

Using Narrative Theory on Analysis of Law and Human Rights: Searching Truth on Tanjung Priok's Incident in Indonesia

Junaedi Saibih^{1*}

¹*Faculty of Laws, Universitas Indonesia, Kampus UI Depok, West Java, Indonesia 16424.*

**Corresponding author. Email: junaedi.si@ui.ac.id*

ABSTRACT

The term of narratives methods for some legal scholar is quite unfamiliar, even though for some legal practitioner this method is widely used in producing any legal documents or legal practice product. This article is trying to familiarize the narratives methods and analysis among legal scholar and also the importance of using narrative methods and analysis for settlement of past severe violations of human rights in Indonesia. Using the only past severe violation of human rights case in Indonesia, Tanjung Priok Case is the only case that happened in New Era Government or the era of government under (late) President Soeharto, this case was acknowledged as severe violation of human rights and has impacted to established the Ad-Hoc Human Rights Court for Tanjung Priok 1984. This article is trying to present how important using personal story and experiences in settling the case, gathering the information from the victims and also using the narration of observation report as a part of truth seeking in addition to make an analysis to produce the policy in the settlement of past severe violation of human rights.

Keywords: *narrative methods, narrative analysis, Tanjung Priok, Tanjung Priok's incident, Human Rights Court, truth seeking*

1. INTRODUCTION

This article depicts the origin of narrative theory. Using narrative theory is important in presenting the particular stories from the victims' personal story especially about their experiences during and post the incidents. The Narrative as an approach provides a comprehensive understands of the victim's story.

Beside depicting the origin of the narrative theory, this article will also discuss about the usage of narrative theory in human rights. Narrative theory has widely use in the field of human rights study to get the testimony of actors in specific incidents in order to explore the evidence. In addition, using narrative in human rights study helps in the analysis of the social-political context as a background on transitional justice.

By using narrative theory approach, it allows for information that has been suppressed until the Reform era commencing in 1998. The narrative also highlighted the information from the court room by using the narration of the observation report that appeared in the report of public examination on the court decision of Tanjung Priok case that produce by Indonesian judicial monitoring society. The narrative of the incident comes not only from the story of the victim but also the research report of *Asosiasi Pembela Islam*, the Islam Defenders' Association (API) and the investigation report made by National Human Rights Commission (Komnas HAM).

2. What is Narrative?

There are many definitions for narrative theory. A narrative is a story. Narrative theory is used in many disciples including psychology, sociology, linguistics, history and culture.¹ Narrative theory in this research refers to the methods of arranging and expressing lived experiences.² Narrative theory talks about the 'story' of people, whether oral, written or visual.³ Narrative theory focuses on particular actors, in particular places, at particular social times.⁴ Unlike Riessman, Czarniawska defined narrative into three different basic categories: there are original narratives, narratives of an action or an event, and narratives of a consequent state of affairs.⁵ Furthermore, Carzniawska also mentioned that narratives of events would not be meaningful unless they have a plot and the easiest way to create meaning is by presenting narratives in chronological order. Having a chronology provides the reader with easier access to causality.⁶

In addition the importance of chronology in narrative, Hayden White mentioned that "the plot of historical narrative is always an embarrassment and has to be presented as 'found' in the events rather than put there by narrative techniques".⁷ In narrative theory, White also mentioned that a challenge to collecting narratives is to identify the modality of the relationship to make sense as a whole story. Additionally, narratives not only stress the difference but also the similarity between stories. When we only

stress the difference, we are only looking for the metonymic mode, and when looking for similarities, we are only looking for the metaphoric mode.⁸ Narrative theory involves making sense of all experiences, therefore we must identify both (metonymic and metaphoric) parts to make them identifiable as a whole story or chronology.⁹ The utilization of both metonymy and metaphor help in making discourse meaningful. In the post-structural sense, narrating the experience to depict the events in writing a story is also methodologically appropriate in depicting the tragedy of certain events.¹⁰

David Herman mentioned¹¹ that the science of narration was coined by Tzvetan Todorov¹² from the French *narratologie* (narratology), and by using the word narratology in parallel with other sciences like biology, sociology and so forth. Herman in conjunction with include Roland Barthes,¹³ Claude Bremond,¹⁴ Gerarrd Genette,¹⁵ and AJ Greimas,¹⁶ all of whom interpreted particular stories as individual narrative messages, were supported by semiotic principles such as characters, events, states and times constraint. All of those semiotic principles combine, permute, transform and then harvest into the specific narrative texts. Barthes' argued, narrative only exists as life itself; international, trans-historical, transcultural.¹⁷ A narrative might be considered as providing a solution for common problems of human concern, because narratives; firstly, provide a response to the problem of how to translate knowledge into words and secondly, narratives resolve the challenge of presenting human experiences in a form adjustable with the structured meanings of human life in a general sense rather than only through a specific cultural lens.¹⁸

Narratology is a field of study that comprises narrative theory, narrative texts, images, observations, semiotics, events or any artefacts that tell the story.¹⁹ Using narrative theory helps readers to understand, analyze and evaluate the narration. Narratology as a system of narrative attempts to give an insight consisting of various narrative texts for various purposes with various functions.²⁰ When narrative texts can be defined this could be used for the next phase that depicts the constructed description (a plot) about the story or events.²¹ Based on the description of the events, the variation between descriptions is examined, which helps to inform the new narration or narrative texts that depicts social political constraints around the events.²²

Considering the narration in relation to the social-political constraint in writing a narrative story, Herman states²³ that modern research on narratives is shaped by the discontinuities and dislocations associated with World War II, among other disruptive incidents. The key message from Herman is that significant disruptive events, such as the suppression of protest, are important in shaping narratives (for example Tanjung Priok in Indonesia). This effect is seen in the works of Rene Wellek and Austin Warrens,²⁴ whose chapter on narrative fiction is influential to the development of narrative theory. Wellek and Warrens illustrate the effect of disruptive

events (such as narrative semantic by illustrating satire event into romantic's poetry) in their narration. According to White,²⁵ historians do not have to report the truth about the real world in the narrative form; they might choose other, non-narrative, even anti-narrative, representation modes, such as meditation, anatomy or symbols. Moreover, de Tocqueville²⁶, Burckhardt²⁷, Huizinga²⁸, and Braudel²⁹ promote the use of narrative in their historiographical works. The historian tells a story based on reality perceived or believed to be perceived, as evidence in the evidence examined by them. Their example, according to White, can show the difference between historical discourse using narrative by looks out the world and report it, on the one side, and historical discourses, on the other side, that assumes the world would speak for itself as a story.

