

## **Reconciling Conflicts of Human Rights Violations in Indonesia**

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Submit: 30-11-2023; Review: 22-12-2023; Terbit: 24-12-2023

### **Abstract**

The Indonesian nation has a dark history of humanity. The existence of humanitarian violations in the G30S/PKI incident and the humanitarian tragedy in the 1998 Trisakti incident are clear evidence of gross violations of Human Rights (HAM). These violations against humanity, to this day, have not found a clear spot. So, in this regard, reconciliation is needed by presenting the theory of collective memory from Maurice Halbwachs, how in this theory we can accept the past and learn to be present and react to it properly. The mistakes that occurred in the past are history, where our nation continues to learn to become a nation that can more maturely and openly appreciate existing human values, for the sake of life and development with humanity.

**Keywords:** *Human Right; Reconciliation; Dark History of Indonesia; Collective.*

### **Abstrak**

Bangsa Indonesia mempunyai sejarah kemanusiaan yang kelam. Adanya pelanggaran kemanusiaan dalam peristiwa G30S/PKI dan tragedi kemanusiaan dalam peristiwa Trisakti tahun 1998 merupakan bukti nyata terjadinya pelanggaran Hak Asasi Manusia (HAM) yang berat. Pelanggaran-pelanggaran terhadap kemanusiaan tersebut, hingga saat ini, belum menemukan titik terang. Maka dalam hal ini diperlukan rekonsiliasi dengan menghadirkan teori memori kolektif dari Maurice Halbwachs, bagaimana dalam teori tersebut kita bisa menerima masa lalu dan belajar untuk hadir dan menyikapinya dengan baik. Kesalahan-kesalahan yang terjadi di masa lalu adalah sebuah sejarah, dimana bangsa kita terus belajar menjadi bangsa yang bisa lebih dewasa dan terbuka menghargai nilai-nilai kemanusiaan yang ada, demi kehidupan dan pembangunan bersama kemanusiaan.

**Kata Kunci:** *Hak Asasi Manusia; Rekonsiliasi; Sejarah Kelam Bangsa Indonesia; Kolektif.*

## Introduction

"Law enforcement officials must put an end to violence that results in human rights violations. This violence, in many cases, is a form of abuse of power that is further compounded by low levels of accountability." (Amnesty International Indonesia Director Usman Hamid). A number of humanitarian cases, related to violations of the right to life, are still one of our nation's problems and homework. How could it not be, in the situation of the nation's life journey, which until today continues to strive towards the Golden Indonesia 2045, a number of humanitarian cases that have occurred in the country have yet to be resolved.

These unresolved humanitarian cases have accumulated into question marks and public anxiety, as well as distrust of the government. For example, we can consider the cases of gross human violations, namely the G 30 S/PKI incident in 1965, as well as the deaths of a number of students in the Trisakti incident in 1998.



Example: Kamisan action in front of the State Palace

Source: (Andryanto, 2021)

The kamisan<sup>1</sup> action carried out by victims of human rights violations committed by government officials against a number of students and community members in the 1998 Trisakti incident is still being carried out by the parents of the

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<sup>1</sup> "Kamisan" is a peaceful action that has been taking place since January 18, 2007, involving victims and the families of victims of human rights violations in Indonesia. Every Thursday at 4:00-5:00 PM (WIB), they wear all-black attire and accessories, stand silently under black umbrellas bearing inscriptions related to various human rights violation cases that have occurred in Indonesia.

victims and sympathizers who support justice for them <sup>2</sup>. In the dark historical events of the Indonesian nation, related to human rights violations in G 30 S / PKI<sup>3</sup>, (Affan, 2019)<sup>4</sup> a number of efforts to bring name clearing and efforts to demand justice from the government are also still being carried out.



Example: Family action demanding the purge of 1965 ex-political prisoners

Source: (Affan, 2019)

The testimony of Deborah Oni Ponirah, who was accused of being involved in the September 30 Movement, sought justice from the government, so that her name could be cleared from the judgment of the people who accused her of being involved as an activist against the New Order government at that time <sup>5</sup>.

From the two examples, overall, we can see that human rights violation cases are important issues that need to be addressed by both the government and society. With the occurrence of such cases that violate human rights, it not only creates long-

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<sup>2</sup> Andryanto, (2021). *Aksi Kamisan, Aksi Tuntut Pemerintah Tuntaskan Kasus Pelanggaran HAM*. National.Tempo.co.

