced the TGPF to delay the release of the Final Report.

At the last minute, the team reached a compromise: the Final Report would state that two sets of figures regarding the number of victims of sexual violence exist. The first set were those cases that had been verified under the Jakarta Protocol; they totaled 15 rapes. In the second group were 37 rapes, as verified by data from victims' families, psychologists, religious clerics, and eyewitnesses. In total, the TGPF found 52 rapes, 14 rapes with torture, 10 cases of sexual violence and torture, and 9 cases of sexual harassment. As a

8. Fr. Romo Sandyawan, personal communication, Jakarta, July 1999.

9. "Rape Victim's Counsellor Killed," *Jakarta Post*, October 10, 1998. Fr. Sandyawan believes that Marthadinata was herself a victim of rape. She was murdered just days before she was to leave for the U.S. to give testimony about the rapes. Fr. Romo Sandyawan, personal communication, Jakarta, July 1999.

further concession to those who disagreed with the content of the report from the Victims' Facts Sub-Team—specifically, the Assistance Team and TGPF members including Rosita Noer, Bambang Widjojanto, and numerous ABRI representatives on the team[10]—the Final Report included neither the sub-team's finding that the sexual violence was planned nor the alternative explanation that the violence was just an "excess of the riot." Rather, the report stated that it simply could not yet be determined as to whether the rapes occurred spontaneously or were a part of the engineered violence. The report did conclude, however, that the sexual violence was another facet of the riot activities, together with looting, burning, kidnapping, and torture.[11]

With respect to the total number of victims of all other violence, the TGPF reached a compromise much more easily than it had on the emotional issue of the rapes. In its assessment of the numbers in these categories, the team again articulated the extreme difficulty of finding either consensus on the methods of verification or one set of accurate factual data on the numbers of victims. As a solution, the Final Report here, too, stated that multiple sets of figures existed. The numbers differed in the extreme. The TRuK victim data showed 1,109 individuals had died in fires, 27 were shot dead, and 91 wounded; the police reported 451 dead and no wounded; the district military command, 463 dead, 69 wounded; and the Jakarta regional government, 288 dead and 101 wounded. While this compromise again left sufficient room for the possibility that the true number of victims was greater than that recorded in the report,[12] the damage had been done. By transforming the battle to name the victims to a debate over numbers, any representation in the report of the victims as human beings and individuals was lost.

Naming the Perpetrators: State-Sponsored Violence

The disagreement over the number of victims and most especially the rape victims marred what were—by Indonesian standards for such an investigative team—quite unprecedented conclusions regarding the involvement of the armed forces and political elite in the violence. In fact the TGPF pulled few punches when it came to analyzing the role of the security forces. Specifically, it found that ABRI had failed to anticipate the riot, that there was a lack of adequate communications between those in command with security forces

10. "Fakta Lain Tentang Pencari Fakta" [Another fact about the fact finding]; and "Laporan TGPF: Bukan Hanya Soal 14 Mei" [TGPF report: It isn't only a problem about May 14], *D & R*, November 14, 1998.

11. Joint Fact Finding Team (TGPF), *Final Report about the 13–15 May 1998 Riot*, Jakarta, October 23, 1998; and TGPF, "Executive Summary," Jakarta, October 23, 1998.

12. Tim Relawan untuk Kemansusiaan (The volunteers team for humanity) (TRuK), "Di Balik Aksi Kerusuhan Dan Pembantaian Massa" [Behind the riot action and mass slaughter], Jakarta, May 18, 1998.

on the ground, and that as a consequence the forces had responded far too slowly in the majority of cases and sometimes not at all. Futhermore, in some instances security officers had even "permitted riots to occur."[13] Responsibility for security in Jakarta at that time was in the hands of elite members of ABRI who, the report argued, had failed to provide sufficient and consistent instruction to officers on the ground. As a result, security officers on the street were confused as to the nature of the commands given them and at the same time overwhelmed by the size of the mobs they confronted. The TGPF did concede, however, that some security agents faced a "psychological dilemma" when confronted with a situation where they needed to take action against citizens. This, the report reasoned, was partially because of the fact that according to ABRI doctrine, citizens are not enemies and therefore should not be shot at.[14]

