Human rights and sorcery in East Java

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Simply rendered, the 1948 Universal Declaration of Human Rights declares every human to be 'born free and equal in dignity and rights', and as having inalienable rights such as freedom of religion and freedom of education. Passed in order to address the horrors of World War II (WWII), this United Nations resolution is testimony to the desire to build a better world. Internationally, human rights movements gained traction with the ratification in 1976 of treatises with binding force in international law; namely the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In combination, these documents constitute the International Bill of Human Rights to which 53 countries have signed up. Today we celebrate Human Rights Day internationally on 10 December and the Office of the High Commissioner for Human Rights in Geneva monitors infringements on a regular basis.

The admirable ideas put forth in these documents have clearly sparked important and worthwhile debates and actions on the part of peoples and governments worldwide, to good effect. Without wanting to denigrate their importance however, my aim here is more specifically to delineate what can happen to such laudable understandings once the concept of 'universal human rights' is translated into some local vernaculars. In Indonesia, the English concept of 'human rights' usually translates as HAM. 'HAM' is an acronym for *Hak* (entitlement or right); *Asasi* (fundamental or basic); and, *Manusia* (human). In East Java where I did fieldwork, HAM was interpreted as an idea which effectively allowed people to kill, with apparent impunity, local individuals identified as sorcerers. If we had to translate, we could interpret HAM in this context to mean something like 'factors that inhibit the police and army from apprehending people'.

In the following, I contrast local understandings of HAM with the perception of 'human rights' as professed by educated national elites. I take as my case study the attacks and killings of around 100 alleged sorcerers in far east Java in 1998. The findings that follow, emerge from fieldwork experience conducted between 2000 and 2002, when I interviewed the perpetrators of the attacks and killings, victims' families, and witnesses. I also interviewed more broadly those responsible for dealing with the problem, such as village heads, military officers, policemen, and judges. Amongst other things, local residents attributed this outbreak of violence to 'HAM'. In analyzing this, I hope to enrich our understanding of how 'human rights' may be taken up in local contexts.

Sorcery and state in Banyuwangi

Banyuwangi Regency lies in the extreme east of Java, just across the straits from Bali. Its mainly agricultural economy manifests in concentrated ownership of irrigated plots. Sea fishing and plantations constitute other substantial sectors. The population of 1.5 million resides mostly in rural areas. Regarded as indigenous to the area, the Osing people tend to occupy villages in the 'rice basket'– a fertile belt of land where the slopes flatten-out from the volcanic mountains (in the west) to the sea (in the east). Javanese and Madurese people, on the other hand, reside in large numbers in the less fertile areas along the coast, and in the capital city.

Belief in white and black magic is widespread in Banyuwangi. We may translate *tukang santet*, the term for a practitioner of black magic, as 'sorcerer' because of the belief that their ability to cause harm is acquired, not inherited. My informants claimed that sorcerers can work from a distance, even from other parts of the country. However, in actual cases of sorcery accusations, local residents would tend to identify a neighbour, a family member, or an acquaintance as the sorcerer. Only infrequently did informants maintain that a suspected person had hired a sorcerer.

JONATHAN HEAD

Fig. 1. *A suspected sorcerer undertakes a ritual oath, whereby he swears he will not perform sorcery.*

Sorcery is believed to be the cause of various misfortunes; most commonly illnesses resulting in death. Local residents would tend to respond to misfortune by demonstrating against those they identified as culprit sorcerers: throwing stones on their roofs, destroying or burning their houses, banishing them from the village, making them swear their innocence on the Koran, or even killing them. Most villages I visited had older informants who could personally recall at least one or two 'sorcerer' killings.

While the killing of 'sorcerers' tends to occur sporadically, there have been times when the attacks and killings have become so frequent that they might be referred to as 'outbreaks'. These often relate to broader, national level events. For example, elderly informants in Banyuwangi recalled 'sorcerers' being killed during the period between the surrender of the Japanese in WWII and the independence war that led to the withdrawal of the Dutch from Indonesia (1945-49). The 1965 coup led to the downfall of President Soekarno and the rise of President Soeharto's regime. This was accompanied by the state-supported killing of hundreds of thousands of purported members and sympathizers of the Communist Party of Indonesia. During this period, local Banyuwangi residents were also implicated in killing 'sorcerers' and communists, sometimes in that order. 'Sorcerers' were again targeted in Banyuwangi during the so-called 'Petrus Killings' between 1982 and

NICHOLAS HERRIMAN

Fig. 2. *The woman pictured in the foreground had an enlarged stomach, which she attributed to her sister-in-law, with the author in the background taking notes.*

NICHOLAS HERRIMAN

Fig. 3. *One of the prisoners arrested for killing a sorcerer in 1998, photographed in Porong Prison in 2000.*

1985, during which the army and police executed between 3-10,000 'criminals' without trial. Finally, Banyuwangi residents killed around 100 sorcerers, peaking in August-September during *reformasi* in the aftermath of Soeharto's resignation.