<sup>3</sup> The September 30th Movement, or G30S/PKI, was a movement or action launched by the Indonesian Communist Party (Partai Komunis Indonesia or PKI) and stands as one of the bitter chapters in the history of Indonesia. Its objective was to overthrow the government of the Republic of Indonesia at that time.

<sup>4</sup> Affan, H. (2019). “*Dosa turunan*” dicap PKI, keluarga penyintas 65 masih mengalami diskriminasi: “*Jangan bedakan kami.*” <https://www.Bbc.Com>.

<sup>5</sup> *Ibid.*,

lasting traumatic experiences but also instills fear, which is often felt by the families of the survivors of these tragic events.

The condition of efforts to reduce the level of human rights violations in Indonesia is also still unresolved. This situation is exacerbated by the increasing number of cases of discrimination against human beings as citizens. In her statement, the Chairperson of the Indonesian Legal Aid Foundation (YLBHI), Asfinawati noted and found several results that there has not been significant progress in efforts to present two-way communication in improving and seeking changes to the dark record of human rights in Indonesia <sup>6</sup>.

What is currently being experienced by the Indonesian nation with various dark historical events that are inherent and have not been resolved until now, is an event that presents the memory of the community. An event that is remembered by the Indonesian people, when they learn to recognize and try to see the event as a whole. The bad events experienced by our nation are still in the collective memory of the people. So, it is at this point that efforts to bring back movements for reconciliation are important. So that in the end we can take enough distance to be able to resolve these human rights issues more progressively.

The unfortunate events experienced by our nation still remain in the collective memory of society. Thus, at this point, the effort to reintroduce movements for reconciliation becomes crucial. This way, we can ultimately create enough distance to address human rights issues more progressively.

From the various descriptions above, with the presentation of the core issues regarding human rights, and the effort to gain a clear understanding of human rights as fundamental rights held by humans, as well as how we deal with the collective memory of society regarding humanitarian violations that have occurred in our homeland. Our nation's historical events in promoting cooperative understanding and collaboration of all elements of society and the government in resolving the dark events related to human rights violations that have not been addressed until now, and seem to have been forgotten.

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<sup>6</sup> Intan, G. (2020). *Aktivist: Pelanggaran HAM di Indonesia Terus Meningkat*. <https://www.voaindonesia.com>.

Therefore, the significance of the study in this article will discuss how a clear understanding of human rights is related to our nation's historical events regarding violations of human rights due to the actions of the authorities, particularly those involved in the abduction and murder of civilians. It will also formulate how this event is viewed and perceived as an event that brings collective memory in the perspective of Maurice Halbwachs. In addition, the urgency in writing this manuscript is to formulate comprehensively how structured and massive implementation and handling can be carried out to echo and find a number of findings, ideas, and input that can be offered in ongoing humanitarian cases in Indonesia.

The core focus of this research is on the efforts that the current government can make to rectify and improve historical events as an experience that occurred and became part of Indonesia's journey in filling and interpreting the hard-earned independence with struggle and tears.

Therefore, with the actions of rectification regarding the past, the government can change the wrong and negative perceptions of the families of the perpetrators of the G30S/PKI movement, who are still considered to be part of those involved in crimes against the state, labeled as communists and traitors to the nation. These accusations and allegations are still frequently heard today. The same applies to the Trisakti case. With the effort to present this article, it is hoped to shed light and make efforts to rectify and strengthen the relationship between the level of trust of the Trisakti tragedy victims, in particular, and the general public towards the government. We realize that since the post-reform era of 1998, the Kamisan actions carried out by the families of the Trisakti tragedy victims have never been resolved properly. The government's stance appears to be closed and unaccountable for the painful events. Therefore, in relation to what has been discussed above, the novelties that can be found in this article are as follows:

First, in this article, an attempt is made to bridge and bring together the Government and those affected by humanitarian tragedies, with Indonesia's dark past experiences involving a number of victims who still feel the impact and trauma of the bloody tragedies, both the G30S/PKI events and the Trisakti tragedy.

Second, it invites the entire society to look at the G30S/PKI and Trisakti tragedies more openly and clearly. We realize that no matter how hard we try to forget, our nation cannot erase the humanitarian events that occurred in the past. Therefore, what can be done is for our nation, in this case, to bravely and openly confront these events wisely. The government can acknowledge and apologize to the citizens who have become victims and have had social, economic, political, and other impacts.

