

# Transitional Justice in Indonesia: The Persistent Challenge of Addressing the 1965-1966 Mass Killings

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## ABSTRACT

*This article explores why Indonesia has struggled to achieve meaningful transitional justice for the 1965-1966 mass killings despite ongoing democratic reforms and advocacy efforts. These events, which led to the deaths of an estimated 500,000 to one million alleged communists, remain unaddressed due to entrenched political and military power, societal resistance, and ineffective judicial mechanisms. Using a qualitative approach, this research examines survivor testimonies, official reports from institutions such as Komnas HAM, and scholarly literature to understand the underlying challenges, which led to findings that suggest international advocacy efforts, including the International People's Tribunal (IPT) and grassroots movements, have shed light on the issue of systemic obstacles that impeded progress. Further, this study highlights the potential benefits of hybrid courts, an independent truth commission, and comprehensive reparations programs by comparing Indonesia's situation with transitional justice efforts in South Africa and Cambodia. These reforms are crucial for addressing historical injustices, fostering national reconciliation, and promoting long-term accountability.*

**Keywords:** Transitional justice, 1965-1966 killings, Indonesia, Human rights, Impunity

Artikel ini membahas mengapa Indonesia kesulitan untuk mencapai keadilan transisional yang bermakna untuk pembunuhan massal tahun 1965-1966, meskipun telah melakukan reformasi demokrasi dan upaya advokasi yang berkelanjutan. Peristiwa yang mengakibatkan kematian sekitar 500.000 hingga satu juta orang yang dituduh komunis ini, masih belum terselesaikan karena kuatnya kekuasaan politik dan militer, resistensi masyarakat, dan mekanisme peradilan yang tidak efektif. Dengan pendekatan kualitatif, penelitian ini menganalisis kesaksian korban, laporan para penyintas, laporan resmi dari institusi Komnas HAM, dan literatur akademis untuk memahami tantangan mendasar yang ada, yang mengarah pada temuan bahwa upaya advokasi internasional, seperti International People's Tribunal (IPT), dan gerakan akar rumput, hanya menguak hambatan sistemis yang menghalangi kemajuan. Studi ini lebih lanjut menekankan potensi manfaat dari pengadilan hibrida, komisi kebenaran yang independen, dan program reparasi komprehensif dengan membandingkan situasi Indonesia dengan upaya keadilan transisional di Afrika Selatan dan Kamboja. Reformasi ini penting untuk mengatasi ketidakadilan sejarah, memupuk rekonsiliasi nasional, dan mendorong akuntabilitas jangka panjang.

**Kata-Kata Kunci:** Keadilan transisional, Pembunuhan 1965-1966, Indonesia, Hak asasi manusia, Impunitas

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According to the United Nations (2010), transitional justice encompasses a range of judicial and non-judicial measures that societies implement to address the consequences of widespread human rights violations during periods of political transition. These actions typically include legal prosecutions, truth commissions, compensation programs, institutional changes, and public dialogues designed to promote accountability, societal healing, and reconciliation. The framework aims to deliver justice for victims while also working to create systems that prevent future violations (United Nations 2010). While frameworks like prosecutions and truth commissions aim to provide accountability, their implementation remains complex, with tensions between global standards and local realities (Minow 1998; Teitel 2000). Boraine (2006) argues that transitional justice should be viewed as a comprehensive initiative for establishing democracy, rather than focusing solely on prosecuting offenders.

In situations where those responsible hold onto political or military power, efforts for transitional justice frequently encounter intentional hindrances or manipulation (Hazan 2004; Sriram 2004). Scholars point out that these environments lead to performative justice, where trials or truth commissions prioritize political gain rather than genuine accountability (McAuliffe 2013). Control by elites over institutions facilitates the crafting of narratives, reshaping transitional justice into a means for maintaining stability rather than addressing past wrongs (Subotic 2009). This situation promotes selective justice targeting minor offenders while protecting the powerful, creating an illusion of justice (Skaar et al. 2017).

