

Commentary

The Silence that Screams: Enforced Disappearances and the Unfinished Reform Agenda

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Over twenty years after Indonesia's shift to a democratic system, the nation continues to grapple with the unresolved issue of forced disappearances that occurred during the political turmoil of 1997–1998 ([Asia Human Rights Commission, n.d.](#))—an enduring instance of historical injustice. These disappearances, involving 13 pro-democracy activists who went missing amid the 1998 demonstrations, are formally categorized as "enforced disappearances" by international entities such as the United Nations, Amnesty International, and Human Rights Watch, and defined under the International Convention for the Protection of All Persons from Enforced Disappearance (ICPED). Despite the country's democratic transition, which came at the cost of hundreds of lives, these grave violations have gone unaddressed by the state ([Hamadeh et al., 2021](#)). While progress has been made in areas like governance and institutional reform, efforts to deliver justice and uphold accountability remain inadequate. This article examines how Indonesia's failure to confront its past human rights abuses—particularly the issue of enforced disappearances—undermines its commitment to achieving Sustainable Development Goal (SDG) 16: Peace, Justice, and Strong Institutions. Through the lens of historical injustice and the politics of memory, I argue that the state's continued silence is not merely passive but represents a conscious decision to avoid action, thereby maintaining a cycle of impunity. In contrast, grassroots efforts such as the Kamisan protest illustrate how memory-based activism can persistently challenge state inaction and keep demands for justice alive in the public sphere.

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Historical Injustice as an SDG Barrier

In 1998, Indonesia witnessed widespread student-led demonstrations demanding sweeping democratic reforms. These demands—known as the *Tuntutan Reformasi 1998*—included the resignation of President Soeharto, constitutional amendments, the dismantling of the military's dual function (*Dwifungsi ABRI*), the eradication of corruption, collusion, and nepotism, and the protection of human rights (Suparno, 2012). On May 12, 1998, roughly 6,000 students from Trisakti University marched toward the national parliament. What followed was a period of intense violence: the next day, riots erupted in Jakarta, with widespread looting, arson, and sexual violence, particularly targeting ethnic Chinese women. The Joint Fact-Finding Team later estimated fatalities between 288 and 1,214 (Tehusjarana, 2023). During the crackdown, security personnel fatally shot four Trisakti students, and at least nine others were killed at Atma Jaya University (U.S. Department of State., 1999). According to Komnas HAM (2023), a total of 22 activists were abducted during the unrest—only nine of whom were eventually released, leaving 13 still missing. These abductions were not isolated events but part of a broader pattern of systematic disappearances in the country (KontraS (Commission for the Disappeared and Victims of Violence), n.d.).

These unresolved cases, particularly the fate of the 13 missing student and pro-democracy activists, epitomize what Duncan Ivison (2009) describes as historical injustice: injustices whose consequences extend beyond the original moment of harm and continue to affect present and future generations (Ivison, 2009). The lack of truth, accountability, and restitution for victims' families perpetuates this trauma and signals a broader unwillingness to reckon with the past. Enforced disappearance constitutes both a national trauma and a recognized crime against humanity (Malik, 2019). Under the terms of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPED), such acts are defined as instances in which individuals are taken into custody, detained, or abducted without consent by state agents or those acting with state sanction. Countries that are parties to the Convention are required to investigate and prosecute such offenses (Amnesty International, 2011).

Although Indonesian authorities have made some gestures toward addressing these disappearances, the responses have largely been fragmented and symbolic, reflecting a deeper institutional reluctance to pursue meaningful justice. Two central issues highlight this inertia: ongoing resistance to fully ratify the ICPED and a disjointed national approach to transitional justice. Indonesia has signed but not ratified the ICPED, making it the only core UN human rights convention yet to be ratified, despite having signed it in 2010 (Janti, 2022; United Nations, 2006, 2010). Human Rights Watch even issued a formal letter that year urging the government to both ratify the convention and investigate remaining cases of disappearance (Human Rights Watch, 2010). This legal inaction undermines Indonesia's progress toward Sustainable Development Goal (SDG) 16—particularly targets 16.1 (reducing violence) and 16.3 (ensuring equal access to justice for all)—and reveals a deeper pattern of state inaction cloaked in procedural compliance.