Third, with this paper, it serves as a trigger that can be noticed by the government and its officials to rectify past experiences. The government should be open to courageously apologize for the tragedies that occurred. By taking the action to apologize and rectify the relationship regarding these events, the government, directly or indirectly, rebuilds trust in the government. This means that in this case, the government acknowledges that the state has made mistakes and actions that have harmed its citizens, so the government can make periodic and sustainable improvements.

## **Method**

In writing this article, by taking the focus of the study on Human Rights, the method used is a form of thoroughly dissecting and developing structured explanations. The method used is by using a qualitative method, through an analytical review study on the theory of collective memory studied by Maurice Halbwachs<sup>7</sup>.

In a more comprehensive understanding, Maurice in a more structured manner, explains that with the existence of memories resulting from the experience of togetherness, every event that occurs can be understood in different ways. If these shared experiences are not taken into account, they will generate various assumptions that can lead to tension. Therefore, when we talk about collective

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<sup>7</sup> Reza Antonius Wattimena,(2017a). *Mengurai Ingatan Kolektif Bersama Maurice Halbwachs, Jan Assmann dan Aleida Assmann dalam Konteks Peristiwa 65 di Indonesia*. RumahFilsafat.Com.

memory, we immediately think of the important events that shaped our national identity.

In a qualitative approach, the prioritized focus is to emphasize the quality aspects of the entity under study. That is, in qualitative research, efforts to explore and optimize a finding and the results that can be obtained can be done by using all available reference sources that can also optimally explore the context discussed in various sides which can thoroughly produce an optimal study in research <sup>8</sup>.

Researchers have considerable freedom to bring all the context of the problem into everything in the element to be discussed. Therefore, the courage of a writer to pour out all the intentions and results that he wants to contribute to the discussion is a quality or quality that the writer has. Likewise, with the existence of an entity, a research context can be based and then developed. This leads to a different and unique point of view that each author has in bringing a research theme to an intended achievement <sup>9</sup>.

Research using a qualitative approach has an emic perspective. In this case, we can understand a behavior carried out by a particular community with the habits and culture inherent in it. So, the pattern of interaction and movement of the community towards the context of the issues raised, in this case related to human rights issues in Indonesia and the dynamics of overcoming them, is a living space that can be studied and taken to be developed more thoroughly, and then addressed to take strategic steps in an effort to resolve it <sup>10</sup>.

## 1) Findings and Discussion

Below is a comprehensive explanation of the study of collective memory and its relevance to the context of human rights violations in Indonesia, as explained in various subsections.

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<sup>8</sup> Moleong, J. L. (2017). *Metodologi Penelitian Kualitatif*. PT Remaja Rosdakarya.

<sup>9</sup> Sugiyono. (2020). *Metode Penelitian Kuantitatif, Kualitatif dan R&D*. Alfabeta CV.

<sup>10</sup> Kumparan.com. (2023). *Pengertian Pendekatan Emik dalam Ilmu Antropologi Terlengkap*. <https://Kumparan.Com>.

### a) **Understanding Human Rights**

The understanding of Human Rights (HR) can be elaborated as follows: Human rights are fundamental rights inherent to every human being as living creatures. This means that when a person is born into the world and becomes part of society, they possess all aspects related to the freedom to make decisions, have their beliefs, and more. Everything that pertains to a newborn human's capabilities. These rights exist and are innate to them. In other words, when a person is born into the world for the second time (a figurative expression), they are automatically considered as beings universally accepted and acknowledged <sup>11</sup>.

With the existence of the ownership of human rights as possessed by humans as living beings, it makes humans protected both morally and legally. The existence of a legal certainty applied fairly can also provide certainty for the continuity of life in society <sup>12</sup>. In this regard, in a deeper sense, the legal framework that controls, therefore, efforts to preserve and harmonize the implementation of the rights possessed by each human being become important. This needs to be consciously considered, considering that every individual has their own freedom to fully utilize their rights. Thus, with the control used to regulate the use of human rights in an orderly manner, there is openness for the presence of mutual understanding, and humans can be prevented from all forms of violence, confiscation, and even persecution that may occur between individuals when tension arises as they both exercise their rights<sup>13</sup>.

In a broader perspective, it can also be said that human rights are a legal and normative<sup>14</sup> concept created based on mutual agreements among humans. As living beings who live and coexist with other living beings, humans have desires, will, and freedoms that can be used to fulfill their needs and happiness in life. This concept

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<sup>11</sup> Nadia, Y. (2022). *Hak Asasi Manusia (HAM): Pengertian Menurut Ahli dan Ciri-cirinya*. Kompas.Com.

