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# RSIS COMMENTARIES

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## Dealing with the Legacy of Dictatorship: Indonesia and Philippines

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### Synopsis

*Indonesia and the Philippines recently observed anniversaries of two crucial events, which involved massive human rights violations and led to the establishment of authoritarian regimes in both countries. However, justice for the victims of mass atrocities remains elusive.*

### Commentary

INDONESIA AND THE PHILIPPINES, the biggest democracies in Southeast Asia, recently commemorated two important events in their respective political histories: first, the 47th anniversary of Pancasila Sanctity in Indonesia on 1 October, and second the 40th anniversary of the declaration of martial law in the Philippines on 21 September.

Pancasila Sanctity was declared by the late Indonesian strongman Suharto to mark the failed coup by the Indonesian Communist Party (PKI) on 30 September 1965 while martial law was proclaimed by Philippine President Ferdinand Marcos to give the legal foundation of his authoritarian rule in 1972. Both events became the starting points respectively of Suharto's New Order (1966-1998) and Marcos' New Society (1972-1986). Crucial to the commemoration was the issue of how to give justice to the victims of the abuses of the two regimes.

### Communism as the pretext

Both Suharto and Marcos used the spectre of communism as a justification to establish their authoritarian rule. In the aftermath of the failed coup in Jakarta, General Suharto led the military operation to eliminate the communists across Indonesia. Indonesia's National Commission on Human Rights declared last July that the widespread and systematic massacre of suspected communists beginning in 1965 was a gross human rights violation; at least 32,000 people were missing in that tragedy.

Furthermore, the families of suspected PKI members were discriminated against during the Suharto era. Throughout the New Order, Suharto constantly indoctrinated Indonesians against the latent threat of a communist resurgence.

In the Philippines, the unabated spread of the communist insurgency was cited by Marcos as the main reason for declaring martial law on 21 September 1972. But the communist threat was grossly exaggerated as by the

time martial law was declared, the strength of the communist party stood at only 1,300 members. Ironically, the Marcos dictatorship appeared to be the single most important catalyst for recruitment to the communist movement as its forces grew to roughly 25,000 by 1986 when Marcos was toppled by a people power revolution.

Throughout the 14-year Marcos dictatorship, there were 70,000 incarcerations, 35,000 torture incidents and 3,257 murders, including the assassination of Ninoy Aquino - the father of the current president Benigno Aquino III.

### **Moving forward or backward?**

During the commemoration, the call by the Marcos family for the country to move on was seen as an insult to the victims of martial law atrocities. It would be extremely hard for them to move on while the Marcoses are steadily regaining power with Marcos' son Ferdinand Jr. in the Senate and the former first lady Imelda in the House of Representatives. The Marcoses and Senate President Juan Ponce-Enrile, the architect and implementer of martial law, have refused to publicly apologise for and even downplayed human rights abuses during the martial law era.

The victims would find it impossible to move forward if they are still awaiting the compensation to be derived from the sequestered assets of the Marcos family and cronies. Although the Philippines' Supreme Court had already ordered in 2003 more than US\$658 million of Marcos' assets to be returned to the country, there has been little progress in implementing this decision. And none has been imprisoned for the alleged atrocities during martial law.

Despite these shortcomings, President Aquino, whose family suffered oppression during the period, is determined to institutionalise the mandatory teaching of the lessons of martial law in all schools in order to counter the revisionism concerning the Marcos regime. According to him, this is to ensure that authoritarianism will never arise again in the Philippines.

In Indonesia, however, sons and daughters of both the slain generals in the failed coup and the alleged communists, have already reconciled with their past. For example, descendants of the generals together with the son of the former Chairman of PKI, DN Aidit, paid a visit to the graves of the generals. They agreed that both parties were victims of the tragedy. They also established the Forum for the Ties of the Nation's Children (FSAB) which was tasked to promote prevention of violent conflicts. It consists of not only those who were victims of the 1965 anti-communist purge but also the relatives of victims of other violent conflicts before and after Suharto assumed power.

Nevertheless, dealing with the past is also political. There is still a fierce debate on whether the state and alleged perpetrators should apologise for the atrocities, and whether they should be brought to trial. Families of the massacre victims and rights activists have demanded that President Yudhoyono's government to probe human rights violations and issue a public apology. The government and the military (TNI), however, are still refusing to apologise for the atrocities, arguing that the action was aimed to protect the country from communism. So does the Nahdlatul Ulama (NU), the largest Muslim organisation in Indonesia, which was also allegedly involved in the killings.

Indeed, both countries have to effectively address the demand of victims of past atrocities for a public apology. Legal accountability and compensation to the victims are also essential to rectify the errors of the dark history of authoritarianism in the two countries. It is only through these means that the two democracies would grow stronger and more mature.

But more importantly, the recognition of human rights violations of the Suharto and Marcos regimes is the first step to deliver justice to their victims on the road to national reconciliation. It is the truth that should be established ultimately.

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