Regardless, the evidence the TGPF collected led it to conclude that there was a "security vacuum" in Jakarta during the days of the riots. The team called for further investigation specifically into the role of Operations Commander for Greater Jakarta (Pangkoops Jaya) Major General TNI Syafrie Sjamsoeddin; they also sought investigation of Lt. Gen. Prabowo Subianto, then head of Strategic Reserve Command (Kostrad), for his suspected role in the violence. Furthermore, the TGPF singled out key events about which it wanted to know more. For example, several ABRI officials and prominent figures including Prabowo met at the Army's Strategic Reserve Command (Makostrad) on the evening of May 14, 1998; the TGPF suspected that some organization of the violence occurred or was discussed. Interest in such matters arose from the TGPF's conclusion that the violence was linked to people at the country's "highest levels" of decision making and a part of "an effort to create a critical situation that required a form of extraconstitutional government to control the entire situation."[15] However, at the end of its investigation, despite access to elite figures and the participation of the police and the military, the TGPF—although tantalizingly close—was compelled to admit that the link between these highest levels of politics and military with the rioters on the street, was still missing.

The Politics of Naming the Perpetrators: A Path to Justice?

The struggle to represent and tell the story of the May 1998 violence was driven by great expectations linked to the naming of its perpetrators as laying

13. TGPF, "Executive Summary."

14. Major General Prabowo Subianto interview, September 7, 1998, in TGPF, *Final Report*, Appendix, Jakarta, October 23, 1998, p. 220.

15. TGPF, "Executive Summary."

down a path to justice and truth. Many Indonesians, particularly the victims of the violence, concluded that the report did not achieve this goal. Despite its suspicions that such were to be found, the TGPF failed to produce unequivocal facts about the involvement of key figures; in its report, it presented not one simple truth regarding the identity and quantity of victims but rather multiple and highly contested truths.

The TGPF's search for the missing link that would back its suspicions with facts was hindered greatly by the conditions of the investigation, which was under the ultimate control of those in positions of political power. As a consequence, the perpetrators were never properly named, although the reaction of senior members of the military and the government to the Final Report might suggest that the team was getting close to the struth. What's more, it is conceivable that it was never within the power of the TGPF, even without its political divisions, to achieve the result for which the violence's victims and their supporters had hoped. Judge Richard J. Goldstone argues that after mass violence achieving justice is almost impossible. "It should be recognized that in a perfect society victims are entitled to full justice, namely trial of the perpetrator and, if found guilty, adequate punishment. That ideal is not possible in the aftermath of massive violence. There are simply too many victims and too many perpetrators."[16] The attempt to name the perpetrators of Indonesia's violence was a struggle against insurmountable odds, precisely because the trail of evidence pointed to the highest echelons of Indonesian politics and military.

A closer examination of the TGPF's attempts to prove what its members suspected by finding facts linking perpetrators on the street with elite figures highlights the improbability of the team's task in the face of more powerful forces. The TGPF's members had to cope with recalcitrant military and political figures who were all too aware of the potential damage to their own careers that truth telling could have; with reluctant witnesses who were equally afraid of the consequences of telling the truth; and also hard-to-identify shadowy but ambitious third parties with links to politics and military. The negative aftereffects of not having been able to find the missing link or an alternative path to some form of justice continue to be seen in Indonesian politics.

Trying to Find the "Missing Link" between the Provocateurs and the Pemerintah

The TGPF had sufficient evidence to suspect the involvement of elite members of the military and the government in the violence. The team presented evidence that clearly pointed to the provocateurs and *preman* (thugs) as hav-

16. Goldstone, "Foreword," p. xi.

ing military-type skills. Some of the provocateurs apprehended or questioned after the violence testified that they were trained and under Prabowo's command. Furthermore, the TGPF also had a clear picture of the perpetrators active on the streets from the countless stories told to the press, human rights groups, and government authorities by witnesses from across Jakarta, who described particular individuals with consistent similarity.[17]