<sup>12</sup> Abdullah, S. (2022). *Rekonsepsi Makna Pengancaman Kekerasan Atau Menakut-Nakuti Dalam Undang-Undang Informasi dan Transaksi Elektronik*. Jurnal Rechtidee, 17(HAM), 205–206.

<sup>13</sup> It appears you've provided a citation or reference to an article titled "Hak Asasi Manusia (HAM): Pengertian Menurut Ahli dan Ciri-cirinya" from Kompas.com. If you'd like me to provide information or a summary related to this article, please let me know what specific information you're looking for or any questions you have about it.

<sup>14</sup> *Ibid.*,



asserts that humans have inherent rights as individuals by virtue of being human beings<sup>15</sup>.

In the context of a deeper understanding of human rights, several figures have different interpretations of the concept of human rights. Peter R. Baehr attempts to explain and understand that human rights can be viewed as fundamental rights that already exist and are inherent in human beings<sup>16</sup>. These pre-existing and inherent rights are then used to meet the needs and desires that can be utilized for one's optimal development. Therefore, in human efforts to meet their needs with these inherent rights, it is expected that humans do not disturb each other and even harm each other. These fundamental rights are absolute and cannot be violated.

Meanwhile, from a different perspective, we can find John Locke's view on human rights. John Locke, a thinker from Germany, defines human rights literally in his book titled "The Second Treatise of Civil Government and a Letter Concerning Toleration" (1948). According to Locke, human rights are the rights that God has granted to humans as His creations. These rights consist of the right to equality, freedom, the right to preserve life, and to protect one's property from those who are irresponsible. In this context, it can be understood that in the context of human rights, Locke also emphasizes that every individual has the authority to strive and defend themselves. Humans have an equal opportunity to work to preserve their lives<sup>17</sup>. Additionally, Locke believes that every individual has the same capacity to strive for prosperity and wealth with their possessions, and of course, individuals have the right to wisely manage and protect their property<sup>18</sup>. They can use their wealth to help others and develop their lives.

### **The Essence of the Collective Memory Perspective**

One intriguing aspect of human daily life is the act of remembering, a form of activity aimed at recalling past events and experiences. To clarify this, we would

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<sup>15</sup> *Ibid.*,

<sup>16</sup> *Ibid.*,

<sup>17</sup> *Ibid.*,

<sup>18</sup> *Ibid.*,

like to emphasize that many mistaken beliefs exist out there, suggesting that remembering is a purely personal activity<sup>19</sup>. Such statements are, in fact, erroneous. When we examine the act of remembering, we discover that it is a collective endeavor<sup>20</sup>. For a simple example, I remember that I once learned to ride a bike and then had a fall. This memorable and lasting memory of my bicycle riding experience didn't happen in isolation. It involved the presence of various elements and other individuals who were part of that memory. In other words, memories of the activities and experiences in my daily life require and presuppose the presence of many factors and other elements as their background<sup>21</sup>.

What supports my memory in these cases can include language, colors, and symbols, which are actually creations of society. Therefore, the act of remembering a particular activity or event occurs within a social environment, such as the presence of a place and other people who play a role in shaping my memory. In the context of the bicycle learning experience mentioned earlier, there were others who helped and taught me how to ride together. So, the presence of the environment and other people, as well as the location, becomes important as reference points that can be used in recalling these memories<sup>22</sup>. In other words, in their social activities and interactions, people cannot remember without a specific social context that serves as the background<sup>23</sup>. People cannot have memories of what they experienced without the presence of other elements and factors accompanying them.

On a deeper level, the social background within a society becomes a crucial element for the presence of an act of remembering. Therefore, the effort to bring forth the memory of an event requires the roles and contributions of others. This is what is referred to as collective memory. In German, it can also be called "kollektives Gedächtnis." <sup>24</sup> Hence, it can be understood that the act of creating a

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<sup>19</sup> Reza A.A Wattimena.(2016). *Mengurai Ingatan Kolektif*. access this article at: <https://rumahfilsafat.com/2016/04/25/mengurai-ingatan-kolektif/>.