In relation to the work of Jakobson³⁰, Benveniste³¹, Genette³², Todorov³³, Barthes³⁴, and the arise of structuralism, their work explains the relation between *discourse* and *narrative*. A narrative is the way of speaking that is characterized by some exceptions and limitative condition, which is more an open form than a discourse does not impose upon the speaker. As Hegel argues that a genuinely historical account had to display not only a certain form, but also certain content, namely a political-social order.³⁵ This is shown in Hegel's introductory lectures on the philosophy of history:

"In our language the term History unites the objective with the subjective side, and denotes quite as much the historia rerum gestarum, as the res gestae themselves; on the other hand it comprehends not less what has happened, than the narration of what has happened. This union of the two meanings we must regard as of a higher order than mere outward accident; we must suppose historical narrations to have appeared contemporaneously with historical deeds and events. It is an internal vital principle common to both that produces them synchronously. Family memorials, patriarchal traditions, have an interest confined to the family and the clan. The uniform course of events [my italics] which such a condition implies, is no subject of serious remembrance; though distinct transactions or turns of fortune, may rouse Mnemosyne to form conceptions of them-in the same way as love and the religious emotions provoke imagination to give shape to a previously formless impulse. But it is the State which first presents subject-matter that is not only adapted to the prose of History but involves the production of such history in the very progress of its own being."

Hegel also contends that external conditions influencing the construction of political constitution could not be understandable without the knowledge about the past or the background of socio-political constraints at the time of the constitution being

enacted. The narrative theory attempts to fill the absence to the background story, while the constitution then becomes a text of law. The study on legal texts without knowing the background is just like a broken present given to the birthday person.

Monika Fludernik's work on her work mentioned that linear in which gradual developments contribute to an ever-more complete critical arsenal on the narratives work.³⁶ Fludernik also mentioned that self-reflexively applies narrative theory to the history of narrative theory itself, setting out two competing plots, then follows the second of these to show how narrative theory has spread out in widening branches.³⁷ Specifically, Fludernick moves from formalist study to pragmatics (including issues of gender and politics) and then onto the study of media and of the narrative turn in a variety of social sciences, coming finally to issues of linguistics and cognition.³⁸ Fludernick's research has shown that an extension of narratological study now includes the oral language narrative as well as the novel and short story.³⁹

Moreover, the development in media studies brings the generalization of narrative study within the perspective of the social sciences; this impacted the narratological paradigms and also influences legal studies, psychological and economic discourse.⁴⁰ Rimmon-Kenan strengthens the argument by pointing out that narrative theory needs to come to terms with the deployment of its concept into non-narratological context.⁴¹ Furthermore, Rimmon-Kenan illustrated the usage of narratological concept in the case of psychoanalysis, by encouraging patients to construct their lived experiences so as to bring them to a positive identity about themselves and this assists their recovery.⁴² Following Rimmon-Kenan, Cohn also mentioned that clinical narrative is different from fictional and real-world story telling.⁴³

Many academics in the social sciences use narratives from interviews as the primary source in order to construct a chronology⁴⁴, for example narratives on homelessness⁴⁵ or on crime⁴⁶. In this context, narratives are the rationalization of any behavior and experience and is used to observe the subject but, not in any traditional narratological sense. Narratives are also used as a theoretical framework for policy in legal matters.⁴⁷

In legal discourse, narratives have an important role for the implementation of policy or legal practice. For example, in criminal procedure law, the witnesses will tell of their own experiences to the police investigators, to the prosecutors, defense lawyers, and presiding judges. Witnesses's stories then become a narrative of legitimacy to convince juries in common laws system or presiding judges in the civil law system. Narratives in the legal field commonly use guilt or innocence of the defendant based on the interpretation on evidence. The relation between the law and literature concerning literary thematizations of legal concerns has developed (Greta Olson 2014⁴⁸; Anker and Meyler 2017;⁴⁹ Robert 2011;⁵⁰ Porsdam, 2012;⁵¹ Weissberg 1983;⁵² Brooks 2006⁵³ or Larue 2010⁵⁴) with the influence of legal (especially metaphorical) language on legal practice (Hyde

1997).⁵⁵ Much of this research involves narrative concerns.

The discussion on narrative and the law has recently attracted me as a legal practitioner. The focus of discussion that has been developed is called Law and Literature. The knowledge between the law and literature has various sub-discipline and ways that lawyers use to study the law and its literature.⁵⁶ As for the law scholars, they have been studying the legal text in many ways, it is important to uses the narrative analyses methods in making their legal product. Firstly, analyzing the legal issues in literature traditionally, such as analyzing the text of the laws and regulations.⁵⁷ Secondly, examining the form, structure and rhetoric or legal consideration contained in the legal text such as court verdict.⁵⁸ Thirdly, examining the legal text by using critical method in language or writing.⁵⁹ And, lastly, analysing legal text to include the extra legal or outsider views or thoughts in the area of laws.⁶⁰

The discussions in these areas are somewhat different in the discussion of the focus, although often in the analysis it will convey the similarity of movements that also overlap in some way. Furthermore, the movement of the law and literature begins to focus on the concept of narrative as its basis. The purpose of the introduction of narration and law in this discussion becomes clear in following passage through the vision and insight of law scholars who are the winners and critics of this new legal interest. Furthermore, this theory is consistent with the nature of the research to be undertaken in this study.

3. NARRATIVES AND HUMAN RIGHTS

3.1. The Use of Narratives in Human Rights

The use of narratives in relation to human rights cannot be separated from the upholding of human rights. Individuals who narrate their personal experience or knowledge on the principles of universal human rights depicts the power of narratives in the dissemination of understanding universal of human rights.⁶¹

The narration on the *Universal Declaration of Human Rights* relates to some articles such as Article 1 that narrates "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."⁶² The provision in the Article 1 is the expression of individual rights in relationship to others. The World War aftermath has created a document for the protection of individual rights in the form of a Universal Declaration of Human Rights. The declaration was adopted in 1948 and a collective moral commitment to just societies in most part of the world.