Despite such evidence and the TGPF's real suspicions about the role of some elite military officials in the violence, it was still not enough to uncover a crucial *link.* The TGPF conducted interviews with military, intelligence, and local and national government elites during August-September 1998. Among those of particular interest to the team were Prabowo Subianto; Syafrie Sjamsoeddin; Zaki Makarim Anwar, commander of ABRI Intelligence Branch (BIA); and Sutiyoso, the governor of Jakarta.[18] During the interviews, these men and others were questioned about their movements during the days of the violence, the activities of troops under their command, and what they had understood to be taking place at the time. Yet, despite being elite members of the armed forces and leaders of various units within that institution—that is to say, in positions of command—these men recalled surprisingly little of those days that May. Instead, they insisted on having known almost nothing about security conditions in the nation's capital at the time in question. For example, Sutiyoso (a former Pangkoops Jaya) testified that he followed the news of the violence in the city via television broadcasts and admitted to knowing less about the events than members of the TGPF.[19] For his part, Prabowo attributed all responsibility for command of security operations in the city to Sjamsoeddin, claiming that he (Prabowo) had no real authority on his own.[20] All in all, the vague testimony given by the military and intelligence leaders proved to be too great an obstacle to the TGPF's investigations. These prominent figures were reluctant to answer questions and most surely held back the complete truth; as a result, the team was left with no firm evidence to verify its suspicions of elite involvement.

17. See data collected by TRuK, including "Di Balik Aksi Kerusuhan Dan Pembantaian Massa"; "Early Documentation n. 1: The Riot Pattern in Jakarta and Surroundings," Jakarta, May 22, 1998; "Early Documentation n. 2: The Plunder Status of the Riot," Jakarta, June 9, 1998; "Early Documentation n. 3: The Rapes in the Series of Riots," Jakarta, July 13, 1998; "Korban Kekerasan Seksual Kerusuhan Mei 1998" [Victims of sexual violence in the May 1998 riot], Jakarta, September 30, 1998; and TGPF, *Final Report.* The TGPF Final Report included data from Bakom PKB, the police, and the military. Other data were collected by the author during fieldwork conducted in July-August 1999.

18. The text of these interviews can be found in the appendices to the TGPF's *Final Report.*

19. Governor DKI Jakarta, Sutiyoso interview, in TGPF, *Final Report*, Jakarta, October 23, 1998, p. 219.

20. Prabowo said he repeatedly questioned Syafrie about the absence of troops. See Prabowo interview in TGPF, *Final Report*, p. 223.

The presence of police and military members in the TGPF most likely also eliminated the possibility that some of the thugs and provocateurs who carried out the violence would reveal on the record what they had stated off of it. Off the record, a number of these individuals acknowledged that they had been trained for the deeds they executed in May by elements of the military and that they were under the command of either Prabowo or Wiranto.[21] Yet, this particular source of information and testimony was barely examined due to the reluctance of these people to testify. Furthermore, the police were unwilling to capture, charge, and question them,[22] as following this line of investigation could have potentially exposed their commanders as being the brains behind the violence. Similarly and perhaps even more frustratingly for some TGPF members, witness testimonies of incidents involving the security forces taking an active part in the violence and often directing it were largely disregarded by the verification team and failed to reach the Final Report.[23]

It has since been revealed that Prabowo's testimony to the TGPF was certainly not a complete account of his activities during the days of the violence. In the years since testifying, Prabowo has recalled a great deal more about the events of that time in interviews with *Asiaweek* and *Tempo* magazines and other statements he has made directly or indirectly to the media.[24] Of course, questions remain about Prabowo's innocence and the degree to which these more recent accounts were truthful. Nonetheless, his failure to have provided the same detailed information to the TGPF during its investigation has inevitably contributed to further suspicion regarding his role in the violence. Prabowo's silence on these matters also may have prevented the TGPF investigation from closing in on the missing link, as his recent testimonies (if verified) could have turned the team's attention to other individuals. In this regard, it is worth noting that Prabowo's superior, Sjamsoeddin, escaped the same level of public trial and condemnation as his subordinate.[25] One might have expected greater interest in whether or not Sjamsoeddin was involved in

21. TRuK, "Jatinegara Plaza, Jakarta Timur" [Jatinegara Plaza, East Jakarta], *Lokasi Dan Kronologi Kerusuhan Mei 1998* [Location and chronology of the May 1998 riot] (Jakarta: TRuK, 1998), pp. 1–3.