<sup>20</sup> *Ibid.*,

<sup>21</sup> *Ibid.*,

<sup>22</sup> *Ibid.*,

<sup>23</sup> *Ibid.*,

<sup>24</sup> Reza A.A Wattimena.(2016). *Mengurai Ingatan Kolektif Bersama Maurice Halbwachs, Jan Assmann dan Aleida Assmann dalam Konteks Peristiwa 65 di Indonesia*. JURNAL STUDIA PHILOSOPHICA ET THEOLOGICA Vol. 16 NO. 2 October 2016 ISSN 1412-0674 PAGES 164-196. access this article at the

memory is not born and does not exist on a purely personal basis. The act of remembering is formed through shared experiences conducted together. The act of remembering is done in a communal or collective categorization, occurring within the context of togetherness<sup>25</sup>. The focus on collective memory in this research establishes the foundation for the collective identity of the society, including how a society within a specific context perceives itself<sup>26</sup>.

In the context of history, the events of human rights violations experienced by the Indonesian people, namely the G30S/PKI and the Trisakti Tragedy, continue to linger in the memories of our society up to the time this paper is written.

Therefore, both of these examples related to violations of human rights serve as examples of inhumane humanitarian events. These events involved the killing of civilians and government officials in an undignified and inhumane manner. The impact of these events has had a significant influence on the nation's life and governance up to the present day. The feelings of hatred and resentment stemming from the conflicts that arose from these tragedies have also not been entirely resolved to a satisfying and joyous conclusion<sup>27</sup>. The neglect of such events can undoubtedly sow the seeds of future division. It can lead to internal hostilities and deepen the rifts in social justice. In a different aspect, as a nation composed of diverse cultural, social, and economic backgrounds, ultimately, we may not have the opportunity to gain a deeper understanding of our nation's historical context or be open to fully learning about what truly happened. This is where the importance of discussing collective memory in the context of Indonesia and the nation's history lies. It can help our nation appreciate its past experiences and foster a deeper understanding of our history<sup>28</sup>.

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following location: <https://rezaantonius.files.wordpress.com/2017/12/jurnal-reza-mengurai-ingatan-kolektif-untuk-jurnal.pdf>

<sup>25</sup> *Ibid.*,

<sup>26</sup> *Ibid.*,

<sup>27</sup> *Ibid.*,

<sup>28</sup> *Ibid.*,

### **Collective Memory in the Eyes of Maurice Halbwachs**

Maurice Halbwachs is a philosopher and also a sociologist, who in the context of his understanding and thinking is deeply grounded in the thought of Emile Durkheim. He contextually articulates Emile Durkheim's basic ideas as his foundation for collective memory. Not only that, in other ways Maurice was also dominantly influenced by several other thinkers, such as Pareto, Max Weber, and Joseph Schumpeter<sup>29</sup>.

Halbwachs drew a lot of inspiration from the sociology of Emile Durkheim. In other words, Halbwachs lays the foundation of Emile Durkheim's sociological thinking as the foundation for his thoughts on collective memory. From this perspective, an assumption can be drawn that collective memory can be understood as the relationship between events and circumstances in the present, and the memory of what has happened in the past. In other words, collective memory can be interpreted as a form of social reconstruction of what has happened in the past and then draw an understanding from the perspective of the present. It is a space where we can take a comprehensive look at past events and then re-present them in the present to be improved and renewed. In a diverse sense, it is a research of history and social sciences in playing an important role as the basis for the foundation of analysis<sup>30</sup>.

In a more in-depth argument, Halbwachs explains that it is related to what is currently experienced by memory and becomes an experience in humans. Human memories essentially never occur in the context of being unrelated to others. In a narrow sense, the human experience that presents memory is not purely individual. Human memory formed in society is a social process, or a collective process that occurs together, within a certain scope<sup>31</sup>. In addition, as a form of reinforcement for memory, the symbols that exist in human civilization, and the meaning of them, are never separated and individual, but are created and intended for collective uses,

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<sup>29</sup> Wattimena, (2017a). *Op.Cit.*,

<sup>30</sup> -----, (2012). *Teori Ingatan Kolektif*. RumahFilsafat.Com.

<sup>31</sup> -----, (2013). *Demokrasi dan Ingatan Kolektif di Indonesia*. RumahFilsafat.Com.

such as to maintain society, pass on life values, make social changes, and so on<sup>32</sup>. For example, the kamisan action carried out by a number of families of victims of the 1998 Trisakti tragedy, who tried to demand justice from the government, is a symbol of resistance to the forms of injustice committed by the government against citizens<sup>33</sup>.

So, if a clear red thread is drawn, the presence of a collective memory in society can have a special function, namely recreating a past event to become the basis for present events, and as a foothold for hope for a better future. of course, in the final orientation there is a realm of conflict resolution that is able to bring answers and well-realized hopes.