Additionally, the *Universal Declaration of Human Rights* was written as a legal response beyond the boundaries of national law and interest. From the narration of Herman Goering, one of leading organizers of the Holocaust, he mentioned that they

were obeying the laws of Germany. Hence, the *Universal Declaration of Human Rights* is a response to the national law-based interests, and it above national law when countries are signatories and have ratified the document. The Nazis violated people's rights to life, liberty, and security. Every human being also shall not be subject to torture or to cruel, inhuman, or degrading treatment or punishment, and such principles applied to all human beings universally. The recognition of individual rights in UDHR are the way to challenge unjust state law or oppressive customary practice.⁶³

The human rights narration in contemporary storytelling can be seen in the novel that narrates the struggles in achieving justice and how the advocacy works on certain vulnerable persons.⁶⁴ Furthermore, Marais addressed that Coetzee's *Novel* depicts the treatment of violence in post-apartheid South Africa.⁶⁵ The novel has shown that sympathy, sensibility, and compassion are the way to build moral sentiment as a way for reparation and learn self-narration and testimony from the victims in making a narration on post conflict.

Narrative theory has been utilised in the social sciences for the last thirty years to gather primary data.⁶⁶ Specifically, narrative research is based on story of certain individual that is mostly referred to as self-narration, life history, autobiographical narration, biographical analysis, oral history, and testimony.⁶⁷ The use of narrative evidence and testimony have also been valued in the field of human rights research and advocacy.⁶⁸ Thus, the testimony of the witness or the person who experience the event become the focus of the reader or viewer.⁶⁹ The empirical strength of the testimony is embedded in our consciousness; like seeing, hearing is believing.⁷⁰

Nonetheless, Ian Patel claims "that the role of testimony in the context of human rights goes far beyond a visual technological device to grab people's attention".⁷¹ Although the request of measurable outcomes in human rights research has led to the presentation in a statistical table, the testimony remains the mainstay in exploring the evidence. Leigh Payne, questions whether the human rights fields is overloaded wit testimony.⁷² In addition, Payne has mentioned that the perpetrators confessions do not necessarily disclose truths about the past, but it merely explanations and justifications for deviant behaviors or personal versions of the past.⁷³ Furthermore, Ian Patel⁷⁴ explains that there are different types of testimony evidence.

Legal testimony in an international criminal trial is different to an instance of common law confession evidence; a semi-structured interview with a survivor of state violence is different to a "life history" of a refugee; and a UK victim impact police statement is different to a focus group transcript of regional CSO leaders.

The above is classified as "self-narration as testimony", which is a narrative told by a person who recounts extreme experiences in conflict situation⁷⁵. One of the important parts in procedural justice is

giving the victims or survivors of state crimes the opportunity to tell their stories. Although the psychological benefit of the self-narration is still questionable, the self-narration may beneficial for the examiner, who might also feel the experience itself by listening the narration incorrect structure rewrite.⁷⁶ Thus, a testimony is categorized as "victim-centered justice".⁷⁷ Furthermore, in a broader sociological understanding, a testimony is viewed to give "field" point of view that become the main investigation among the researcher to understand conflict experiences. Nonetheless, there is also criticism of such action (testimony) has repressed the voice of those whose suffered from oppression.⁷⁸

According to Patel, self-narration is undoubtedly and essential as testimony.⁷⁹ On the other hand, self-narration is also the object of misplaced assumption that in some cases leads to tendentious standard of interpretation. In the human rights perspective, testimony as evidence is presented as the main purpose that has inherent value. Witnesses' testimony establishes the facts and then filtered as an evidence by future legal mechanism or political movement.⁸⁰ Human rights advocacy also develops the testimony as a promotional tool that connects the narrative of the affected person and sensible reaction,⁸¹ which eventually awaken the readers, listeners, and viewers. Currently, there is a critique against the testimony evidence, asking whether it is useful or it is supposed to be impartial ideology. In the example of former Yugoslavia and Rwanda, the publication of documentary evidence did not initiate international political action or local demonstration.⁸² There is political criticism of the testimony evidence claiming it as top-down expert arbitration of testimony.⁸³ They learn that there is unequal power between the interpretation of the expert testimony in one hand, and on the other hand, people whose narrative is used as evidence.⁸⁴

3.2. The Application of Narrative Theory in Human Rights

Research using narratives is conducted by interviewing people, by locating documents containing comments or responses, and by finding other related documents.⁸⁵ Using narrative theory to analyse any significant amount of information which is not limited to academic literature, but also includes legislation, interviews, documents containing comments or responses beneficial for researchers and law practitioners. The comments or responses are created by many actors related to the focus of the research not limited to articles or news reports from newspapers and magazines, court case decisions, and many others related documents. Narrative research draws on the accounts of specific individuals which are referred to generically as self-narration, life history, autobiographical narration, biographical analysis, oral history, and testimony.⁸⁶ Narrative theory provides structures for gaining stories as a representation of people's knowledge and understanding.⁸⁷ Self-narration and testimony from

the people who experienced human rights abuses, for instance the Tanjung Priok incident of 1984. From the lived experiences of people, researchers can draw the chronology as they gathered many stories about what happened, including how their responses to the abuses. These stories can provide insights to produce knowledge. Narrative research provides methods for researchers to approach participants in ways that encourage them to tell of their experiences and build these stories to develop understandings. Accordingly, testimony is often viewed in terms of the recent incremental advances in victim-centered justice. In a broader sociological sense, testimony is seen to provide an "on the ground" perspective, and in this regard has become a key heuristic among researchers in their attempt to understand the experience of conflict.⁸⁸

Furthermore, narrative theory allows for interactive dialogue between the researcher and the participants in the research.⁸⁹ Narrative methods are useful in this research as research on human rights abuses such as the Tanjung Priok incident requires dialogical approaches to enable people who witnessed abuses to explore their own experiences. This research also required an understanding of social change to gain the whole meaning of the stories. In other words, to construct knowledge through people's experiences, the researcher is required to apply dialogical approaches to encourage participants to tell of their experiences based on the social changes, which have occurred.