Globally, transitional justice has gained significance since the late 20<sup>th</sup> century, driven by democratization efforts and the global promotion of human rights. Landmark examples, such as South Africa's Truth and Reconciliation Commission (Gibson 2005) and the prosecutions of military regimes in Argentina (Brysk 1994), illustrate how transitional justice mechanisms can uncover historical truths and promote accountability. However, scholars such as Arthur (2009) and Nagy (2008) have noted that implementing transitional justice remains troubled with conflicts between global standards and societal harmony. According to

Sriram (2004), these conflicts are particularly noticeable in regions where peacebuilding initiatives prioritize stability over justice, often postponing or weakening transitional justice measures. Teitel (2000) further emphasizes that transitional justice must navigate complex moral and practical dilemmas, striking a balance between the demands for accountability and the realities of post-conflict governance. Thus, while transitional justice has become a cornerstone of global human rights efforts, its application remains deeply contested, requiring careful adaptation to local contexts.

This conflict is more evident than in Indonesia, where the democratization movement known as “Reformasi” in 1998 did not succeed in dismantling the power structures entrenched by the military (Robinson 2018). The continued presence of elites from the Suharto era has established a system of authoritarian recycling, where the appearance of democracy hides ongoing impunity. For example, the killings that took place in 1965–66 remain unresolved due to state-sponsored mnemonicide (Zurbuchen 2005) and the pretense of judicial processes demonstrating the challenges in achieving effective transitional justice (Gready and Robins 2019).

Indonesia represents one of the most complex obstacles to transitional justice, especially regarding the mass executions of 1965–66. These atrocities, frequently regarded as one of the most forgotten genocides of the 20<sup>th</sup> century, resulted in the deaths of roughly 500,000 to one million people, who were alleged to have communist ties. State propaganda under Suharto’s New Order regime (1966–1998) framed violence as a vital protection against communism, entrenching a culture of impunity and silence (Cribb 2001; Robinson 2018).

Although Indonesia experienced a democratic transition after Suharto stepped down in 1998, attempts to address the following troubling period have stalled mainly due to entrenched military power, political obstruction, and societal denial (Heryanto 2006; Robinson 2018). Efforts, such as the National Human Rights Commission’s (Komnas HAM) 2012 report, which categorized the killings as crimes against humanity, along with President Joko Widodo’s 2023 recognition of historical violations, have not resulted in significant action. Elements such as established political and military agendas, societal denial, and fragile institutions have

hindered the pursuit of truth, accountability, and reparations (McGregor et al. 2018; Wahyuningroem 2019).

Therefore, this article seeks to answer the question: Why has Indonesia been unable to achieve meaningful transitional justice for the 1965-1966 mass killings despite decades of reform and advocacy efforts? The primary aim of this article is to analyze the barriers that have prevented Indonesia from achieving meaningful transitional justice for the 1965-1966 mass killings. The study aims to identify the systemic political, societal, and institutional factors that have hindered efforts to seek truth, promote accountability, effect institutional reform, achieve reconciliation, and secure reparations, employing transitional justice theory as an analytical lens.

## **Transitional Justice Theory**

### *Truth-Seeking and Historical Narratives*

Truth-seeking is considered a cornerstone of transitional justice, designed to reveal historical injustices and lay the foundation for reconciliation and accountability, enabling societies to confront past injustices and foster reconciliation (Hayner 2011). However, disputes over historical accounts complicate this objective. In Indonesia, Suharto's New Order regime institutionalized a one-dimensional narrative that framed the 1965- 1966 mass killings as a defensive action to justify the killings as an anti-communist necessity (Zurbuchen 2005). Zurbuchen (2005) notes that memory initiatives clash with deeply rooted state narratives, uncovering alternative truths. Indonesia's experience is similar to that of post-Franco Spain, where "pacts of forgetting" hindered the early development of public memory regarding the past (Aguilar 2002). International experiences demonstrate that successful truth-seeking initiatives depend on strong institutional backing and public support. For example, South Africa's Truth and Reconciliation Commission (TRC) encountered obstacles but ultimately managed to influence the national narrative through the establishment of strong legal frameworks and public hearings (Gibson 2005).