### **Beyond Collective Memory**

Related to what has been described by Halbwachs, we can clearly formulate that there is a solid assumption base for the theory of collective memory. The existence of thoughts about collective memory can be used as a basis for understanding various events related to history and memory in various countries, especially in Indonesia in this case. How in the future we can be brave and open to solve this problem together, so that in the future there will be no more discrimination and crimes against humanity that can have a significant impact on the life of the nation and state.

The existence of thoughts related to collective memory can also be used as a basis for resolving conflicts related to past events in various events, especially when we look at the G30S / PKI event and crimes against humanity in the 1998 Trisakti event. Offers that can be considered to bring improvements to human rights violations in Indonesia can be considered as follows;

First, upholding the rule of law and democracy<sup>34</sup>. In this context, we can see that the existence of human rights violations is a past history which, however, is a

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<sup>32</sup> -----, (2017a). *Op.Cit.*,

<sup>33</sup> Andryanto, (2021). *Op.Cit.*,

<sup>34</sup> Ma'as, A. (2022). *5 Upaya Mengatasi Kasus Pelanggaran Hak Asasi Manusia (HAM) di Sekitar*. <https://Kids.Grid.Id/>.

human tragedy that we have experienced. So, to follow up on this, the government and the community must work together to sit together to resolve it. The government must have the courage to acknowledge and apologize to the community for the victims who have been affected by the case. The government must also have the courage to investigate this case by creating a team to find a number of parties and sufficient evidence to justify the history of the incident. For example, the government must be able to protect victims of family discrimination who are accused of being involved in the treason movement<sup>35</sup>. Punishment is given fairly to those who are guilty and name clearing is done for the act of discrimination. In a deep understanding, in this case related to the government as an institution that protects and protects the rights of all citizens, the government must be brave and firm to take action against citizens who are treated discriminatively<sup>36</sup>.

Second, improving the quality of public services for the community in order to reduce the risk of human rights violations in Indonesia<sup>37</sup>. Unresolved human rights violations can have an impact on the loss of public trust in the government, and this has an impact on the loss of public appreciation of government services for the community. For example, there are people who doubt public servants such as the police who have committed many human rights violations<sup>38</sup>. Therefore, the police must have the courage to admit and change their attitude to be pro-community and not be subject to group interests that can be used to protect those who should face the law. In a broader context, it can be observed that there is coherence as stated<sup>39</sup>, which can be found when there is the proper application of the law and adequate public services in delivering justice to victims.

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<sup>35</sup> Affan, (2019). *Op.Cit.*,

<sup>36</sup> Wahyu, M. (2023). *Transpuan di Masa Pandemi: Hak, Akses dan Eksklusi*. Jurnal HAM, 14(HAM).

<sup>37</sup> Ma,as, (2022). *Op.Cit.*

<sup>38</sup> Maharani, T. (2021). *Komnas HAM: Polisi Paling Banyak Diadukan Soal Dugaan Pelanggaran Hak Asasi Manusia*. Artikel ini telah tayang di Kompas.com dengan judul "Komnas HAM: Polisi Paling Banyak Diadukan Soal Dugaan Pelanggaran Hak Asasi Manusia", Klik untuk baca: <https://nasional.kompas.com>.

<sup>39</sup> Nuraini, A. (2022). *Mencari Titik Temu antara Pendidikan HAM dan Transformasi Konflik: Refleksi Pengalaman dari Lapangan*. Jurnal HAM: Komisi Nasional Hak Asasi Manusia.

Third, enhancing oversight from both the public and political institutions on every effort to enforce human rights by the government <sup>40</sup>. Efforts to address violations of human rights, particularly serious ones, can be improved by implementing policies to address these violations. This can be achieved through the establishment of an Integrated Team for Handling Allegations of Serious Human Rights Violations. This aligns with the Minister of Coordinating Political, Legal, and Security Affairs Decision Number 44 of 2020 <sup>41</sup>, concerning efforts to provide and resolve numerous humanitarian cases requiring fair and responsible justice in Indonesia. Thus, on a broader scale, the implementation of good governance will be realized, providing a balanced approach to treating and upholding the rights of individuals as citizens <sup>42</sup>.