The killers of 'sorcerers' in Banyuwangi are celebrated for providing a community service. However, they have, of course, transgressed the state's penal code, including those provisions by which murder is made illegal. This antinomy between the way the state and the community respectively handle the problem of 'sorcery' has sometimes created tensions.

During both the 'sporadic' killings and the outbreaks (with the exception of the Petrus Killings), local residents targeted one among them whom they suspected of sorcery. They believed that killing alone would eliminate the threat these sorcerers represented. This can be seen in the murder of Ashari recounted below.

Ashari of Karangbendo

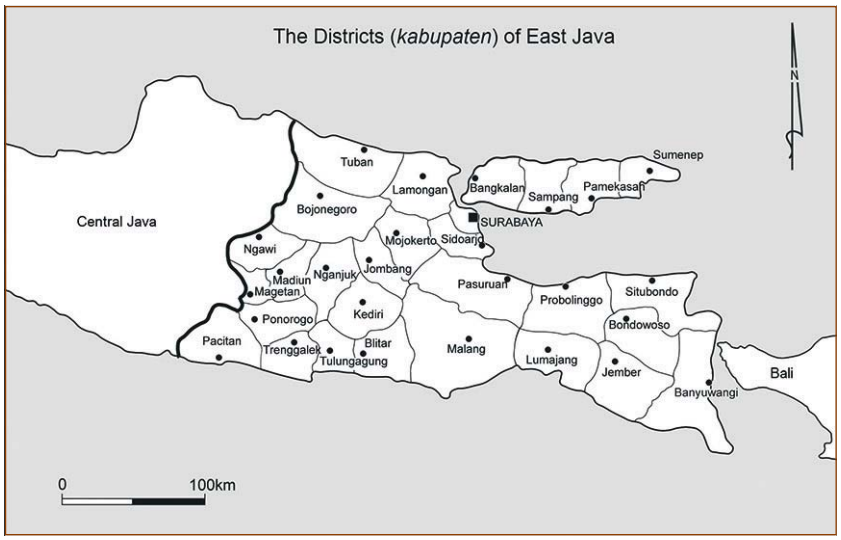
Ashari from Karangbendo was killed during the 1998 outbreak after being identified as a sorcerer. While most family members I interviewed believed in his guilt, Lili, his daughter, avowed her father's innocence. (Lili nevertheless believed in sorcery. Indeed, she told me that a local sorcerer had recently killed her husband through sorcery). According to another informant, local residents killed Ashari 'because they were annoyed; every time there was an argument with him, that person [who argued with him] would end up sick'. Apparently Ashari argued with his neighbours: 'what really hurts is that every time there was a neighbour who was sick, the allegation would be directed against Dad', to quote Lili. As a result, yet another informant explained:

> The community had taken a different approach to the village head [requesting], 'Please drive this person [Ashari] into exile'; the community had often approached the village head like that.

Apparently, local residents succeeded. In an interview with the regional newspaper, *Jawa Pos*, Lili related:

> My father had indeed been accused as a sorcerer [for a] long time by people from this village. Following that, he had been exiled from his house…Our family couldn't do anything about that.

However, Ashari returned and was subsequently killed in the 1998 outbreak.



NICHOLAS HERRIMAN

Fig. 4. *Map of East Java. Banyuwangi can be seen in the far east.*

Demonstrations and killings

Against this background of chronic tensions regarding 'sorcerers' Banyuwangi residents were prompted by a sequence of events to perceive a sense of 'opportunity' (*kesempatan*) to kill 'sorcerers' in 1998. First, in response to sporadic 'sorcerer' killings in Banyuwangi in February, the head of the district ordered the listing of suspected sorcerers. In order to avoid more killings, his aim was to offer those listed the opportunity to move away. Locals however, interpreted this listing as part of an official crackdown on sorcerers.