On the other hand, Indonesia does not possess a comparable institution; grassroots initiatives, such as the Year of Truth Campaign (2012-2013), have stepped in to address this gap. Although these grassroots movements are admirable, they confront significant challenges from societal opposition and political hesitation (Wahyuningroem 2019). Furthermore, scholars such as Minow (1998) and Teitel (2000) caution that the pursuit of truth is inherently political, involving selective memories, competing narratives, and struggles for power in the interpretation of history. In Indonesia, these factors have resulted in fragmented memories, insufficient recognition of victims' pain, and limited official accountability. As Arthur (2009) notes, for transitional justice to be effective, societies must address the "dissonance" between official narratives and unofficial accounts. Comparative experiences from Argentina and Chile further emphasize that effective truth commissions require a strong state commitment and, at times, international support, which are currently absent in Indonesia (Sikkink 2011). Without thorough institutional involvement, the pursuit of truth in Indonesia remains disjointed, disputed, and ultimately limited in its effectiveness.

In Indonesia, initiatives such as the Komnas HAM report (2012) have classified the 1965-1966 killings as crimes against humanity, yet government inaction has hindered progress (Komnas HAM 2012). Robinson's *The Killing Season* examines the dynamics of violence and the influence of Cold War geopolitics, highlighting how state-backed narratives have perpetuated impunity and silenced alternative perspectives (Robinson 2018). In the absence of state-led initiatives, grassroots movements such as the Year of Truth Campaign (2012-2013) have played a critical role in preserving the memory of the atrocities. Huyssen (2003) highlights how collective memory functions as a site of conflict, where prevailing narratives overshadow alternative memories, thus making grassroots movements essential for challenging this dominance in remembrance.

Brito et al. (2001) argue that the pursuit of truth is frequently hindered by political negotiations during democratic transitions, resulting in a restricted environment for acknowledging state crimes. Survivor testimonies and oral history projects have

challenged the state-sponsored narrative that justifies the killings as necessary measures against communism, providing a platform for victims to share their stories and raising public awareness (Pohlman 2013). Nevertheless, these initiatives encounter considerable opposition because of the prevailing state narratives, which persist in depicting the murders as a legitimate reaction to communism during the instability (Cribb 2001). Additionally, survivors and their families still face stigma and discrimination, which further silences discussions about the atrocities and perpetuates a culture of denial (Wahyuningroem 2019).

### *Accountability and Judicial Mechanisms*

Accountability remains one of Indonesia's most contentious elements of transitional justice. Even with the creation of special human rights courts under Law No. 26/2000, there have been no notable prosecutions for the atrocities of 1965-66 (ICTJ and KontraS 2011). Scholars, such as Melvin (2018), argue that the military's deep-rooted power and political meddling are significant obstacles to accountability (Melvin 2018).

Global advocacy, such as the International People's Tribunal (IPT) held in The Hague in 2015, has granted moral authority to victims' demands. Although the IPT's results were not legally binding, they highlighted the Indonesian government's inability to address its historical transgressions and urged it to take measures (IPT of 1965 2015). Comparative examples, such as the Khmer Rouge trials in Cambodia, illustrate the promise of hybrid approaches that merge international and local initiatives to tackle impunity (Hayner 2011; Linton 2004). Clark (2010) demonstrates that Rwanda's Gacaca courts, although imperfect, contributed to promoting community involvement and justice from the ground up—something that is absent in Indonesia's centralized and ineffective accountability methods. Nonetheless, as Freeman (2006) warns, assessing even apparently effective truth commissions for procedural fairness is essential to prevent further marginalization of victims and strengthen their confidence in the justice system.