22. In testimony before the TGPF, intelligence agent Aris Sampurno stated that Jakarta police had identified 36 rioters (among them the *dalang*) and arrested 16 suspects. See Major General (Police) Hamami Nata interview, in TGPF, *Final Report*, Jakarta, October 23, 1998, p. 248.

23. See TRuK, "Early Documentation no. 1; "Early Documentation no. 2; "Early Documentation no. 3; and Sandyawan Sumardi, "Letters: The Prabowo Question," *Asiaweek*, April 7, 2000.

24. Jose Manuel Tesoro, "The Scapegoat," *Asiaweek*, March 3, 2000; "Prabowo Subianto: 'It Hurts to Stand Down'," *Tempo*, November 19, 2000; and "Prabowo Bikin Buku Soal Kerusuhan Mei" [Prabowo writes a book about the May riot problem], *Kompas*, March 10, 2000.

25. Hawe Setiawan, Hanif Suranto, and Istianto, eds., *Negeri Dalam Kobaran Api: Sebuah Dokumentasi Tentang Tragedi Mei 1998* [A country in flames: A documentation of the May 1998 tragedy] (Jakarta: Lembaga Studi Pers dan Pembangunan, 1999), p. 137.

the violence and if so to what degree, but he was the object of little attention on the part of the public and the TGPF.

Implications of Failing to Find "the Link"

One cannot overlook the fact that all parties within the TGPF did agree that there was a link of some kind between the elite and the violence on the street. That they couldn't make that link explicit had several implications. First, long after the original events and the release of the TGPF report, some of the suspected masterminds of the May violence remained in positions of great power. In this respect, perhaps the greatest oversight made by both the TGPF and the public was with regard to the role of the ABRI commander-in-chief, General Wiranto, who was not included on the TGPF's list of interviewees. In retrospect this failure to question Wiranto and continue further investigation into such figures as BIA chief Anwar appears to represent a missed opportunity of enormous proportions. Numerous reports compiled about the massacres around the time of the referendum in East Timor held only 12 months after the May 1998 violence observe that Wiranto bore at least partial responsibility as commander of the armed forces at the time. For that matter, it is worth bearing in mind that the reports also note involvement in the 1999 killings in East Timor by Anwar, Sjamsoeddin, and Feisal Tandjung, who was commander of the armed forces in May 1998 and chief minister for political and security affairs at the time of the East Timor events.[26] If, as many suspected at the time, through further investigation these men had been found to have acted improperly during or been involved in some way in the May violence, they would not have occupied the positions of power that they did in April-September in relation to security in East Timor.

Such failure to clarify the connection of these elite figures with the violence—and perhaps even to bring about their removal from office—has left its victims no longer able to trust figures of authority. Others who had suffered at the hands of the state in previous years and allowed themselves to feel hope with the TGPF's convening only lose it again when the report was released. The fears instilled in them by their experiences were not alleviated by the report; they largely gave up on hopes that justice would somehow be

26. Indonesian Commission of Inquiry into Human Rights Violations in East Timor (KPP-HAM), January 31, 2000; Hamish Mcdonald et al., *Masters of Terror: Indonesia's Military and Violence in East Timor in 1999* (Canberra: Australian National University, Strategic and Defence Studies Centre, 2002); Geoffery Robinson, "Patterns of Responsibility for Mass Violence in East Timor: An Assessment of the Evidence" (paper presented at "Mass Political Violence in Twentieth Century Southeast Asia: Causes, Consequences, and Representations," the 18th Annual Conference of Southeast Asian Studies, Center for Southeast Asia Studies, University of California, Berkeley, February 2001); and Don Greenless and Robert Garran, "Tarnished Brass behind Timor Violence," *Weekend Australian*, May 18–19, 2002.

attained. For these people, the new era of supposed *reformasi* or transitional governance was already failing. Many ethnic Chinese Indonesians and female victims of sexual violence who may have otherwise been prepared to return to Indonesia chose not to, broadly due to the disappointing outcome of the report and specifically the sentiments within Indonesian society that had been exposed in the debate around the validity of the rapes. In wider society and politics, the failure to prove the involvement of those figures who are speculated to have been *dalang* (puppeteers) and third parties, or even PKI, the banned communist party oft-used as a bogey in the New Order era, meant that these terms maintained their "catch-all" ability when it came to identifying perpetrators; the real ones were concealed by the very ambiguity of these convenient and vague labels.