Understanding the social realm is not simple, the social sphere requires elasticity when reacting to it.⁹⁰ Therefore, the fourth reason why this research used narrative theory was because the nature of history in relation to social and political events is flexible and incomplete.⁹¹ Narrative theory allows researchers to identify and analyze the social contexts for the transitional justice responses, especially in the reparation process. As the social sphere is developing all the time, people's respective points-of-view will furnish texture in relation to the journeys of the communities. By engaging people in understanding the history that has happened around them and to them, this will provide insights that support growth in the social sphere.

Narrative theory makes identification of the relationships possible between systems and social structures.⁹² This capacity is important because answers to the root causes of human rights abuses cannot ignore the workings of the system and the forms of the social structures that existed in Indonesia. In the Tanjung Priok incident for example, the abuses began from actions carried out by the military officials which religious believers thought disrespectful. Sixteen years after the Tanjung Priok incident, the same issue arose when the North Jakarta municipal authority wanted to move the former tomb of an eighteenth-century Muslim teacher - a site considered sacred to his descendants and followers.

4. Using Narrative Approach as a Methodology

In conducting research using narrative paradigm, researchers should directly be involved in deep and thorough conversation with participants.⁹³ The in-depth interview means that the researchers should try to explore what is in the mind of the participants, their experiences and even their emotions, including the fear or misery for remembering the event that they experienced.⁹⁴ Afterward the researchers will face territory assignment, in which they will agitated to decide where and how to begin with the result of interview.⁹⁵ In the event these conversations happen during the lifetime of some individuals, and/or have been conducted with certain individual for the long period of time,⁹⁶ the researchers usually describe this feeling as immersing into the bundle of interview transcript. It concluded by the researcher that the narrative research literature mutes on how to approach the materials in the form of narrative accounts.⁹⁷

A narrative approach is an analysis method that also directly adopts, adapts and expands from human rights theme to the cross-disciplinary analysis.⁹⁸ It shall transverse the research topic to the specific context in which the research is undertaken. Therefore, a narrative developed from the interview is not the same with qualitative research in general. It is because narrative approach taken is drawn from the narrative inquiry framework.⁹⁹ Stories from the research participant shall be analyzed based on certain themes from the collected stories.¹⁰⁰ The collection of stories or narrative shall result to the description of the place, time, event and the actors which then can explain the event description.¹⁰¹ To create a story, the researcher shall through the process of analysis of narrative,¹⁰² in which they seek stories as data and then analyzing them for themes that hold across stories. The researcher then put the data to construct stories through a plotting process.¹⁰³

Research in this context is also a way to investigate whether the individual understands their experience in their daily life as well as looking for wider social/cultural resources to understand their lives.¹⁰⁴ It can be assumed that this understanding is constructed and reconstructed from the collection of stories.¹⁰⁵ In principle, one of the best ways to learn about human beings is by understanding the quality of their experience,¹⁰⁶ and the stories are categorized by plotting the data, before, during and after the event.¹⁰⁷

A structured story represents the event reconstruction.¹⁰⁸ The first reconstruction is the background to the event, which the participants recall from their experience. Researchers then reconstruct these experiences when they write, analyze and interpret the experience. The narrative stories shall raise the imagination of the readers or viewers to envision the background of the event and the social political picture that surrounded it.¹⁰⁹ Knowledge built through this process is recognized as temporary and partial, which is characterized by many voices, perspectives, truths and meanings.¹¹⁰

Using the narrative process in the data collection is how the participant became a storyteller who tell about their lived experience and give meaning to those stories.¹¹¹ After interviewing the participant, the researcher should make a transcript, read it and then find four narrative processes or “narrative style” suggested by Rosenthal,¹¹² namely; stories, description, argumentation and theorizing. In addition, the augmentation process, in which the participants enrich the information on the stories they told previously told. The information itself is more descriptive than theoretical.

Initially, the narrative analysis process starts by differentiating the stories from the available texts using recognizable elements that describe who, what, where and when.¹¹³ In this process, the researchers will also summarize the stories, evaluate the main point and series of event/action in chronological order or thematically.¹¹⁴ Finally, there is an evaluation of the story that is a way to represent the listener to understand the story of the participant¹¹⁵.

Furthermore, the researchers observe parts of the interview text that is not represented as stories; the narrative process of theorizing, argumentation and augmentation description.¹¹⁶ When a person tells their stories during interview, they can also use this narrative process to enrich their stories and to help the listener to get the main point of the stories.¹¹⁷ During interview, a story teller could become reflective and try to theorize their experiences. Often, when the interview continues, the participant shall add more information to the stories in the event the interview initiates memory of the pieces of the stories.¹¹⁸ Occasionally, the additional information might not be the part of the stories, but abstract elements outside of the stories.¹¹⁹ The said elements might also add the meaning of stories. The participants could also tell the detail of the people, places or things. This additional information enriches the stories identified in the interview texts. Sometimes, the narrative process of the participants on the additional information suffice the needs of information of the researcher.¹²⁰

Doing narrative research is an ethically complex undertaking.¹²¹ The researchers have to deal with a critical question of how to balance the needs of the person as well as distribute their meaningful stories, ethically.¹²² Furthermore, the continuous struggle for the researcher in this process is to combine the meaningful and emotional stories into one complete story.¹²³ In addition, the narrative researchers also try to construct the most personal story and even stories whose owner is vulnerable.¹²⁴ Thus, the process of narrative analysis is also an attempt to combine various stories and develop it into more collaborated stories that become a complete and constructed story.¹²⁵

5. THE USE OF NARRATIVE IN ANALYZING THE TANJUNG PRIOK CASES

I note that the court decision in some section describing the history of the case examination procedure. In another section, it reveals how the case

could occurred, which concluded from various fact and document presented during the examination. The description in the court decision is considered by Larue as a technical effort of various descriptions, which then contextualized into an element of punishment from a story conveyed in the trial.¹²⁶

In the first level of the Human Rights Court in the Tanjung Priok case, the judge ruled Tanjung Priok victims are to be given compensation. In the said decision, the calculation of compensation is based on the victims’ calculation that submitted to the Public Prosecutor. Further, in addition to the penitentiary punishment to the perpetrator, the Public Prosecutor submitted the victims’ calculation altogether with the indictment to the perpetrator. The compensation given to a certain number of victims is not only shows the perpetrators’ responsibility, but also an effort for the welfare of victims who have suffered because of carrying the burden of the case for a long time. A progressive legal breakthrough for victims occurred when the judge accepted criminal charges against the perpetrators which laid the burden of accountability on them.

