

## The Politics of Remembrance and Victims' Rights in East Timor

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The final report of East Timor's Commission for Reception, Truth and Reconciliation (CAVR), *Chega!* (Portuguese for No more!/Stop!/Enough!) – based on a nation-wide 'truth-seeking' process – represents the production of the first 'official' national narrative of the violence that occurred during the Indonesian period (CAVR 2005). Beyond this official truth seeking process – and given less attention – a myriad of *unofficial*, collective, memory practices have been taking place at the district, *sucu* (village) and *aldeia* (hamlet) levels since the 1999 Referendum. This paper explores the significance of these local memory practices, and, at the same time, reflects on their link to the CAVR and national level non-government organisations (NGOs).<sup>2</sup> While acknowledging that local memory practices are not new, I argue that their increasing engagement with formal politics is indicative of the influence of the CAVR and the advocacy work of human rights NGOs, including the discourse of victims' rights they have promoted. At the same time, I suggest that local actors are influencing this discourse and shaping it in new ways. Specifically, I reflect on the emergence of a 'victim's rights' politics in East Timor, including growing advocacy for victims' reparations, and explore some of the possibilities and limits of this politics.<sup>3</sup>

After providing a brief background to the CAVR's truth-seeking process, and exploring a number of assumptions that underpinned it, I discuss the emergence of local memory practices in East Timor and highlight their significance both as rituals for 'remaking the world' (Das and Kleinman 2001; Das 2007), and as political struggles for recognition by those who perceive themselves to be excluded from the current nation-building process (Humphrey and Valverde 2007). The main body of my paper contextualizes these practices within an emerging politics of 'victims rights' in East Timor, which, I suggest, has been strengthened by the work of the CAVR and human rights NGOs. Given the broader context of impoverishment and scarce state resources in which this politics is unfolding, I underscore a number of emerging tensions.

### Truth Seeking in East Timor

Like other truth commissions, a central goal of the CAVR was to seek and reveal the truth about the traumatic past – in this case the 24 year Indonesian occupation of East Timor. Undertaking its task in a highly participatory way, the CAVR organised a widespread statement-taking process which collected thousands of testimonies, and held a number of public hearings, providing an opportunity for victims of violence to speak about their experiences of harm in a public forum (CAVR 2005 Exec Summary, 32-33). While the vast majority of stories collected reflect violence committed by Indonesian actors, the CAVR also attempted to shed light on a number of 'taboo' issues, such women's experiences of rape, sexual slavery and forced marriage, and also killings and mistreatment perpetrated by East Timorese political parties, including during the brief internal civil conflict between FRETILIN and UDT in 1974/1975 (CAVR 2005, Chapters 3 and 7).

Survivors' narratives are reproduced in the CAVR's final report *Chega!*, which also contains a number of recommendations, including the need for ongoing prosecutions of serious crimes, and for the establishment of a reparations program to assist the most vulnerable victims (CAVR 2005, Part 11). Yet, as in many other contexts, the East Timorese leadership's response to *Chega!* has been lukewarm and, nearly four years after its tabling in national Parliament, in November 2005, there has yet to be a Parliamentary debate on the report. Reflecting pragmatic political imperatives – key amongst them a desire to forge diplomatic relations with Indonesia – the leadership has invoked a forward-looking vision

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<sup>2</sup> Given that the primary focus of this paper is 'local' memory practices, I do not provide a detailed analysis of national political developments in relation to remembering and responding to the past.

<sup>3</sup> In this paper I draw on fieldwork and interviews conducted in Dili, Suai, Liquica and Los Palos in 2007, 2008 and 2009, for my PhD thesis

of nation-building that centres around notions of reconciliation as ‘forgiveness’, and development. These narratives are embodied in the recent decisions by President Jose Ramos Horta to issue full or partial pardons to ninety-four convicted militia members (among them, Joni Marques, who had been convicted for crimes against humanity in the Los Palos trial), and to release from custody Indonesian militia member Martinus Bere, who had been indicted by the UN’s serious crimes unit for his role in the 1999 Suai Church Massacre (see Lao Hamutuk 2009a; Judicial Systems Monitoring Programme 2008).<sup>4</sup> Accompanying these narratives has been the promotion of the remembrance of a ‘triumphal’ story of the past, grounded in notions of collective struggle, unity and resistance. This narrative is most evident in the leadership’s current focus on ‘valorising’ the resistance through the provision of medals and pensions to veterans (see also Leach 2002; 2008), and the labeling of all those who have suffered as ‘heroes’ rather than ‘victims’.

The CAVR – and the proliferation and popularity of truth commissions more generally – can be contextualized within the globalisation of human rights discourses and norms during the post-Cold War period, to the point that Schaffer and Smith (2006, 2) have argued that human rights has become the ‘privileged mode of addressing human suffering’ and the victim of human rights violations has become a central subject. The CAVR’s truth-seeking work was underpinned by assumptions about the importance of fostering public *recognition* of human rights abuses by enabling victims to tell their stories in the public sphere, and acknowledging victims as rights-bearing citizens of the new nation. Thus, one of the formally expressed goals of the CAVR was to ‘assist victims to regain their dignity, by sharing with the nation and the international community the truth which has until now been suppressed and so not understood or perhaps not believed’ (CAVR 2005 Exec Summary, 16).