### *Societal Denial, Stigma, and Memory Politics*

Cribb (2001) notes that propaganda during Suharto's regime

framed survivors as threats, perpetuating societal silence and societal denial. Furthermore, Wahyuningroem (2019) emphasizes the intersection of stigma and institutional resistance, noting that survivors face systemic discrimination.

While existing frameworks, ranging from performative justice (McAuliffe 2013) to resisting transitional justice (Gready and Robins 2019), shed light on elite obstruction on a global scale, three significant gaps emerge when applying these theories to the Indonesian context. First, existing literature inadequately explores how the military-civilian power-sharing structure (e.g., the Indonesian National Military (TNI)'s dual function doctrine) preserves impunity through legalized illiberalism (Robinson 2018). Second, the contribution of Islamist factions to memory politics, particularly their collaboration with military leaders to silence communist narratives (McGregor et al., 2018), remains insufficiently examined. Third, the judiciary's contradictory role as both a victim (e.g., eliminated judges during 1965) and a perpetrator (e.g., contemporary courts that violate rights) introduces tensions that standard transitional justice frameworks fail to address. These gaps highlight the necessity for theories tailored to specific contexts, which this article seeks to develop through its exploration of judicial theater and mnemonicicide.

The following sections empirically examine these gaps through Indonesia's handling of the 1965–1966 mass killings, employing a qualitative case study approach that investigates why meaningful transitional justice remains elusive despite decades of reform. This study focuses on Indonesia's transitional justice trajectory from 1998 to 2024, analyzing how shifting political landscapes, entrenched power structures, and evolving societal narratives have influenced truth-seeking, accountability, and reconciliation efforts.

### **Methodological Approach**

This article employs a qualitative research approach to investigate why Indonesia has failed to achieve meaningful transitional justice for the 1965-1966 mass killings despite decades of democratic



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reforms and advocacy efforts. A qualitative method is particularly suited for this inquiry as it allows for an in-depth examination of complex historical, political, and social phenomena that cannot be reduced to numerical data (Hayner 2011). By focusing on the lived experiences of victims, the dynamics of power structures, and the interplay between state and societal actors, this approach provides critical insights into the systemic barriers to justice.

The research adopts a case study design, centering on Indonesia's transitional justice processes from the fall of Suharto's New Order regime in 1998 to the present day. This longitudinal scope enables an analysis of the opportunities for and obstacles to accountability across different political administrations. Data is drawn from diverse secondary and institutional sources to ensure comprehensive and triangulated findings. These include documented survivor testimonies collected by civil society organizations, the 2012 investigative report by the National Human Rights Commission (Komnas HAM), and transcripts from the International People's Tribunal on the 1965 events (IPT 1965). While these sources may not be classified as strictly primary, they are nevertheless vital for understanding how the events of 1965–1966 have been framed and described in modern discussions. Secondary sources encompass academic literature on transitional justice and Indonesian politics, as well as reports from international human rights organizations, such as Amnesty International and the International Center for Transitional Justice (ICTJ).

Thematic analysis serves as the primary analytical tool, following the systematic approach outlined by Braun and Clarke (2006). The process begins with data familiarization, involving repeated engagement with survivor narratives, official records, and scholarly works to identify recurring patterns. Initial coding then categorizes key concepts such as “military impunity,” “political obstruction,” and “societal stigma.” These codes are subsequently organized into broader themes that align with the core pillars of transitional justice: truth-seeking, judicial accountability, reparations, institutional reform, and reconciliation. For instance, “fragmented truth-seeking” emerges from evidence of state resistance to historical clarification, while “judicial theater” captures the performative nature of Indonesia's human rights courts.



Multiple verification strategies enhance the study's validity. Triangulation cross-checks findings across different data sources, while reflexivity acknowledges the researcher's positionality in interpreting contested narratives. Comparative analysis of transitional justice experiences in South Africa and Cambodia provides additional contextual depth, highlighting instructive parallels and crucial divergences. The research timeframe, spanning from 1998 to 2024, captures critical junctures, including the establishment of Indonesia's human rights court system, Komnas HAM's groundbreaking investigations, and recent presidential acknowledgments that have yet to translate into concrete action.