The compensation given to the victim is the acceptance of the judges against various narratives revealed by the victims for the perpetrator's actions. Although it needs to be recognized that each story has different characteristics or are not the same as each other because each individual experiences and memories of events varies, but one similarity between each account is related to the events that started it, which followed by the shooting and experiences during their time in the hospital. The sequences to these events are illustrated via the narratives story section outlining the details of the Tanjung Priok incident. The purpose of revealing the story of the events in detail is to reconstruct the narrative of the victims, which sometimes also contains personal opinions and experiences, and some of the fiction based on the conclusions of the stories heard. The tensions that culminated in a bloody event cannot also be separated from various stories that developed before the event, including an attempt to replace the religion of Islam adopted by the victim with a non-divine religion namely Pancasila as a religion and ideology needs to be captured in detail.

During the New Order era, a coercive approach was often used to impose government views on society. The coercive approach was supported by the dominant role of security apparatuses which makes repressive ideology unavoidable. The repressive Pancasila ideology is meant to force the society to accept and make it a single principle for all political organizations or societies, which at the end of the line make Pancasila a closed and limited ideology rather than make it an open ideology of all political streaming. Mental repression because of the coercive ideology puts the community in a marginal position socio-politically, where society is no longer the subject of government and political state but only as the suffering object of the coercive ideology. This coercive approach that later gave rise to community rejection sometimes accompanied by fictional

narratives, such as Pancasila is considered as a new religion and forcing all citizens to embrace the said religion. Finally, it cannot be denied that the coercion approach gave birth to a religious-based rejection movement or using religious means to invite its followers against the government to defend their religion. The various narratives of this religious-based movement are also part of Tanjung Priok incident.

The coercive approach carried out during the New Order era also influenced the public perception about the government as well as the judiciary. At that time, the judiciary was still under the shadow of the Executive of the government, because Judges were appointed by the government through the Ministry of Justice. Public perception of the similarity across all branches of the state's institutions (Executive, Legislative and Judicative) cause public distrust, especially from the political opponents of the New Order era. Moreover, those who opposed to the New Order era tried on repressive charges through Subversive Law or Internal Security Law.¹²⁷ In addition, the judge's decision at that time was also controlled by a fictive narrative based on the government's fear of overthrowing through a no-confidence motion. A set of facts no longer had any meaning, but the imagination of the government's defeat that cannot be happened had been an imaginative inducement for the judge in deciding the subversive case at that time. It includes the parties or the perpetrators of mass action in the Tanjung Priok incident, who become the victims of the repressive law because they still want to maintain their religious beliefs in their perspective.

ACKNOWLEDGMENT

This work was part of PhD thesis and the study was supported by Indonesian Government Scholarship under Directorate General of Higher Degree of Ministry of Education of Republic of Indonesia. Attending this conference and continuing the study is supported by Faculty of Laws Universitas Indonesia.

REFERENCES

¹ Moyle, "Digital Technologies in Australian Schools: A Narrative Study of Government Policies", Unpublished Ph.D. Thesis, 2002.

² H. Fulton, R. Huisman, J. Murphet, and A. Dunn, "Narrative and Media", (Australia: Cambridge University Press, 2005).

³ C. K. Riessman, "Narrative Analysis: Qualitative Research Methods", (California, SAGE, 1993).

⁴ C. K. Riessman, "Narrative Methods for Human Sciences", (Los Angeles, SAGE Publication, 2008).

⁵ Czarniawska, Barbara, ed. *A Narrative Approach to Organization Studies*. Vol. 43. Sage Publications, 1997.

⁶ *Ibid.*

⁷ White, Hayden. *Metahistory: The historical imagination in nineteenth-century Europe*. JHU Press, 2014.

⁸ Carter, David, and Rebecca Warren. "Metonyms and metaphor: the rhetorical redescription of public interest for the international accounting standards board." *Critical Policy Studies* (2018): 1-26, p. 9. also see Griggs, Steven, and David Howarth. "The politics of airport expansion in the United Kingdom: Hegemony, policy and the rhetoric of 'sustainable aviation'." (2016).

⁹ *Ibid.*, Carter. Also see. Jakobson, Roman. "Two Aspects of Language." (1998): 76.

¹⁰ Barbara Czarniawska, "The Uses of Narrative in Organization Research." *rapport nr.: GRI reports 2000* (2000). Clifford, Rebecca. "Emotions and gender in oral history: narrating Italy's 1968." *Modern Italy* 17.2 (2012): 209-221.

¹¹ David Herman, "Histories of narrative theory (I): A Genealogy of Early Developments." *A companion to Narrative Theory*, (2005): 19-35.

¹² Todorov, Tzvetan. "The journey and its narratives." *The Morals of History* (1996): 60-70.

¹³ Roland Barthes, "Introduction to the Structural Analysis of Narratives." *Narrative theory: Critical Concepts in Literary and Cultural Studies* (2004): 65-116.

¹⁴ Claude Bremond, "The logic of narrative possibilities." *Narratology: An Introduction* (1996): 61-75.

¹⁵ Gerard Genette, "Boundaries of Narrative," *New Literary History* 8, no. 1 (Autumn 1976): 11

¹⁶ Algirdas Julien Greimas, "Narrative grammar: Units and levels." *MLN* 86.6 (1971): 793-806. Also see Algirdas Julien Greimas, *Structural semantics: An attempt at a method*. University of Nebraska Press, 1983.

¹⁷ Roland Barthes, "Introduction to the Structural Analysis of Narratives." *Narrative theory: Critical concepts in literary and cultural studies* (2004): 65-116.

