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BOOK REVIEW THE ARMY AND THE INDONESIAN GENOCIDE: MECHANICS OF MASS MURDER

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INDONESIAN TIMBER LEGALITY ASSURANCE SYSTEM (SVLK): IN PURSUIT OF SUSTAINABILITY IN FOREST GOVERNANCE

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Abstract

This paper investigates the Indonesian Timber Legality Assurance (Sistem Verifikasi Legalitas Kayu, SVLK) and its nature to produce legal wood under the European Union-Forest Law Enforcement Governance and Trade (EU-FLEGT) system. It is intended to ensure the exporting states control over legality of wood under new forest governance and its enforcement in EU market. Using a critical legal analysis, this paper argued that the SVLK could present legality in a formalistic way, but it could not guarantee the substantial meaning of benefit for sustainability, participatory and community. Therefore this paper contributes to provide a better understanding of the application of SVLK in Indonesia, along with reflecting some recommendations, as developing SVLK for domestic market, and replicating it into other exporting natural resources products. The comprehensive approaches for enforcing SVLK can lead to accelerate sustainability in more practical and grounded sense, to improve forest governance and welfare for local people therein.

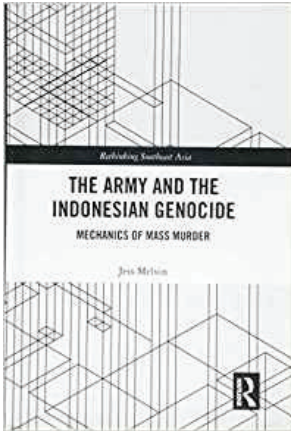
Keywords: FLEGT, SVLK, Legality, Sustainability, Indonesia

Abstrak

Makalah ini menganalisa tentang Sistem Verifikasi Legalitas Kayu Indonesia (SVLK) dan sifat sifatnya dalam memproduksi kayu yang sah sesuai hukum dalam sistem Uni Eropa tentang Penegakan Tata Kelola Hutan dan Perdagangan (EU-FLEGT). Sistem ini dibuat untuk memastian kontrol negara-negara ekportir tentang legalitas kayu dalam tata kelola kehutanan dan penagakannya di pasar Uni Eropa. Dengan pendekatan kajian hukum kritis, makalah ini berpendapat bahwa SVLK hanya dapat memastikan legalitas kayu yang di expor secara formal, tapi belum tentu dapat memastikan subtasi dari azas kelestarian, partisipasi dan keuntungan bagi masyarakat. Karena itu makalah ini berkontribusi untuk memberikan pemahaman lebih baik tentang penerapan SVLK di Indonesia serta beberapa rekomendasi seperti mengembangkan SVLK untuk pasar domestik, dan menerapkannya untuk produk produk sumber daya alam yang lain. Pendekatan secara komprehensif dalam penegakan SVLK akan meningkatkan potensi kelestarian secara lebih praktis dan membumi, dalam rangka untuk memperbaiki tata kelola hutan demi untuk kesejahteraan masyarakat. =

Kata Kunci: FLEGT, SVLK, Legalitas, Kelestarian, Indonesia

THE ARMY AND THE INDONESIAN GENOCIDE: MECHANICS OF MASS MURDER



The Army and the Indonesian Genocide: Mechanics of Mass Murder, Jess Melvin (2018) Abingdon and New York: Routledge, 322 pages, ISBN 9781138574694.

Patricia Rinwigati Waagstein

The Army and Indonesian Genocide : Mechanics of Mass Murder is an extraordinarily detailed exploration by author Jess Melvin who aims to defy the common understanding of the 1965 'anti-communist' purge which highlights the Indonesian army's part in the arranging the related violence in Aceh, resulting as one of the first locations revolving around a series of widespread massacres in Indonesia. The book presents

a unique narrative that ventures into the dismay found within the the history of the 1965 anti-communist movement in Aceh. Although other source materials mostly focus on the history of the 1965 anti-communist killings around more popular areas such as Java and Bali, this book in particular represents a limited number of research regarding the purge outside the confines of Java. This book thus answers many speculations about the roles and motivations of the Indonesian army and the role they played in coordinating such operations.