Furthermore, intensive coordination and collaboration can also be established to monitor the enforcement of laws against human rights violations. In this context, the public can be seen as watchdogs capable of bringing about comprehensive improvements. The public, consisting of critical and rational individuals, has the capacity to oversee the government's handling of human rights in the country. In a broader context, the public is also encouraged to support and take responsibility for controlling the implementation of policies to ensure the realization and application of justice regarding actions against these humanitarian values <sup>43</sup>.

Fourth, being able to disseminate human rights principles and values to the community through formal or informal educational institutions. In this context, it can be understood that education is very important in our survival as human beings who have a conscience and rational thinking skills, as well as identification that we are beings who have moral values that are held and can be developed in community life (Sasongko, 2018)<sup>44</sup>. This emphasizes that every human being of Indonesian society in a narrow sense, and citizens of the world in a broader context, have

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<sup>40</sup> Ma,as,(2022). *Op. Cit.*,

<sup>41</sup> Amran, (2021). *Op. Cit.*,

<sup>42</sup> Fitri, O. R. (2022). *Hak atas Pelindungan Data Pribadi pada Proses Penegakan Hukum Pidana. Jurnal HAM: Komisi Nasional Hak Asasi Manusia*, 15(HAM).

<sup>43</sup> Putri, V. K. M. (2021). *Contoh Dukungan Masyarakat dalam Penegakan HAM*. Kompas.Com.

<sup>44</sup> Sasongko, Y. P. D. (2018). *Penerapan pemanfaatan teknologi ditinjau dari teori kepribadian moral*. *Psibernetika*, 10(1). <https://doi.org/10.30813/psibernetika.v10i1.1042>

obligations and rights that are obtained, to obtain knowledge that will be able to be open to changes and developments of the times.

The education process carried out by humans will continue for the rest of their lives, the level of education will be endless because education generally means a life process in developing each individual to be able to live and continue life (Maulana, 2021). Through education, each learner will have a good understanding in recognizing and developing human values. Humans are educated to become individuals who are formed in character to recognize knowledge and who they are, have the ability that they are useful for the state, country and nation <sup>45</sup>.

Fifth, increasing tolerance in society so that people are accustomed to respecting each other's human rights <sup>46</sup>. Fostering an attitude of tolerance between human beings is a fundamental reference, this is based on our relationship as fellow human beings. As humans, we need each other, we are inseparable from them. So in this case, it is important for us to build togetherness as living beings to prioritize human values <sup>47</sup>.

From what has been said before, if we look further. There are three things that should be of critical concern from what we have seen regarding the development of human values and collective memories that refer to the shared experience of an event in people's lives.

First, the context of collective memory is understood by Halingatan as a system that is independent of the humans who form it. Not only that, memories actually shape the characteristics of the humans equipped with these memories. At this point, the role of the people who remember and produce existing collective memories seems neglected. This is later addressed by Fentress and Wickham in their book *Social Memory*, which will look at critiques and notes on the understanding of collective memory in a more colorful way<sup>48</sup>. In a deeper context, the collective memory also emphasizes that what constitutes the collective memory

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<sup>45</sup> Segitiga, P. (2017). *Carut marut pendidikan di Indonesia*. Kompasiana.Com.

<sup>46</sup> Ma,as, (2022). *Op.Cit.*,

<sup>47</sup> Wattimena, (2017a).*Op.Cit.*,

<sup>48</sup> *Ibid.*,



of personal experiences is the right of every individual in society, and this aligns with the laws applicable in Indonesia, especially when discussing the 1945 Constitution, Article 28(1), paragraph 3, which speaks to a society that has human rights as a fundamental right of every citizen<sup>49</sup>.

Secondly, it should be noted beforehand that on the other hand, various descriptions of collective memory overlook the basic fact that memory is always an abstraction of the past. Memory consists of concepts of a series of past events. It is not reality itself. In this regard, it is important to take a holistic view. Equating memory with reality is a misunderstanding that will lead people to a variety of other more complex problems<sup>50</sup>.

As a basis for peace and generating a general understanding of attitudes that can be considered in the context of learning about the past, collective memory is a very powerful and valuable source. However, we must see and look carefully, that there is another danger, namely if we continue to see the past as a dark record of a nation stuck in its past, and it is difficult to get out of the negative collective memories that form the nation's collective self-image<sup>51</sup>. In other aspects, the government also has an important role in creating and unraveling these memories, for example by holding commemorative ceremonies on the day the events are remembered. Giving appreciation and respect to historical witnesses and adequate legal protection<sup>52</sup>. Recognize the existence of victims who were mistakenly arrested and targeted in the human rights violations in the G30S/PKI and Trisakti Tragedies.