- ¹⁸ Hayden White, "The Value of Narrativity in the Representation of Reality." *Critical Inquiry* 7.1 (1980): 5-27. P.7.
- ¹⁹ Hayden White, "The Value of Narrativity in the Representation of Reality." *Narratology: An Introduction* (1996): 273-85.
- ²⁰ Taisuke Akimoto, and Takashi Ogata, "A Narratological Approach for Narrative Discourse: Implementation and Evaluation of the System Based on Genette and Jauss." *Proceedings of the Annual Meeting of the Cognitive Science Society*. Vol. 34. No. 34. 2012.
- ²¹ Marie-Laure Ryan, "Toward a Definition of Narrative." *The Cambridge Companion to Narrative* (2007): 22-35.
- ²² Maria Guerrero, *Reconfiguring the Spanish Identity: Historic Memory, Documentary Films and Documentary Novels in Spain (2000-2002)*. University of Florida, 2010.
- ²³ David Herman, "Histories of narrative theory (I): A Genealogy of Early Developments." *A Companion to Narrative Theory* (2005): 19-35.
- ²⁴ Rene Wellek, and Austin Warren. *Theory of Literature*, (New York: Harcourt, Brace & World, 1956).
- ²⁵ Hayden White, "The Value of Narrativity in the Representation of Reality." *Narratology: An Introduction*, (1996): 273-85.
- ²⁶ De Tocqueville, Alexis. *Democracy in America-Vol. I. and II*. Read Books Ltd, 2015.
- ²⁷ Burckhardt, Jacob. *Judgements on history and historians*. Routledge, 2016.
- ²⁸ Huizinga, Johan. *Men and ideas: History, the middle ages, the renaissance*. Vol. 453. Princeton University Press, 2014.
- ²⁹ Braudel, Fernand. *On history*. University of Chicago Press, 1982.
- ³⁰ Jakobson, Roman. "Two Aspects of Language." (1998): 76
- ³¹ Benveniste, Emile. "Problems in general linguistics, trans." *Mary Elizabeth Meek (Coral Gables: University of Miami Press, 1971)* 219 (1971).
- ³² Genette, Gérard. *Narrative discourse revisited*. Cornell University Press, 1988.
- ³³ Todorov, Tzvetan. "The journey and its narratives." *The Morals of History* (1996): 60-70.
- ³⁴ Barthes, Roland. "Introduction to the structural analysis of narratives." *Narrative theory: Critical concepts in literary and cultural studies* (2004): 65-116.
- ³⁵ Georg Wilhelm Friedrich Hegel, and John Sibree, *The Philosophy of History*. Courier Corporation, 2004.
- ³⁶ Monika Fludernik, "Histories of Narrative Theory (II): From Structuralism to the Present." *A Companion to Narrative Theory* (2005): 36-59.
- ³⁷ James Phelan, and Peter J. Rabinowitz, eds. *A Companion to Narrative Theory*. John Wiley & Sons, 2008.
- ³⁸ *Ibid.*, Phelan. P.3.
- ³⁹ Monika Fludernik, *An Introduction to Narratology*. Routledge, 2009.
- ⁴⁰ Mieke Bal, and Christine Van Boheemen., *Narratology: Introduction to the Theory of Narrative*. (University of Toronto Press, 2009).
- ⁴¹ Slomith Rimmon-Kenan, "Concepts of Narrative." (2006).
- ⁴² Slomith Rimmon-Kenan, *Discourse in Psychoanalysis and Literature (Routledge Revivals)*. Routledge, 2014.
- ⁴³ Dorrit Cohn, *Transparent minds: Narrative modes for presenting consciousness in fiction*. Princeton University Press, 1978.
- ⁴⁴ Elliott, Jane. *Using narrative in social research: Qualitative and quantitative approaches*. Sage Publications, 2005.
- ⁴⁵ Toolis, Erin E., and Phillip L. Hammack. "The lived experience of homeless youth: A narrative approach." *Qualitative Psychology* 2.1 (2015): 50.
- ⁴⁶ Abell, Jackie, Elizabeth H. Stokoe, and Michael Billig. "12 Narrative and the discursive (re) construction of events." *The uses of narrative: Explorations in sociology, psychology, and cultural studies* (2004): 180.

⁴⁷ West, Robin. "Jurisprudence as narrative: An aesthetic analysis of modern legal theory." *NYUL Rev.* 60 (1985): 145.

⁴⁸ Greta Olson, "Narration and Narrative in Legal Discourse." *Handbook of Narratology* (2014): 371-383.

⁴⁹ Elizabeth S. Anker, and Bernadette Meyler, eds. *New Directions in Law and Literature*, (Oxford University Press, 2017).

⁵⁰ Alexandra J. Roberts, "Constructing a Canon of Law-Related Poetry: Reviewing David Kader & Michael Stanford, Eds., 'Poetry of the Law: From Chaucer to the Present' (2010)." (2011).

⁵¹ Helle Porsdam, and Thomas Elholm, eds. *Dialogues on justice: European perspectives on law and humanities*. Vol. 3. Walter de Gruyter, 2012.

⁵² Richard Weisberg, "Avoiding Central Realities: Narrative Terror and the Failure of French Culture Under the Occupation." *Hum. Rts. Q.* 5 (1983): 151.

⁵³ Peter Brooks, "Narrative Transactions-does the Law Need a Narratology?" *Yale Journal of Law & the Humanities* 18.1 (2006): 1.

⁵⁴ Lewis H. LaRue, *Constitutional Law as Fiction: Narrative in the Rhetoric of Authority*. Penn State Press, 2010.

⁵⁵ Alan Hyde, *Bodies of Law*, (Princeton University Press, 1997). Also see, Kayman, M. "Law-and-Literature: Questions of Jurisdiction." *Yearbook of Research In English and American Literature* 18(2002): 1-20.

⁵⁶ Richard A. Posner, "Legal Narratology: Review Law's Stories." *University of Chicago Law Review* 64. (1997): 737-747. P. 737

⁵⁷ Paul Gewirtz, "Narrative and Rhetoric in the Law." *Law's Stories: Narrative and Rhetoric in the Law*. Eds. Peter Brooks and Paul Gewirtz. Chelsea, Michigan: Yale UP, 1996. 3-13.

⁵⁸ John Hollander, "Legal Rhetoric." *Law's Stories: Narrative and Rhetoric in the Law*. Eds.

⁵⁹ Robin West, *Narrative, Authority, and Law*. Ann Arbor, MI: U of Michigan P, 1993.