Perhaps the most significant outcome of the failure to find the missing link and produce the perpetrators and organizers of the violence in Jakarta—except for Prabowo, who was absent anyway having left soon after his TGPF interview for a year in Jordan following demotion from his position in the army—was the resultant inability to locate responsibility for the terror the violence produced throughout the city and nation as a whole. Although naming Prabowo fulfilled some of this need, clearly assigning responsibility for this social calamity to a single individual was not enough. Geared as the investigation was toward finding a culprit or someone to blame, the focus of attention shifted from the victimizers to the victims—the urban poor, women, and ethnic Chinese. Rather than offering these individuals assistance, compassion, and reconciliation, some in the media, the TGPF, the police, and the justice system chose instead to lay the blame for what had taken place on them or—most horrifyingly—deny their experience as having been real in the first place.

The Politics of Naming the Victims: Reflections on a Nation

The acts of violence and terror experienced by ethnic Chinese, urban poor, and women revealed a nation the TGPF described as "a nation in decline" (*bangsa menjadi mundur*).[27] The TGPF interpreted this event as demonstrating that the nation had abandoned the tenets of Indonesian nationhood, as set down by the fathers of independence, about unity in diversity. Yet, despite the struggles of the investigators to understand how Indonesia had fallen into such social division, animosity, and hatred, the victims' suffering continued and grew.

The response of the Indonesian public and government authorities to the victims of violence revealed lingering prejudices toward people in their social

27. TGPF, *Final Report*, p. 169.

categories. The victims were marginalized from the outset and their stories, which had the potential to reveal most humanly the consequences of violence, were drowned out in the debate over numbers and semantics. Giving full consideration as to who the victims were is critical, for their selection as targets and treatment by society afterward reveal much about the inadequacies of a future Indonesian nationalism emerging from the tumultous, and celebratory times that surrounded Suharto's downfall. For the victims of the May 1998 violence, especially those who were raped, post-Suharto Indonesia has floundered in its efforts to deal with them. The social and political response was similarly inadequate for the other victim categories, i.e., the ethnic Chinese and urban poor. In all cases, the inadequacies have been due in no small part to the fact that the struggle to understand the violence became bogged down on the issue of naming the perpetrators.

Writing about those who suffered from kidnap, torture, and rape in the spring of 1998, Ariel Heryanto has eloquently argued that a gendered distinction was made between different "victims" in Indonesian society, even in the midst of "*reformasi* fever." Focusing on the kidnap victims, Heryanto wrote that "the bodily wounds of these activists—all of them males—were publicly endowed with a degree of political heroism."[28] In contrast, the female rape victims never received such public sympathy and praise. Rather, as Heryanto points out, they were mostly stigmatized and marginalized, a response that grew out of social constructions of femininity and the values imposed on the female body such as chastity and virginity. Indeed, it could be said that they were virtually subjected to a "second rape" by society at large. An article by Antara News Agency reporter Sri Muryono titled "Did Rapes Actually Happen?" published in the *Republika* newspaper on August 2, 1998, epitomized this response. Its author was skeptical about whether the rapes had occurred and called for the victims to come forward to "prove" their claims. Saparinah Sadli, head of the TGPF Victims' Facts Sub-Team, responded to the article with an open letter—whose points she would reiterate in public comments—stating that the opinions in the original piece were "bound to have a negative social impact" and were "dangerous, as they shy away from the horrifying reality."[29]

The urban poor and ethnic Chinese victims of the violence were similarly denied being labeled national heroes in its aftermath. Social constructions and prejudices played a role here, too, but rather than gender it was ethnicity and class that served as the focus. They had been regarded as anomalies or imperfect ambassadors for Indonesia and Indonesian identity in the New Order regime's nationalist discourse, the Chinese because of their "foreign"

28. Heryanto, "Race, Rape and Reporting," p. 302.
29. Saparinah Sadli, "Open Letter."

ethnicity and the urban poor because their poverty lingered in an Indonesia driven by developmentalism and modernity.

Much as Heryanto has argued with regard to the female victims, the images each of these groups produced had been anathema to Indonesia as visualized under the New Order. Yet, despite the end of that regime, after the May violence these social constructions based on masculinity, sanctity of the female body, and an Indonesian nationality continued to dominate understandings of both the victims and the perpetrators of the violence.