This methodological approach offers several advantages. First, prioritizing survivor testimonies challenges the state's dominant narrative and centers on historically marginalized voices. Second, the multi-sourced analysis reveals how political, military, and societal forces intersect to sustain impunity. Finally, the comparative perspective identifies potential policy interventions, such as hybrid judicial mechanisms or a genuinely independent truth commission. However, the study acknowledges several limitations, including potential gaps in archival access and the psychological barriers that survivors may face in recounting their traumatic experiences.

By combining severe qualitative analysis with transitional justice theory, this research provides a nuanced understanding of Indonesia's accountability stagnation. It sheds light on the persistent power structures that block justice and contributes to broader debates about addressing mass atrocities in contexts where perpetrators remain influential. The methodology's emphasis on contextual specificity and victim-centered analysis ensures that findings are academically robust and relevant to ongoing advocacy efforts.

### **Truth-Seeking: Fragmented and Politically Constrained**

Truth-seeking is fundamental to transitional justice, aiming to create a detailed historical account and recognize the pain

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experienced by victims. Nonetheless, attempts to reveal the truth regarding the mass killings of 1965-66 in Indonesia have faced opposition, both institutionally and socially. The Komnas HAM Report (2012) represents the Indonesian government's most significant effort to examine these events, categorizing the killings as gross human rights violations and implicating state and military actors in orchestrating the violence.

Despite these findings, the report has not led to significant government action because of deep-rooted political opposition and the enduring influence of military elites (ICTJ and KontraS 2011; Komnas HAM 2012). These developments illustrate what scholars like Clark (2010) describe as "judicial theater," where legal proceedings are utilized more for their political show than actual accountability. In Indonesia, the lack of subsequent actions following Komnas HAM's designation of the killings as crimes against humanity underscores this trend; justice is simulated through investigations or apologies, yet genuine repercussions for the offenders remain unattainable. McAuliffe (2013) also cautions that in such environments, legal frameworks become instruments for legitimizing regimes rather than serving truth or justice.

In the absence of state-led initiatives, grassroots initiatives (such as the Year of Truth Campaign during 2012-2013) have played a critical role in preserving the memory of the atrocities. Survivor testimonies and oral history initiatives have emerged as essential means of safeguarding the memory of the atrocities, challenging state narratives that depict the murders as necessary measures against communism, providing a platform for victims to share their stories, and raising public awareness.

However, these efforts face systemic opposition from political leaders and the military, who continue to promote a narrative that downplays the scale of the violence, framing it as a justified response to maintain national unity during a period of instability (Cribb 2001). Additionally, survivors and their families still face stigma and discrimination, which further suppresses discussion about the atrocities and perpetuates a culture of denial (Wahyuningroem 2019). Assmann (2012) argues that this denial is not just a political issue but is fundamentally cultural, stemming from the conflict between personal trauma and the formation of collective identity.

### **Accountability: Evidence of Legal Mechanisms and Their Effectiveness**

Although the 1965 mass murders in Indonesia were horrific in scale, legal measures to address these atrocities have been chiefly lacking or ineffective. Although temporary human rights tribunals were created to tackle offenses like the violence in East Timor, corresponding initiatives for the 1965 killings did not come to fruition; no high-ranking officials have been prosecuted, illustrating what Heryanto (2006) terms “institutionalized terror.” Low-level convictions are exceptions that prove the rule (ICTJ and KontraS 2011). The inability of the legal system to hold offenders accountable arises from fragile institutional structures, and deep-rooted political interference has hindered efforts to prosecute those responsible (ICTJ and KontraS 2011; Melvin 2018). The 2012 Komnas HAM report classified the killings as severe human rights abuses and suggested legal and institutional measures, such as a truth and reconciliation commission. Nonetheless, these suggestions have not been enacted, indicating a shortage of political determination (Komnas HAM 2012).