Thirdly, it is also important to note that when a nation becomes trapped in the memory of its past, it may lose the freedom to determine its present and future. A nation can only view the past as a certainty that the experiences of the past are valuable to consider. By deeply reflecting on the past and solely focusing on efforts

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<sup>49</sup> Murni, C. S. (2023). *Perlindungan Hukum Terhadap Hak Pengelolaan dan Pemanfaatan Atas Tanah Oleh Masyarakat Hukum Adat yang Berada dalam Kawasan Taman Nasional Kelimutu*. Jurnal Rechtidee.

<sup>50</sup> Wattimena, (2017). *Op.Cit.*,

<sup>51</sup> *Ibid.*,

<sup>52</sup> Subangun, M. I. (2023). *Isomorfisme Institusional LPSK dalam Penegakan Hak Rehabilitasi Psikososial Korban Tindak Pidana di Indonesia*. Jurnal HAM, 14 HAM.

to bring resolution to it, we may not be able to respond to changes in the world appropriately, wisely, and in accordance with the applicable laws<sup>53</sup>.

What happened in the past, only becomes a burden that periodically haunts the present and future of the nation. If this happens, then the learning process, which is one of the main goals of preserving collective memory, will also not be carried out properly. In a further process, if there is no action to learn and accept the past as part of what shapes the nation's identity<sup>54</sup>.

In this context, it is suggested that Indonesia, as a nation, has not learned from its past experiences. Consequently, society may fall into the same mistakes, repeating past humanitarian conflicts into the present and future. Indonesia could face new issues following similar patterns to what has happened before, leading to a recurrence of human rights violations<sup>55</sup>. Moreover, upon deeper examination, it becomes crucial to consciously recognize human rights as inherent and present in every individual within society<sup>56</sup>.

Therefore, if we fail to pay attention to these principles, there is a possibility that future violations may become even more inhumane and disrupt the established and preserved societal order (Manuel, 2022). To address this, continuous learning and thoughtful consideration of past experiences are necessary. Historical experiences should be examined within the contextual framework of the present, striving to understand social changes and historical transformations. These transformations are related to economic moments, which can be directly or indirectly linked to political, cultural, and ideological aspects originating from historical conflicts<sup>57</sup>.

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<sup>53</sup> Hutagaol, D. P. (2023). *Penerapan Asas Restorative Justice Dalam Tindak Pidana Pencemaran Nama Baik di Wilayah Kejaksaan Negeri Balige*. Jurnal Ilmu Hukum Legal Standing, 7(HAM), 221.

<sup>54</sup> Wattimena, (2017a). *Op.Cit.*,

<sup>55</sup> <https://bphn.go.id>.

<sup>56</sup> Triwahyuningsih, S. (2018). *Perlindungan dan Penegakan Hak Asasi Manusia (HAM) DI Indonesia*. Jurnal Hukum Legal Standing, 2(HAM).

<sup>57</sup> Rachmad, T. H. (2020). *Membongkar Konsep "Heroisme" di Film Gundala*. Public Corner, 2.

## **Conclusion**

From what we have seen as a whole, an understanding can be drawn that when we see and talk about what has happened and become part of the whole series of human life. The memories that are produced in human interactions are formed from the social context that surrounds us. The existence of these memories can also play an active role in guiding and directing human actions, which should shape and change the context of people's social life.

As a note of caution, Halbwachs tries to provide a concrete example by emphasizing structurally how the past can be understood from the perspective and interests of the present. This means that the past can be stretched according to certain orientations and interests, depending on how we carry and respond to the past.

In a broader sense, collective memory has a role in shaping and organizing existing social life. The existence of collective memory can also play a critical role, in terms of questioning and emphasizing something that is considered commonplace in social life.

Based on Halbwachs' basic thinking, the events of the G30S/PKI and the 1998 Trisakti humanitarian tragedy that took place in Indonesia, clearly need to be the official collective memory of Indonesia as a nation that once had a dark history of how our nation had a record of running the government and building our nation in filling independence.

The existence of these bitter and dark experiences, related to the history of humanity that has occurred, various interpretations and understandings of these events, need to get space and meaning, so that they can be understood and reflected back more meaningfully. This is necessary so that we can continue to learn from the past and be able to have a solid footing on how our people learn not to fall back into the same human tragedy. It is only through this kind of learning process that we can create peace and realize a sense of belonging that human values need to be developed and preserved in our common life as a nation that is free from colonialism.

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