⁶⁰ Marc A. Fajer, "Authority Credibility, and Pre-Understanding: A Defense of Outsider Narratives in Legal Scholarship." *Georgetown Law Journal* 82. (1994): 1845-1867.

⁶¹ Kay Schaffer, and Sidonie Smith. "Conjunctions: Life Narratives in the Field of Human Rights." *Human Rights and Narrated Lives*, (New York: Palgrave Macmillan, 2004), p. 13-33.

⁶² In addition to Article 1, also see Article 3, Article 5, and Article 18. These articles narrate the natural individual rights that apply to all human beings.

⁶³ Michael Ignatieff, and Anthony Appiah. *Human Rights as Politics and Idolatry*, (Princeton University Press, 2003).

⁶⁴ Rahmah Purwahida, and Suminto A. Sayuti. "Korelasi Politik Tubuh, Kekerasan Simbolik, dan Pelanggaran Hak Asasi Anak Dalam Novel-Novel Indonesia Modern." (2011).

⁶⁵ M. Marais, (2006). J.M. Coetzee's disgrace and the task of the imagination. *Journal of Modern Literature*, 29(2), 75-93,166. Retrieved from: <<https://search.proquest.com/docview/201674399>> , accessed 12 Januari 2013.

⁶⁶ Molly Andrews, Corinne Squire, and Maria Tamboukou, eds. *Doing Narrative Research*. Sage, 2013.

⁶⁷ Mary Jane Kehily, "Self-narration, Autobiography and Identity Construction." *Gender and Education* 7.1 (1995): 23-32.

⁶⁸ Human rights research and advocacy in this term are refers to any research that related to the report of national human rights commission (for example report from the investigation on past severe violation of human rights in Indonesia mad by Indonesia's National Human Rights Commission or Komnas HAM), work of alliance of NGO on Human Rights internationally such as Amnesty International, South East Asian Human Rights Network (SEAHRN) and many alliance of Human Rights NGO in Indonesia. Human Research specifically the research that related to the issues on transitional justice, restorative justice or post-conflict research.

⁶⁹ Kelly Askew, and Richard R. Wilk, eds. *The anthropology of media: A reader*. Oxford: Blackwell, 2002.

⁷⁰ Robert Audi, "Testimony, credulity, and veracity." *The epistemology of testimony* 25 (2006).

- ⁷¹ Ian Patel, "The role of testimony and testimonial analysis in human rights advocacy and research." *State Crime Journal* (2012): 235-265.
- ⁷² Leigh A. Payne, and Paloma Aguilar. "Unsettling accounts." *Revealing New Truths about Spain's Violent Past*. Palgrave Macmillan, London, 2016. 23-33.
- ⁷³ Leigh A. Payne, *Unsettling accounts: Neither truth nor reconciliation in confessions of state violence*. Duke University Press, 2007.
- ⁷⁴ Leigh A. Payne, "The role of testimony and testimonial analysis in human rights advocacy and research." *State Crime Journal* (2012): 235-265.
- ⁷⁵ *Ibid.*, Patel. P.237
- ⁷⁶ Suzanne Keen, "A Theory of Narrative Empathy." *Narrative* 14.3 (2006): 207-236.
- ⁷⁷ Amanda Robinson, and Dee Cook. "Understanding Victim Retraction in Cases of Domestic Violence: Specialist Courts, Government Policy, and Victim-Centred Justice." *Contemporary Justice Review* 9.2 (2006): 189-213.
- ⁷⁸ Mander, Harsh. "Words from the Heart': Researching People's Stories." *Journal of Human Rights Practice* 2.2 (2010): 252-270.
- ⁷⁹ Ian Patel, "The role of testimony and testimonial analysis in human rights advocacy and research." *State Crime Journal* (2012): 235-265.
- ⁸⁰ Kenneth Cmiel, "The Emergence of Human Rights Politics in the United States." *The Journal of American History* 86.3 (1999): 1231-1250.
- ⁸¹ Meg Jensen, and Margaretta Jolly, eds. *We Shall Bear Witness: Life Narratives and Human Rights*, University of Wisconsin Press, 2014.
- ⁸² Virginia Morris, and Michael P. Scharf. *An Insider's Guide to the International Criminal Tribunal for the Former Yugoslavia (A Documentary History and Analysis), (Volume 1)*. Transnational Publishers, Inc. Irvington-Hudson, New York, 1995.
- ⁸³ Richard May, and Marieke Wierda. *International Criminal Evidence*. Ardsley, NY: Transnational Publishers, 2002.
- ⁸⁴ Eileen Pittaway, Linda Bartolomei, and Richard Hugman. "'Stop Stealing Our Stories': The Ethics of Research with Vulnerable Groups." *Journal of Human Rights Practice*, 2.2 (2010): 229-251.
- ⁸⁵ Ruthellen Josselson, "Narrative research." *Five Ways of Doing Qualitative analysis*. London: Guildford. (2011).
- ⁸⁶ Yumi Ishige, *Identity and Differences: The Role of Memory, Narrative, and History in Personal Identity*. Diss. Durham University, 2005.
- ⁸⁷ L. M. P. Webster, "Using Narrative Inquiry as a Research Method: An Introduction to Using Critical Event Narrative Analysis in Research on Learning and Teaching" (New York, Routledge, 2007).
- ⁸⁸ Will Jones, *Murder and create: state reconstruction in Rwanda since 1994*. Diss. Oxford University, UK, 2014.
- ⁸⁹ Tombokou Andrews S., "Doing Narrative Research", (Los Angeles, SAGE, 2008).
- ⁹⁰ Sue Llewellyn, "Case studies and differentiated realities." *Qualitative Research in Accounting & Management* 4.1 (2007): 53-68.
- ⁹¹ Tombokou Andrews S., "Doing Narrative Research", (Los Angeles, SAGE, 2008).
- ⁹² D. K. Mumby, "Narrative and Social Control: Critical Perspective", (Sage Publication, 1993).
- ⁹³ Iain Hay, "Qualitative research methods in human geography", (2000).
- ⁹⁴ Coralie McCormack, "Storying stories: a narrative approach to In-Depth Interview Conversations." *International Journal of Social Research Methodology* 7.3 (2004): 219-236.
- ⁹⁵ Kiesinger, Christine Elizabeth. "From interview to story: Writing Abbie's life." *Qualitative Inquiry* 4.1 (1998): 71-95. p. 84.
- ⁹⁶ Elliot G. Mishler, "Models of Narrative Analysis: A Typology." *Journal of Narrative and Life History* 5.2 (1995): 87-123.
- ⁹⁷ Catherine Kohler Riessman, *Narrative Analysis*. Vol. 30. Sage, 1993.
- ⁹⁸ John W. Creswell, "Qualitative Inquiry and Research Design: Choosing Among Five Traditions." (1998).