Although there have been occasional prosecutions, like the 2009 conviction of a local militia leader, these initiatives focused on low-level individuals, failing to address the systemic nature of the crimes. High-ranking military officials implicated in the atrocities have largely evaded accountability, perpetuating a culture of impunity. For example, Prabowo Subianto, who faces allegations of human rights abuses, still wields considerable political power and has sought the presidency of Indonesia. The decision not to prosecute these individuals shows the state’s hesitance to face its violent history (Robinson 2018; Wahyuningroem 2019).

Conversely, successful prosecutions are infrequent and restricted in scope. The 2009 conviction of Edi Sucipto, a local militia leader, stands as a notable exception; however, his lenient sentence highlighted systemic failures in the judiciary. These isolated cases do little to challenge the broader culture of impunity, where influential individuals remain shielded from justice. This trend corresponds with the concept referred to by scholars as ‘judicial theater,’ a performative approach to prosecutions that creates an illusion of accountability while shielding systemic offenders (Heryanto 2005).

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Despite its moral importance, the International People's Tribunal (IPT) 1965 could not enforce its decisions, illustrating a broader trend where international advocacy does not effectively lead to domestic justice (IPT of 1965 2015). As Freeman (2006) highlights that even well-structured tribunals can marginalize victims if they prioritize political practicality over procedural fairness. Indonesia's judiciary, compromised by military influence and politically motivated appointments, is unable to provide significant accountability without structural reforms similar to Cambodia's hybrid tribunals, which combined international and local legal systems to prosecute senior Khmer Rouge officials (Linton 2004; Mietzner 2008). The military's widespread impact prevents legal action. Subsequent administrations have emphasized sustaining military allegiance rather than seeking justice. Courts lack the independence and specialized knowledge to manage complex human rights cases effectively. Numerous judges can be influenced by political pressure. Survivors and the families of victims frequently encounter marginalization. The state narrative portrays the killings as essential, undermining public backing for accountability (Mietzner 2008; Sikkink 2011).

Snyder and Vinjamuri (2004) argue that international trials often face a trade-off between ideal justice and political pragmatism, which can weaken their legitimacy and effectiveness if not adapted to local contexts. Survivors of the 1965 massacres continue to experience persistent trauma and exclusion. Numerous individuals endure psychological scars and financial struggles without receiving help. The refusal to recognize their pain intensifies their feeling of unfairness. Survivors often portray their experiences as a "living nightmare" (Amnesty International 2016). This lack of acknowledgment maintains social silence and strengthens the marginalization of survivors and their families.

The reports from the Komnas HAM (2012) and the International People's Tribunal (IPT) of 1965 have played a crucial role in documenting the extent of the atrocities and suggesting pathways to justice. Both reports concluded that the killings constituted crimes against humanity and implicated the Indonesian military in orchestrating widespread violence. Nevertheless, these reports have mostly been overlooked at home, highlighting the ongoing nature of impunity (IPT of 1965 2015; Komnas HAM 2012).

### **Reparations: Symbolic vs. Substantive Justice**

The issue of reparations is still a critical yet insufficiently addressed element of Indonesia's transitional justice system, especially regarding the 1965-66 anti-communist killings. While there have been some symbolic gestures, such as President Joko Widodo's recognition of historical injustices, significant reparations schemes catering to the needs of survivors are still not in place (Amnesty International 2023). This section examines the outcomes of Indonesia's reparations initiatives and assesses the inherent challenges and opportunities for improvement.

Reparations efforts in Indonesia have been largely symbolic, with minimal impact on the material or psychological well-being of survivors. Although President Widodo's recognition of human rights abuses in January 2023 marked a significant moment in public conversation, it fell short of delivering tangible reparations frameworks or institutional assurances of justice (Amnesty International 2023). Survivors still indicate unmet requirements, such as financial restitution, access to healthcare, and educational assistance for their families (ICTJ and KontraS 2011). The unmet needs highlighted here starkly contrast with the reparation initiatives in Chile, where those affected by Pinochet received pensions, educational support, and public memorials (Hayner 2011).