For several decades, the 1965 massacre is often defined as the army's reaction in the suppression of rebellion, with attempts made to deny the fact that organized mass murder was not conducted by the army. This serves to dispel perpetual false beliefs, blurring the fact that the killing of a million unarmed civilians is a nation-wide campaign implemented by the Indonesian army. Melvin, on the other hand, was successful in contextualizing 3000 pages of secret documents as well as conducted interviews with 70 survivors, eyewitnesses, and perpetrators, thus weaving an understandable narrative and to connect links between the stories of mass murder in Aceh with the understanding of genocide in the 1948 Genocide convention.

This book tries to challenge and alter the common assumption that the killings nation-wide in Indonesia was merely a strategic reaction to spontaneous insurgency by using the army's own personnel to record such events. Melvin wrote the book by building the reasoning of the 1965 purge and relating to the category of genocide. She articulated compared the idea of genocide that occurred in Aceh with the concept of genocide posed by Raphael Lemkin, the Polish-Jewish lawyer who penned the book titled '*Nazi Imperialism, Axis Rule in Occupied Europe*'. In it he wrote the genocide is

a concept that has a very specific origin, literally derived from the Latin word *genos* (people) and the Latin suffix *sidae* (murderer), making it understood as the idea of being the 'murderer of people'. This terminology later served as a foundation in the creation of a framework for genocide cases, such as what had happened in Indonesia.

In this instance, her approach is ground breaking but not without controversy. She concluded that genocide is a moving concept, which allowed extensive interpretation of the elements of crimes, particularly on the part being 'in whole, or in part, a national, ethnical, racial or religious groups' by fostering inclusion to groups that have a political nature. In cohesion with the 1965 purge, the orders that resulted in mass killings are based on political conviction rather than ethnical, racial, or religious sentiments. The discussion concerning the protection of religious groups has already begun since the 1948 Genocide Convention. The inclusion of political groups into the national level may broaden the meaning of genocide, which in retrospect, was intended to be narrow and specific. Political groups have been perceived to be different from ethnical, racial and religious groups. The latter was thus perceived as a stable group where, in reverse, political groups are not. They are unstable and lack of a clear cut parameter since memberships in political groups is not an inherent birth right but a choice. This means that political sympathies, interpretations and alliances change easily. This is far different from a national, ethnical, racial or even religious group where one is born into such categories might have it an impossible or a difficult notion to change. Covering members of political party—the communist party in this instance—into the targeted group of genocide will not only create confusion on the nature of genocide but will also obstruct the intentions found within such definitions. Finally, the political groups were excluded from the 1948 Genocide Convention as well as the Rome Statute on the Establishment of the International Criminal Court.

In terms of Indonesia's context, it is hard to conclude whether the killing of communist party members in Aceh is regarded as genocide as the basic targeted groups range from members to supporters of the party. The situation is more complex and although it is true that communism does have atheist tendencies, and such notions were indeed used to justify the killings, it is hard to generalize that all killings were due specifically to these principles. Instead, the notion that was brought toward crimes against humanity may be more in line because of its systematic and widespread nature. Moreover, the classification of whether what occurred during Aceh's 1965 events is viewed as a genocide of crimes against humanity and does not change the fact that massive killings were a result of an order from the Indonesian military in Aceh. In fact under the Indonesian Law on Gross Violation of Human Rights, the punishment for both genocide as well as crimes against humanity remain the same, namely capital punishment. In this case, the writer can also highlight the value added of classifying the 1965 purge in Aceh and its relation to genocide.

Furthermore, Melvin eloquently identified four phases within the genocide in Aceh comprising of an initiation phase, a phase of public violence, a phase of systematic mass killings and a consolidation phase. She managed to capture the complex situation of massacres from the planning until the end as well as the changing political situation in Jakarta, its surroundings and Aceh. It has shown that in the fact, the killing

that later involved the participation of civil society was based on the initiation of the military. In other words, what occurred in Aceh in 1965 was considered official policy that mobilized the movement in the village, sub-district, provincial, and national level. This certainly brings room to the opportunity to question accountability.

Overall, *The Army and Indonesian Genocide : Mechanics of Mass Murder* is a breakthrough among books discussing and analyzing the Indonesian anti-communist purge in 1965. This book in particular will be very useful for South East Asian scholars, historians, legal and human rights experts that will help unravel one of Indonesia's biggest riddles that centered around widespread mass murder. Finally, this book helps bring a new perspective for a wider audience about the mistruths believed about the 1965 anti-communist movement that sparks political, social and cultural debate until today in Indonesia

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