- ⁹⁹ Donald E. Polkinghorne, "Narrative Configuration in Qualitative Analysis." *International Journal of Qualitative Studies in Education* 8.1 (1995): 5-23.
- ¹⁰⁰ Jo Anne Ollerenshaw, and John W. Creswell. "Narrative Research: A Comparison of Two Restoring Data Analysis Approaches." *Qualitative Inquiry* 8.3 (2002): 329-347.
- ¹⁰¹ John W. Creswell, and Dana L. Miller. "Determining Validity in Qualitative Inquiry." *Theory into Practice* 39.3 (2000): 124-130.
- ¹⁰² Mary Jo Hatch, "The role of the researcher: An analysis of narrative position in organization theory." *Journal of Management Inquiry* 5.4 (1996): 359-374. also see, Barthes, Roland, and Lionel Duisit. "An Introduction to the Structural Analysis of Narrative." *New Literary History* 6.2 (1975): 237-272.
- ¹⁰³ Pentland, Brian T. "Building Process Theory with Narrative: From Description to Explanation." *Academy of Management Review* 24.4 (1999): 711-724.
- ¹⁰⁴ Torsten Husen, and T. Neville Postlethwaite. *The International Encyclopedia of Education*. Vol. 9. Pergamon, 1994.
- ¹⁰⁵ Elliot George Mishler, *Storylines: Craftartists' Narratives of Identity*. (Cambridge, MA: Harvard University Press, 1999).
- ¹⁰⁶ D. Jean Clandinin, and F. Michael Connelly. "Narrative inquiry: Experience and Story in Qualitative Research." (2000).
- ¹⁰⁷ Martin Cortazzi, *Narrative Analysis*. Routledge, 2014.
- ¹⁰⁸ Catherine Kohler Riessman, *Narrative analysis*. Vol. 30. Sage, 1993.
- ¹⁰⁹ Catherine Kohler Riessman, "Analysis of Personal Narratives." *Inside interviewing: New lenses, new concerns* (2003): 331-346.
- ¹¹⁰ Margaret Nelson, "Using Oral Case Histories to Reconstruct the Experiences of Women Teachers in Vermont, 1900-50." *Studying Teachers' Lives*. Routledge, 2013. 179-198.
- ¹¹¹ Charlotte Linde, "Private Stories in Public Discourse: Narrative Analysis in the Social Sciences." *Poetics* 15.1-2 (1986): 183-202.
- ¹¹² Gabriele Rosenthal, "Reconstruction of Life Stories: Principles of Selection in Generating Stories for Narrative Biographical Interviews." *The Narrative Study of Lives* 1.1 (1993): 59-91. P.69
- ¹¹³ William Labov, *Language in the Inner City: Studies in the Black English Vernacular*. Vol. 3. University of Pennsylvania Press, 1972.
- ¹¹⁴ Martin Cortazzi, *Narrative Analysis*. Routledge, 2014.
- ¹¹⁵ Ellen Barton, "Disability Narratives of the Law: Narratives and Counter-narratives." *Narrative* 15.1 (2007): 95-112.
- ¹¹⁶ Gabriele Rosenthal, "Reconstruction of Life Stories: Principles of Selection in Generating Stories for Narrative Biographical Interviews." *The Narrative Study of Lives* 1.1 (1993): 59-91. P.69
- ¹¹⁷ D. Jean Clandinin, (ed.), *Handbook of Narrative Inquiry: Mapping A Methodology*, (Sage Publications, 2006).
- ¹¹⁸ Alan Bleakley, "Stories as Data, Data as Stories: Making Sense of Narrative Inquiry in Clinical Education." *Medical Education*, 39.5 (2005): 534-540.
- ¹¹⁹ Janine L. Wiles, Mark W. Rosenberg, and Robin A. Kearns. "Narrative Analysis as a Strategy for Understanding Interview Talk in Geographic Research." *Area* 37.1 (2005): 89-99.
- ¹²⁰ Robert Atkinson, "The Life Story Interview as a Bridge in Narrative Inquiry", *Handbook of Narrative Inquiry: Mapping a Methodology* (2007): 224-245.
- ¹²¹ Ruthellen Josselson, *Ethics and Process in the Narrative Study of Lives*. Vol. 4. Sage, 1996.
- ¹²² Renate Schulz, Debra Schroeder, and Celeste M. Brody. "Collaborative Narrative Inquiry: Fidelity and the Ethics of Caring in Teacher Research." *International Journal of Qualitative Studies in Education* 10.4 (1997): 473-485.
- ¹²³ Ken Plummer, *Telling Sexual Stories: Power, change and social worlds*. Routledge, 2002. P.483
- ¹²⁴ Freema Elbaz-Luwisch, "Narrative Research: Political Issues and Implications." *Teaching and Teacher Education*, 13.1 (1997): 75-83, p. 82

¹²⁵ Torill Moen, "Reflections on the Narrative Research Approach." *International Journal of Qualitative Methods*, 5.4 (2006): 56-69.

¹²⁶ Lewis H. LaRue, *Constitutional Law as Fiction: Narrative in the Rhetoric of Authority*, (Penn State Press, 2010).

¹²⁷ Anti-Subversion law in Indonesia is a very notorious law was promulgated by the Presidential Edict No. 11 of 1963, the law defines that any subversive activities as those which, inter alia, undermine the State or the principle of Pancasila. This law was used extensively by the Soeharto Regime to silence its critics. See, Butt, Simon. *Anti-terrorism law and criminal process in Indonesia*. University of Melbourne. Centre for Islamic Law and Society. ARC Federation Fellowship, 2008.