Encouraging individuals to identify themselves as ‘victims’ and to see themselves as ‘rights-holders’ can open up new avenues and opportunities of political expression, and can empower individuals to make claims upon the state. At the same time, linking rights claims to victim identities also has the potential to divert energies away from other kinds of justice struggles. In the context of South Africa, Rombouts (2002) and Ross (2003) have argued that the Truth and Reconciliation’s Commission’s exclusive focus on recognizing certain kinds of harms – namely killings, abductions, torture and severe ill-treatment – created a ‘hierarchy of harms’ that obscured some of the more ‘ordinary’ effects of apartheid such as poverty and inequality (Ross 2003,178; Rombouts 2002, 224-227). Similar arguments could be made in East Timor, where the focus of human rights organisations and the CAVR on addressing harms such as torture, disappearance and killings – while clearly necessary – has the capacity to render less visible the myriad forms of ‘structural’ or ‘everyday’ violence that were manifested in individuals’ experiences of poverty, fear, displacement, poor health and lack of education during the Indonesian occupation (Bourgeois and Schepers- Hughes 2004; Nevins 2002; Nevins 2005). The effects of these hierarchies of harm can become evident in ongoing struggles for redress, in which citizens who cannot successfully appropriate the identity of ‘victim’, but who might be considered equally disadvantaged, are unable to invoke the same kind of rights claim (Gledhill 2003, 211).

### Local Memory Practices

Beyond the CAVR, and long preceding its establishment, a myriad of *unofficial* collective practices of remembering and commemorating the 24 year period of the Indonesian occupation have been taking place across East Timor since the 1999 Referendum. With their location close to massacre sites, and hence to victims and their families, these practices include the construction of monuments and the commemoration of massacres at the district, *suco* (village) and *aldeia* (hamlet) level. In the district of Liquica, for example, members of the local community have recently constructed a small ‘Angel’ monument at the site of the Liquica church, where on the 6<sup>th</sup> April 1999, as many as sixty people were killed by the *Besi Merah Puti* (BMP: Red and White Iron) militia group while they had been seeking shelter in the church. A commemorative mass is now organised every year, during which families of victims lay wreaths of flowers at the monument in memory of their loved ones. A similar monument to the Suai Church massacre of 6<sup>th</sup> September 1999 stands in that district. Local memory practices are not confined to the 1999 violence, and last year, a commemoration was organised in Kraras, in Viqueque

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<sup>4</sup> The pardons were granted as part of the Restoration of Independence celebrations, 20 May 2008, and the Martinus Bere decision was made on August 30 2009.

district, to remember the 1983 massacre of three hundred members of the village. In the *suco* of Maupitine, Lautem, community members have erected a simple monument of stone and cement to commemorate the massacre of five members of the village in 1983. Completed in 2006, the monument inscribes the names of the five men who were killed, and lists the names of all villagers who died or ‘disappeared’ during the period of the Indonesian occupation. The idea to build this monument arose during the CAVR’s truth-seeking activities in Maupitine, with funding provided by an international NGO.<sup>5</sup>

A number of victims’ organisations have also been formed since 1999, among the more prominent of which are widows ‘self help’ groups in the districts of Suai, Maliana and Liquica. Comprised of women whose husbands were killed during the 1999 Referendum violence, the names of these groups – *Mate Restu* (Remains of the Dead) in Suai, *Rate Laek* (Without Graves) in Liquica, and *Novi Novi* (Ninety nine) in Maliana – evoke the women’s shared experiences of violence and are defined by their loss. Initially established to provide mutual support, and continue the demand for justice and disclosure regarding the whereabouts of those who were disappeared (Campbell-Nelson et al 2006), a number of members of these groups have become prominent public advocates on issues of victims’ rights and reparations. In recent years new victims groups have been established in the districts of Aileu and Los Palos, and are also beginning to form at the sub-district level.<sup>6</sup> A new Dili-based organisation – the *12 November Committee* – has recently formed to further the interests of families of victims killed during the 1991 Santa Cruz Massacre. This organisation is currently advocating for the identification and creation of a register for the disappeared, and the construction of a national monument, and hopes to build an archive to preserve documents and stories from the massacre.<sup>7</sup>

### **Remaking the World and Struggles for Recognition**

The significance of local memory practices can be interpreted on a number of levels. In one sense they can be understood as highly localised and personal attempts to remember the past, to mourn and acknowledge loved ones who have died, respect and honour the ancestors, and provide mutual support. Desires to ensure that local stories about the past are not ‘lost’, and that future generations are educated about the struggles of their parents and grandparents, can be seen as another key motivation of those involved in these practices.<sup>8</sup> As the anthropologist Veena Das suggests, these kinds of activities can help to ‘remake the world’ (Das and Kleinman 2001) and assist survivors to constitute a new life in the aftermath of conflict. Das’ work explores the highly personalized nature of remaking the world; the extent to which it often takes place through the rebuilding of relationships and social ties at the level of the ‘everyday’ rather than through one-off transcendental moments, such as truth commission hearings (Das and Kleinman 2001, 16; Das 2007).