Treaty Resistance and Institutional Inaction

In 2009, Indonesia's House of Representatives (Dewan Perwakilan Rakyat, DPR) issued a formal set of recommendations to the President, grounded in Komnas HAM's conclusion that the 1998 disappearances constituted severe human rights violations. The DPR called for four concrete actions: (1) the formation of an ad hoc Human Rights Court, (2) active efforts to trace the 13 still-missing individuals, (3) the provision of reparations and support to the victims' families, and (4) the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPED). This rare instance of legislative acknowledgement marked a significant step toward transitional justice. Yet, despite this momentum, successive administrations have failed to implement any of these directives (Lembaga Studi dan Advokasi Masyarakat (ELSAM) or Institute for Policy Research and Advocacy, 2009). According to Duncan Ivison (2009), reparative justice typically involves three key components: restitution, compensation, and recognition (Ivison, 2009). The DPR's proposals align with these categories—justice mechanisms represent corrective action; locating the disappeared addresses restitution; reparations fulfill the compensation mandate; and ratifying the ICPED signals a commitment to non-repetition. However, Indonesia's approach has conspicuously lacked the fourth pillar: recognition. Public

acknowledgment, apologies, and symbolic remembrance remain absent from the state's response to these atrocities.

Progress on ratifying the ICPED has also been minimal. Although a presidential letter was submitted in May 2022 to initiate ratification, no parliamentary debates or legal processes have followed. A previous attempt at deliberation in 2013 was similarly inconclusive (Gabriela et al., 2024). Komnas HAM also handed over its investigative dossier to the Attorney General's Office, asserting that the case met the legal criteria under Law No. 26/2000 governing Human Rights Courts. However, this referral failed to result in any judicial proceedings (The House of Representatives of the Republic of Indonesia, 2018).

This prolonged lack of legal redress—marked by the absence of prosecutions, formal truth-telling, or reparative measures—has deepened the emotional and psychological toll on victims' families. It also erodes confidence in Indonesia's legal and governance institutions, directly undermining Sustainable Development Goal (SDG) 16.6, which emphasizes the creation of transparent, effective, and accountable institutions. Such bureaucratic paralysis reveals not simply a lack of political will but an intentional avoidance of justice. Drawing on Thomas R. Dye's classic definition that "public policy is whatever governments choose to do or not to do" (Dye, 1972), Indonesia's inaction should be interpreted as an active policy of neglect. Far from neutral, this strategic silence protects entrenched elite interests and runs counter to both the objectives and values embedded within SDG 16.

Kamisan and The Politics of Memory

Amid continued governmental silence, it is civil society that has taken up the mantle of remembrance and justice through the Kamisan (Thursday) protests. Since 2007, every Thursday, relatives of the disappeared and their supporters have assembled in front of the Presidential Palace in Jakarta, dressed in black and holding photographs of the missing—transforming silent presence into political resistance (Sapiie & Parlina, 2017). These consistent demonstrations align with Duncan Ivison's (2009) concept of "public acts of acknowledgment," and they directly advance Sustainable Development Goal (SDG) 16.10, which emphasizes freedom of expression and access to information.

Kamisan was initiated by three prominent figures directly affected by Indonesia's human rights tragedies: Maria Katarina Sumarsih, whose son Bernardus Realino Norma Irawan (Wawan) was killed during the Semanggi I shootings; Suciwati, the widow of assassinated human rights defender Munir Said Thalib; and Bedjo Untung, a survivor of the 1965 anti-communist purges and advocate for victims of that period. All three are part of the Victim Solidarity Network for Justice (Andries & Laksmono, 2022). The Kamisan movement consistently calls for full state accountability, urging investigations into past atrocities involving the military, political violence, and state-led repression. It emerged from growing frustration with state indifference and the perceived failure of Indonesia's justice system to meaningfully address past abuses. The protest's primary message is clear: the government must investigate, acknowledge, and address historical human rights violations, while ensuring that the voices of victims and their families are not erased from public discourse (Zakaria, 2022).

While President Joko Widodo publicly committed in 2018 to resolving past abuses, substantive action has yet to follow. The situation worsened in 2022 when Presidential Decree No. 17 introduced a non-judicial process for dealing with historical rights violations. Kamisan activists and affiliated organizations outright rejected this framework, arguing that reconciliation efforts without judicial accountability only serve to whitewash impunity. Their advocacy has since focused on two urgent goals: opposing non-judicial mechanisms that bypass legal action, and restoring prosecutorial pathways to hold perpetrators accountable (Andries & Laksmono, 2022). Far from signaling progress, these non-judicial efforts represent a regression, where the state not only avoids justice but legitimizes ongoing injustice.