Locating the Victim

Statistics, semantics, and political wrangling have dominated discourse of this tragedy to date. These factors have subverted the identity of victims—particularly those who suffered sexual violence—and their stories, turning them into faceless statistics, declaring their experiences unverifiable, and leaving them virtually uncounted. In her study on the ways of resolving and remembering mass violence, Martha Minow highlights the potential that such horror might be perpetuated for its victims owing to "the destruction of the remembrance of individuals."[30] Such destruction took place in Indonesia that May. Heightening the powerlessness it produced in the victims of the violence was the fact that these individuals were ones on the fringes of the Indonesian nationalist story both then and now, e.g., women, ethnic Chinese, and urban poor, and as such had little chance of influencing this representation. This debate over who was "verifiably" a victim also created discomfort and disillusionment in Indonesian society with the truth-seeking process. Those who had looked upon the TGPF's fact-finding mission expecting that a demonstration of the nation Indonesia could become—one complete with respect for human rights, democracy, and justice—were left despairing at the report's inconclusive and open outcomes. On the other hand, elements in the government and military condemned the TGPF report for its attempts at raising consciousness and making recommendations. They took the position that the TGPF should have simply presented its open findings without offering any conclusive analysis. It became obvious that the team's "truth seeking" did not go far enough for some and went too far for others.

The TGPF did not hide the fact that there were multiple truths about the violence, particularly on the question of naming the victims. Indeed, it recognized that any attempt to force one interpretation or set of figures into the report would kill it altogether. Yet, in the end, the document represented a failed attempt to face history as a result of the debate over numbers and the subsequent dismissal of the report by many. Initially envisaged by *reformasi* supporters and victims of the violence as a medium through which justice

30. Martha Minow, *Between Vengeance and Forgiveness* (Boston: Beacon Press, 1998), p. 1.

could be accomplished by exposing the truth, the TGPF report revealed the reality of Judge Goldstone's statement about the impossibility of finding "tidy endings" after an event of mass violence. In the aftermath of massive violence it is impossible to name the victims and perpetrators in a satisfactory way. The TGPF report presented the Indonesian nation with the new concepts of "multiple truths" and "non-closure" with respect to accounts of history—and tragedy. Scholars and observers still grapple with elusive and opaque understandings of what took place and who its perpetrators were; perhaps it is in that search that answers about this violence will be found in the future.

Four years later, it is clear that Indonesia's elite no longer regard the May 1998 violence in Jakarta as an important national story, though it remains a blemish on the country's history and was politically significant at the time. The suffering the violence imposed on ethnic Chinese and the urban poor has not been recorded in the national consciousness, although for the victims of rape this perhaps holds only partially true. TGPF recommendations that laws discriminating against ethnic Chinese should be repealed have not been implemented, although in January 2000 President Wahid did issue a decree revoking an earlier presidential instruction that had banned the public celebration of Chinese traditional and religious festivals. As for the victims of violence and their families, they have received no support from the government. In addition, a draft law passed in the DPR in November 2000 establishing a Human Rights Court was made non-retroactive, therefore making prosecution of those responsible for the May 1998 violence almost impossible.[31] Furthermore, and indicative of what was at stake for some, sinister elements were at play behind the battle for numbers. Efforts by the human rights organization TRuK to show the faces of the victims behind the statistics, identify them more explicitly than the law allowed, and assist them in their recovery were met with threats and acts of violence. But how could these victims be considered a threat? The only answer can be that it was their narrative or memories that were seen to pose a threat to the preferred representation of this violence demanded by those in positions of power.