Second, as 1998 progressed, people in rural Banyuwangi experienced the urban upheavals of *reformasi* vicariously through television reports. My research participants used the word '*demo*' to describe not only peaceful student protests, but also looters setting fire to malls and ethnic conflicts. If *reformasi* represented an opportunity for '*demo*', this could refer to anything; from events leading to arson, rape, and murder in the big cities, to crowds gathering with the intent to kill 'sorcerers'.

Third, as the killings began, my informants perceived that the police and army were either unwilling or unable to respond (indeed, the police had apparently not responded to earlier killings). According to local residents, the reason for this was HAM. The word 'HAM' obtained a different meaning for my informants than for the elites in Jakarta. The closest approximation to my informants' understanding I could arrive at was that the term was used to mean forces which hold the state (*aparat* or *pemerintah* or, rarely, *negara*) accountable and inhibit officials from using force to restore order. For example, in 1998 the police did not react to violent demonstrations against Chinese people, because the police were afraid of being held accountable if they clamped down on the protesters. In other words, the police feared HAM. If a policeman

did not beat up a detainee who was being held on charges, it might have been because he feared HAM. Understood thus, during *reformasi* the state feared that preventing local residents from carrying out their sometimes violent actions in pursuit of local justice would itself be conceived of as a HAM violation. Hence, as a local resident explained, the state could not do its job properly, because 'after there was HAM, the state was confounded (*bingung*)'.

In my fieldwork location, Tegalgaring, most residents supported the killing of a local 'sorcerer' Kartiman. Many recalled that, perceiving the prevailing HAM, local residents took action against this individual. The killers presumed that HAM would effectively stop the police from reacting, so they thought they could kill Kartiman with impunity. However, the police did eventually arrest several of the killers.

In Aliyan, local residents killed a 'sorcerer' named Jair. The police arrested suspects, but later acquiesced to a mob of local residents who demanded their release. As I recall, according to local residents, the police gave in to the mob because they were afraid of HAM. This had provided local killers with the notion that they could act with impunity and 'get away with it'. Nevertheless, the police eventually arrested and charged several from Aliyan too.

A similar situation pertained in the killing of Ashari. Rocks were thrown on Ashari's roof – a common measure against sorcerers in Banyuwangi. In some cases, such actions foreboded further violence. So, perhaps because of this, Ashari sought refuge in an Islamic boarding school (*pondok pesantren*). As Lili related, 'We could only look for a place [for him], and that was the boarding school of Kiai Mahfud.'(The title 'Kiai' usually refers to a scholar of Islam, an *ulama* who runs a boarding school).

However, some local residents threatened Lili; if she did not get her father from the boarding school, they would destroy her house. Her father agreed to leave the boarding school for the Cluring local army base (*Koramil Cluring*). Lili visited the Rogojampi Police Station (*Mapolsek Rogojampi*), but they only suggested that her father be taken into protective custody. Meanwhile, her father and the *kiai* had returned to the *pondok pesantren*, where local residents were waiting. Two trucks went to the boarding school and some local men promised to 'save' Ashari. The head of the boarding school apparently assented.

The local men in the trucks took Ashari back to Karangbendo village. There, as narrated to me by a community leader, local residents:

> *demo*-ed the family [of Ashari], 'he has to be killed, I don't care if I'm put in jail' that [was the opinion of] the community, men and women from two neighbourhoods. It was spontaneous. The Dalmas [District Police Response Team] anticipated it. The Dalmas gave a direction not to be anarchic, not to demonstrate…the community attacked the Dalmas, the Dalmas was chased…in the end the Dalmas ran off; the Dalmas disappeared, rather than oppose [the community] in vain, because [the Dalmas] was afraid of HAM.

At this point, some of the men took Ashari to a local bridge where they killed him. Afterwards local men undertook to find another 'sorcerer', Salam, who had run away. They eventually found him and killed him also. The main point here is that in local perceptions, the police retreated because of HAM which people then interpreted as their 'right' to kill Ashari.

Similar events took place in Malang where, during the period between November 1999 and January 2000, seven attacks against alleged sorcerers led to nine fatalities and one serious injury. In this case, residents destroyed the local police station in response to the arrests the police made. A few months after the events, I spoke to the crime reporter of the district's newspaper *Malang Pos*, who related to me that, in his opinion, the police used rubber bullets because they were too afraid to use live ammunition against these demonstrators.

Arrests & rumours

Eventually, the police made arrests throughout Banyuwangi. Karangbendo residents took steps to avoid being arrested over killing Ashari. A nearby resident told me:

> many [people] ran away. As far as I know, they had been watching during the *demo* and maybe they had been too vocal, and would be suspected [by the police] as provocateurs.