According to Laplante (2013), reparations must incorporate socioeconomic justice to help communities heal, a principle that has yet to be implemented in Indonesia. Grassroots efforts and organizations led by survivors have sought to bridge this gap. For example, the Coalition for Justice and Truth (KKPK) and the Year of Truth initiative (2012-2013) have created opportunities for survivors to express their stories and promote reparative justice (Pohlman 2013). However, these efforts are constrained by limited resources and scope, making it challenging to address the widespread harm caused by the massacres (Hayner 2011), which continues what Amnesty International (2016) describes as a 'living nightmare' of unresolved trauma. Many also call for the reinstatement of civil rights and the cessation of systemic discrimination (Pohlman 2013). Laplante (2013) supports the idea of reparations frameworks that extend beyond monetary

payments, integrating social and economic justice to genuinely change survivors' lives.

Comparative examples from other countries underscore the limitations of Indonesia's approach. In Chile, victims of Pinochet's regime received extensive reparations, including monetary compensation, medical services, and educational support. Similarly, victims of the Dirty War in Argentina were provided with scholarships and pensions as part of reparations programs (Hayner 2011). These instances demonstrate how reparations can address personal and communal injuries, ensuring that victims receive the proper recognition and support they deserve.

### **Institutional Reform: Incomplete and Stalled**

Following the Suharto reforms, such as the 1999 separation of military and police roles, limited success has been achieved (Mietzner 2008). Despite these efforts, the military's continued influence in politics and governance undermines efforts to promote accountability and democratic scrutiny. The ongoing relevance of the *dwifungsi* (the dual-function doctrine) enables former military leaders to exert control over local governance, particularly in conflict-affected areas such as Papua (Robinson 2018). In contrast to South Africa, where the vetting of the security sector barred those involved in apartheid-era abuses (Gibson 2005).

Indonesia's ineffective reforms allow offenders to remain in positions of power. Subotic (2009) cautions that merely superficial changes to institutions can validate impunity, as demonstrated by the 'reformed' war crimes tribunals in Serbia. The 2012 report from Komnas HAM, which accused the military of crimes against humanity, was overlooked by the Attorney General's Office. Thoms et al. (2010) link this to the weak establishment of transitional justice principles. The ongoing military influence and inherent flaws in judicial systems emphasize the difficulties of eliminating the remnants of authoritarian rule (ICTJ and KontraS 2011; Mietzner 2008).

A significant change in post-Suharto Indonesia was the official division of military and police roles established by the 1999 Law on the Indonesian National Police (Polri), which aimed to transfer internal security duties to civilian agencies. Although it lessened the military's direct role in law enforcement, military interference in civilian affairs continues to be common. Studies have noted that military officials influence local governance significantly, especially in areas experiencing separatist tensions like Papua and Aceh (Cribb 2001; Mietzner 2008).

Additionally, the absence of a vetting process for those involved in human rights violations has enabled numerous ex-military officials to shift into political positions. This lack of accountability fosters a culture of impunity, weakening public confidence in democratic institutions (Melvin 2018; Wahyuningroem 2019). Subotic (2009) illustrates how political leaders can manipulate justice systems to promote nationalist agendas, often offering only superficial reforms while opposing more profound structural changes.

The establishment of the National Human Rights Court in 2000 and the active investigations conducted by Komnas HAM represent necessary steps toward addressing past atrocities. However, these initiatives have largely failed to hold those responsible for the 1965 mass killings accountable. The Attorney General's Office has regularly refused to respond to Komnas HAM's findings, pointing to procedural flaws and inadequate evidence, thus deepening impunity in the judicial system (ICTJ and KontraS 2011; Komnas HAM 2012). Thoms et al. (2010) highlighted that the success of transitional justice relies on the country's political will and the strength of its institutions, both of which are still lacking during Indonesia's reform period. Efforts to reform the governance structure have encountered considerable pushback from established military and political leaders. The legacy of *dwifungsi*, which legitimized military involvement in political and economic affairs, continues to hinder progress toward accountability and democratic oversight (Mietzner 2008; Robinson 2018).