An Alternative "Truth": Giving Voice to the Victims

To tell the stories of individuals affected by the May 1998 violence is to produce a picture of events that is less deterministic or analytical than the one to be gleaned from journalistic or fact-finding reports. Like the multiple truths presented in the TGPF report, each individual victim's narrative about the violence is unique. Their memories are colored by trauma, ongoing fears, and the distance of time. Furthermore, retelling their narrative itself gener-

31. See "Will the DPR Dare to Challenge Impunity?" *Fakta HAM*, no. 22, November 2000.

ates a further process of remembrance and representation. However, until now the Indonesian state—the scene of many horrors including torture, mass rape, kidnappings, killings, and destruction of property—has averted remembering its crimes against humanity. If this nation is to progress toward a more peaceful future, these memories must be told and the victims given the opportunity to heal. As Karlina Leksono-Supelli has observed in her own work on the May violence, "To remember, to convey the truth about painful events is an important prerequisite in order to heal individual victims, and also to give restitution to the social order which was caused by these events to be in disarray."[32]

Once one considers even a few individual stories, it becomes even more clear that naming the victims—that is, counting and identifying them—is an extremely difficult and fundamentally political task. In fact, there are no limits on the number of Indonesians who were victims of the violence. A significant number of them may have been ethnic Chinese, but the violence was never designed to simply persecute a single minority group. Rather, the terror brought to the nation's capital during those days in May 1998 was intended to touch all its citizens.

While thorough analysis has been carried out on the "pattern of the violence"—the characteristics of those involved, and the damage inflicted—individual stories became redundant to public understanding of the violence.[33] In place of precise timing, descriptions, and auditing, a representation of the violence that is explanatory in a different way can be gained by listening to and giving voices to the victims. Through this process, a new series of complexities could emerge about how the victims see each other, their perpetrators, and their futures. It would reveal with certainty the truth that simplistic classifications of these victims by the TGPF, government, and the media fail to illustrate the diversity within the images of ethnicity and class evoked by stereotypes of ethnic Chinese and urban poor in Indonesian society. Furthermore, such a process would expose the lasting impact this terror has brought to the nation's people and the desperate need for healing to begin.

32. Karlina Leksono Supelli, "Pembelaan Perempuan Korban Kekerasan Negara" [Defense of female victims of state violence], paper presented at a conference held by Jaringan Mitra Perempuan, Jakarta, July 1998.

33. There were exceptions to this type of reporting. Stories and features appeared in some newspapers and magazines at the time that attempted to place the violence within the context of the victims' stories. For example, see Leila Ch. Budiman, "Trauma Perkosaan" [Rape trauma] *Kompas*, July 12, 1998, p. 4; and "Bara Sisa Kerusuhan Itu" [Leftover embers of the violence], *Forum Keadilan,* July 13, 1998, pp. 40–46.

Conclusion

The Final Report produced by the TGPF was itself a highly problematic representation of the predominantly Jakarta-based violence in May 1998. Yet, it must also be recognized as a definitive account of those events. In terms of Indonesian national history, the report was a unique document because its flaws revealed clearly the political fault lines existing within the team that created the report—and also the rifts within the broader society. The document was unlike other national histories created under the New Order about which no debate could take place. Furthermore, the report's representation of a violent event introduced the Indonesian public to the notion of multiple truths. There are also concrete legacies. For the first time, an official account of violence in Indonesia suggested that members of the Indonesian government and military may have engineered and perpetrated it. The report acknowledged the state-sponsored terrorism that had caused such pain and suffering for all Indonesians, especially ethnic Chinese, women, and the urban poor. It also boldly issued recommendations to the government and military about their conduct and how to deal with the perpetrators and victims.

The TGPF report about the May 1998 riots also serves as a great lesson for those in Indonesia working in the areas of truth seeking—i.e., activists and journalists as well as victims and survivors—and in the judicial and legal processes today. The process behind the report's creation and the document itself reveal the inevitable tensions in any search for the truth about past events and the desire for justice and the prosecution of those who may have done wrong. For the public, the report and its creation jointly offer a lesson in the difficult reality already learned in those places around the world where the truth about violent histories has been sought. It is the lesson that justice must often be sacrificed in order to learn the truth. The story of the TGPF exposes the highly complex political situation in Indonesia in the second part of 1998 against the backdrop of a *reformasi* movement with the perhaps naive belief that, with Suharto gone, democracy and human rights would prevail. As Indonesia faces its past and considers the many periods and incidents of violence that it contains, the country will need to ponder the inadequacies of and questions raised by the TGPF experience. How can one maintain respect for the victims in the process of writing a factual or scientific historical account? Is the process's purpose that of finding the perpetrators and bringing them to court? How can one create a truly neutral group to carry out the search for truth? And how does one balance truth seeking and justice?