Yet not all escaped arrest. One of those jailed, Heru, protested his innocence to me. Convinced of his involvement in the group that killed her father, Lili implied he was possibly a ring-leader; 'Heru was also involved, whether he was involved as a provocateur…'

The killing did not unduly disrupt social relations however. Lili explained that local residents, including neighbours, had been involved in killing her father. Yet, as she related, her neighbourly relations were 'good; before [the killing] they were good, and until now they have been good'. Indeed, Lili and Heru both attended a conference about the killings together. Heru recalled that Lili had cried when she heard the charges levelled against him, although Lili never mentioned this. Thus, as obtained almost everywhere, relations between the killers and the victims' family remained ostensibly 'good' following the killings.

Lili understandably avoided identifying those neighbours publicly. Hence, in an interview with a regional newspaper, Lili related that Ashari had been taken by 'people in plain-clothes with whom no-one was familiar'. This might give the impression that mysterious people or outsiders lay behind the killing. Indeed, according to rumours in the press and by word-of-mouth, provocateurs, outsiders, mysterious agents, the army and so on undertook many of the killings. This offered local residents with a convenient alibi. They apparently saw no need to disabuse outsiders, and particularly the police, of such a belief.

Here, analyzing 'HAM' becomes complicated. Local residents wanted to kill sorcerers and apparently HAM allowed this. The researcher might thus expect local residents to recall HAM as a good thing. However, the opposite obtained.

In fact, local residents regretted HAM (as they perceived it). The perception of local residents was that HAM had provided the killers with a sense of 'opportunity'. However, this perception had clearly been misguided. When the police subsequently arrested and jailed some of the killers it became clear that HAM, in this sense, was not prevalent. Had local residents not perceived the prevalence of HAM, they would have been unlikely to embark on an undertaking that left some languishing in jail.

Local residents regretted HAM for another reason. While informants may have supported the killings in their own the village, the majority were opposed to killings in other villages. Tegalgaring residents 'knew' that they had killed a true sorcerer in Kartiman, but assumed those killed in other villages were 'innocent'. Conversely local residents in a neighbouring village thought that mysterious forces had killed an innocent man in Tegalgaring. Indeed, I had the opportunity to talk to people in villages all over Banyuwangi and found that where killings occurred, local residents almost always believed the victim to be a sorcerer. These same local villagers thought that victims of killings in other villages would likely have been innocent. Regrettably, as they saw it, HAM had stopped the police from protecting the innocents in other villages. They saw HAM as having impeded the police and army from carrying out their assigned responsibilities and stopping the killings.

HAM and human rights

Banyuwangi residents construct HAM differently to intellectuals in Jakarta. Indeed, in the wake of the killings, a delegation from the National Commission for Human Rights (Komnas HAM) visited Banyuwangi. The delegation found evidence of human rights abuses according to a report in another regional newspaper, *Surabaya Post. Jawa Pos* quotes one of the delegation as saying:

> the National Human Rights Commission absolutely deplores the case of mass butchery in Banyuwangi and surrounding areas, because, in this case, HAM violations have been uncovered.

Lili even recalled that Munir, the head of the commission, interviewed her. The delegation apparently construed the killings of Ashari, like the other killings in Banyuwangi, as a human rights abuse.

Conclusion

We could view the term 'human rights' as a signifier circulating within an international sphere of ideas, to be mobilized and deployed in locally specific ways. What it signifies partly depends on cultural context. In Vanuatu, for example, a group of men wanted women's rights protesters to be fined, because they thought that the empowerment of women would necessarily entail the disempowerment of men and tradition. For them, this disempowerment and the implementation of 'human rights' (sponsored by an Australian bank and an Australian government aid agency) were instances of neo-colonialism (Taylor 2008).

To Banyuwangi locals, the state held back from trying to stop the killing of 'sorcerers' for fear of a HAM violation, effectively permitting them to carry out local justice against those suspected of sorcery. HAM or 'human rights' thus paradoxically appeared to provide an opportunity for them to 'get away with' going after local 'sorcerers'. As it turned out, they were mistaken in this perception. For the elite, HAM proscribed the killing of 'sorcerers'. The National Human Rights Commission construed the killings as a violation of human rights and the police did eventually make arrests.