### **Memory and Reconciliation Regarding the Indonesian Massacres of 1965-66**

The 1965-1966 massacres in Indonesia remain a crucial chapter in the nation's history, leaving behind a legacy of unaddressed violence and entrenched social divides. Memory and reconciliation efforts have faced significant challenges due to conflicting narratives and societal resistance. While memory and reconciliation are essential elements of transitional justice, these initiatives have been hindered by state-sponsored narratives, grassroots truth-telling efforts, and opposition from powerful institutions (Wahyuningroem 2019).

Under Suharto's New Order regime (1966–1998), the state propagated an official narrative that framed the 1965-1966 killings as a legitimate response to communism, necessary for maintaining national unity. This narrative, reinforced through textbooks and public discourse, marginalized victims and justified the violence, effectively silencing alternative perspectives and perpetuating a culture of denial (Cribb 2001; Robinson 2018). Scholars have long noted that collective memory serves as a contested space for political authority rather than an impartial remembrance. This mechanism functions through Assmann's (2012) two-part framework: initially as 'communicative memory', a dynamic, socially negotiated recollection influenced by prevailing narratives before solidifying into institutionalized 'cultural memory' that reinforces dominant historical accounts (Zelizer 2000). This dynamic reflects a broader struggle over historical legitimacy and justice, where bottom-up efforts seek to reconstruct truth without formal acknowledgment.

Indonesia serves as a prime example of this progression. The official government-sanctioned narrative defends the 1965-66 massacres as necessary to counter communism. On the other hand, the gradual erasure of victims' perspectives suggests that a selective approach to historical memory is also evident in Indonesia's reluctance to engage in post-1966 truth-telling – similar to what happened in post-Franco Spain (Aguilar 2002). By omitting the voices of survivors and downplaying the atrocities, the state narrative has obstructed efforts toward accountability and reconciliation (Komnas HAM 2012).

In contrast, grassroots initiatives have played a crucial role in challenging the state's narrative and restoring historical truth. Campaigns such as the Year of Truth (2012–2013) have sought to collect survivor testimonies, offering a counter-narrative to the state's portrayal of events (Pohlman 2013). Additionally, cultural works such as Joshua Oppenheimer's documentaries in *The Act of Killing* and *The Look of Silence* have amplified the voices of survivors on a global scale, contesting the state-supported narrative and shedding light on the human cost of the massacres (Oppenheimer 2014). These efforts have been instrumental in fostering public awareness and challenging the culture of impunity that has persisted for decades (Wahyuningroem 2019).

## **Conclusion**

Indonesia's failure to achieve transitional justice for the 1965–1966 mass killings highlights the massive challenges of confronting historical atrocities amid entrenched impunity, political obstruction, and societal denial. Despite democratic reforms following Suharto's fall, efforts to secure accountability, truth, and reparations have been repeatedly undermined by military influence, a weak judiciary, and state-sanctioned historical distortions. Grassroots activism and international advocacy have successfully raised global awareness, yet their impact remains limited without sustained government commitment and institutional reforms. Comparative models, such as Cambodia's Khmer Rouge trials and South Africa's Truth and Reconciliation Commission, demonstrate the necessity of integrating civil society efforts with formal justice mechanisms. For Indonesia to move forward, it must prioritize three key measures: (1) establishing an independent truth-seeking process to document violations; (2) enacting institutional reforms to curb military interference in governance; and (3) implementing comprehensive reparations for survivors. Public education and cultural initiatives are equally critical in dismantling decades of denial and fostering societal reconciliation. Only through genuine political will, structural overhauls, and victim-centered approaches can Indonesia meaningfully confront its past, laying the groundwork for justice, collective healing, and a more inclusive democracy.

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