According to Ivison, genuine reparation demands more than symbolic gestures—it must involve either corrective or punitive dimensions, especially when state actors were involved in the original harm. Public recognition, in his view, is fundamentally political: legal processes alone cannot compensate for the erasure of a victim's political voice or restore their agency (Ivison, 2009). When legal avenues are circumvented—as they were under the 2022 presidential decree—it reveals a deeper resistance to acknowledging the state's role in violence.

Kamisan serves a purpose that extends far beyond commemorative ritual. It functions as a strategic counter-narrative to state-sponsored efforts that seek to whitewash or depoliticize historical violence. In

the face of a dominant state discourse that treats justice as a linear process—moving seamlessly from atrocity to reconciliation—Kamisan represents a fundamental disruption. Rather than allowing past injustices, like the 1998 enforced disappearances, to be sealed off as concluded chapters, the movement reopens these wounds as ongoing demands for truth and accountability. This aligns with what Elizabeth Drexler (2022) conceptualizes as “circular time,” where the past is not something to be ‘moved on from’ but is continuously re-invoked in the present as part of an unfinished moral and political struggle (Drexler, 2022).

By returning weekly to the same public space, Kamisan constructs what can be described as a living, participatory archive—one that defies both physical erasure and historical amnesia. In this way, it exemplifies the essence of memory activism, as defined by Gutman and Wüstenberg (2023): a deliberate effort to challenge official histories and foreground the voices and experiences of those long marginalized by dominant power structures (Gutman & Wüstenberg, 2023). Kamisan does not merely preserve memory; it mobilizes it—transforming silent protest into a vehicle for ongoing resistance, public education, and civic engagement.

This act of remembrance is inherently political. It refuses to allow the Indonesian state to draw a curtain over unresolved human rights violations. Instead, Kamisan activists remind the nation each week that the past continues to shape the present. Their actions embody Ivison’s (2009) theory of the “politics of memory,” in which remembering becomes a form of active engagement with injustice. How societies remember—and who gets to define that memory—fundamentally shapes what justice looks like and whose suffering is acknowledged (Ivison, 2009). Kamisan, therefore, is not simply a call to look backward; it is a call to transform the present by confronting the unaddressed legacies of historical violence.

The Return of Impunity and the Threat to Democratic Sustainability

The Kamisan movement’s ongoing appeal for truth, justice, and institutional reform transcends individual grief or familial loss; it articulates a broader democratic necessity. In light of recent political developments, however, the road to accountability appears increasingly obstructed. The results of Indonesia’s 2024 presidential election—viewed by many as a legitimization of those implicated in past abuses—have dealt a heavy blow to survivors, families of the disappeared, and human rights advocates. For many Kamisan participants, this outcome signifies not just a political loss but the normalization of impunity at the highest levels of power (The Straits Times, 2024).

While some critics attempt to discredit Kamisan by labeling it as anti-military or politically charged, such claims are undermined by the protest’s unwavering presence over more than a decade and a half (Pertiwi, 2024). Kamisan’s durability reflects an enduring public demand for justice that refuses to be silenced. Its persistence reveals the critical gap between civic commitment and governmental inertia—highlighting the urgent need for state institutions to respond not with token gestures, but with concrete legal and political action.

Indonesia’s continued neglect of its past atrocities—particularly the enforced disappearances of 1998—constitutes a glaring contradiction of its obligations under Sustainable Development Goal 16. The goal of creating “peaceful, just, and inclusive societies” cannot be achieved while victims are denied truth, perpetrators enjoy impunity, and institutional actors remain disengaged from meaningful reform. Grassroots initiatives like Kamisan provide an inspiring example of civic resilience and memory-based activism, offering a powerful, nonviolent model for democratic accountability. However, they cannot—and should not—bear the burden of justice alone. Without state intervention to address historical violations, the foundations of Indonesia’s democracy remain unstable. Confronting the unresolved violence of the past is not a symbolic gesture; it is a precondition for genuine progress toward peace, justice, and institutional legitimacy. Until the state chooses to face the injustices it has long suppressed, the vision outlined in SDG 16 will remain an unfulfilled promise.

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