Words tend to take on different meanings when deployed across languages in different contexts at different times. In British English 'human rights' refers to entitlements that everyone is born with; a meaning for the most part shared with the Indonesian elite in their interpretation of 'HAM'. For Banyuwangi residents, on the other hand, HAM is in some contexts construed as a force to constrain the police and permit the killing of local 'sorcerers' as part of a settlement of local justice.

Those who accept definitions in the vein of the United Nations declaration might be tempted to dismiss these local interpretations of human rights as incorrect. Yet, as this article has demonstrated, such local understandings persist. Human rights are agreed by and between states. Might the ideas of human rights we have become used to, as asserted and protected by our states and serving to effectively legitimate their use of force, not potentially work out very differently in weak or non-state societies? If so, might we wish to revisit the meaning of the 'universal' in 'universal human rights'? ●

Taylor, J. P. 2008. The social life of rights: 'Gender antagonism', modernity and *raet* in Vanuatu. *The Australian Journal of Anthropology* 19(2): 165-178.

comment

GUN CONTROL

A response to Niklas Hultin

In his response to my article 'Making a killing' Niklas Hultin has either succumbed to what Freud called 'the narcissism of minor differences' or he has misunderstood my argument.

In an ANTHROPOLOGY TODAY editorial earlier this year (Gusterson 2013) I noted that American anthropologists have written next-to-nothing about US gun culture or the gun control debate, and that the few pieces I could find by anthropologists converged on a single project: finding the sense in the cultural world of American gun owners. I argued that, in a context where anthropologists have attempted a thick description of only one point of view on gun ownership, that of gun owners, our discipline's tradition of cultural relativism and of respect for the 'native point of view' has the effect of legitimating that point of view by default. I suggested that we need to paint a bigger picture by also undertaking studies of the political economy of the gun industry, and that we need to bring the victims of gun violence – disproportionately poor African-American men – into the picture alongside the largely white culture of gun owners.

Devoting much of his comment to a defence of cultural relativism, Hultin says I 'single out the work' of the two anthropologists who have written about American gun owners (question: if there are only two and you discuss both, are you singling them out?) as 'inadequate' and 'of, presumably, little value to the cause of gun control'. 'Whether one is in favour of gun control or not', he says, 'it would seem essential to understand the factors that make individuals keep and bear arms'. Hultin continues that 'an investigation of the career of guns should not be divorced from the kind of cultural contextualization that [Gusterson] critiques' (Hultin 2013: 23).

There is a profound irony in this critique since my own ethnographic work has mainly consisted of a morally neutral exploration of the cultural world of nuclear weapons scientists (Gusterson 1996; 2004). In that work, to the chagrin of some anti-war commentators (Englehardt 1996), I drew on anthropology's tradition of cultural relativism to portray the worlds of nuclear weapons scientists and anti-nuclear activists as two different cultural systems, each with its own cultural logic. I have, apparently, spent my academic career engaging in the kind of work to which I am opposed.

But, of course, I am not opposed to such work. In my editorial I did not make the case for an anthropological erasure of gun owners but for an enlarged anthropology of guns that would 'juxtapose such ethnographic explorations of gun owners with an investigation of the political economy of American guns', and would add ethnographies of 'other constituencies as well as the NRA's [National Rifle Association] base' (Gusterson 2013: 2). My critique was not of the work of individual anthropologists, but of anthropological work on guns as an ensemble; a small literature with massive gaps and silences.

When writing my editorial I had in the back of my mind Orin Starn's well known critique of Andeanist anthropology in the 1970s and 1980s (Starn 1991). Starn pointed out that anyone who had relied on the anthropological literature for their understanding of Peru would have been completely blindsided by the eruption of a powerful Maoist insurgency there in the 1980s since the ethnographic literature on Peru focused overwhelmingly on the tropes of traditional peasant life, especially its rich ritual and religious aspects, downplaying the peasantry's absorption into global capitalism and their accumulating grievances. While individual anthropologists were writing fine ethnographic descriptions of Andean life, the collective literature they produced as an intellectual community was marred by gaps that left it blind to the gathering storm in the Peruvian countryside.

And, of course, an earlier generation of feminist anthropologists had, likewise, pointed out the gaps and silences of an anthropological literature that always seemed to portray the world from the point of view of men. Just as anthropology has been enriched by ethnographies that foreground women's voices, so our writing on guns will be enriched if it explores the cultural worlds of other communities as well as gun owners.

According to *Slate* magazine, over 2,200 more Americans have been killed by guns since my editorial was published in February.[1] Just last week, in a particularly tragic turn of events, a five year-old who had been given a gun by his