At another level, *some* local memory practices can be understood as intrinsically political acts; struggles for recognition in the present that derive their authority from their collective experiences of suffering. Humphrey and Valverde (2007, 181) describe such practices as acts of ‘political mourning’ that can be seen as part of a broader struggle for justice, truth and recognition by certain individuals and groups who perceive themselves to be left out of the nation-building process. By ‘trac[ing] the boundaries of full citizenship’, these practices are directed toward the ‘recovery of what is perceived to be absent – real rights and justice’ for those at the margins of the state (Humphrey and Valverde 2007: 187). Thus, by making public statements that remembering and acknowledging the painful past *is* important and that victims’ suffering continues to resonate in the present, some memory practices can be seen to be contesting the boundaries of the leadership’s nation-building narratives. They challenge the leadership’s entreaty to focus on the future rather than the past, and the promotion of a triumphal narrative of the past in which those who have experienced harm are categorised as ‘heroes’ rather than ‘victims.’

The political tenor of some local memory projects can be observed in the public advocacy work of victims’ groups. Last year, to coincide with the anniversary of the Liquica Massacre, survivors of the massacre presented a petition to East Timor’s Parliament entitled *Haluha Mak Labele, Justisa Mak Dalan*

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<sup>5</sup> Interviews with community members, Maupitine, Lautem, July 2008

<sup>6</sup> Interviews with staff members of Yayasan Hak, Dili, July 2008

<sup>7</sup> Interview with member of the 12 November Committee, Dili, 9 July 2009

<sup>8</sup> Interviews in Liquica, Suai and Los Palos, May- July 2007

*Los* (Forgetting is not Possible, Justice is the Right Path).<sup>9</sup> Framing their demands by reference to the lack of justice for victims of the Liquica church massacre, the petition called on the government to recognise 6 April as a national day of commemoration for East Timor, to debate the *Chega!* recommendations, to provide reparations for victims, and demanded trials for human rights violations that occurred in 1999.<sup>10</sup> The women involved in the widows' groups also articulate the specifically political intentions of their work. As one of the founders of *Rate Laek* explains, one of the main benefits of the group is that it has enabled its members to be 'known to the world'. As she describes, '*Rate Laek* has helped me – through *Rate Laek* people know us. The world knows if we mention this name; Kofi Annan, Mary Robinson, know us'.<sup>11</sup>

The growing prominence of local memory practices is indicative of the emergence of a broader 'victims rights' politics in East Timor, which, I argue, reflects the influence of human rights NGOs' and the CAVR. Since 1999, prominent East Timorese human rights NGOs have provided support to local victims' groups, and, together with international NGOs, have actively lobbied the national government and the international community on issues of 'justice' for serious crimes committed during the Indonesian occupation. United by the phrase 'no reconciliation without justice', they emphasize that the principles of 'rule of law' and the punishment of perpetrators – among them, senior members of the Indonesian military – must be central to the nation-building process. The CAVR's final report *Chega!* has provided NGOs with an additional advocacy tool, and, since late 2005, many organizations have been making vocal demands for the need for parliamentary debate of the report and implementation of its recommendations, including for the establishment of a victims' reparations scheme.

There is a dynamic relationship between this discourse of victims' rights and the development, and tenor, of local memory practices. Although local memory practices – and popular demands for 'justice' – have been visible for many years, the small scale, fragmented and localised nature of these practices and demands is giving way to an increasing engagement with national politics. Human rights discourses are providing a language through which some individuals and groups are able to identify themselves as 'victims', articulate their personal grief and anger in the public sphere, and legitimate their demands for recognition and concrete assistance from the state (Humphrey and Valverde 2007, 181). As victims become active political agents, they are also beginning to deepen the existing justice movement beyond the level of elite national and international human rights NGOs and broaden it beyond a demand for criminal prosecutions to encompass a focus on victims' practical, material concerns. This is most evident in the emerging campaign for victims' reparations. That there is a *national* potential to this victims' rights politics is underscored by a recent gathering of one hundred and fifty victims and their families from around the country at a Congress in Dili, in September 2009, to discuss the formation of a 'Victims Network' to further coordinate advocacy work in relation to justice, reconciliation and reparations (*Lusa* 2 September 2009).

### **Emerging Tensions: Victims and Other Disadvantaged Groups**

Despite the potential of victims rights advocacy to contest the government's existing nation-building priorities, it is important to reflect on the limits of this politics, including who, and what, may be excluded from it. At this juncture, individuals and groups involved in victims' rights politics have, overwhelmingly, comprised victims of 1999-related violence – which reflects the human rights community's preoccupation with these issues in the aftermath of the 1999 Referendum. Not surprisingly, few victims of the internal political conflict between FRETILIN and UDT are involved in advocacy for victims' rights as yet, which underscores the deep ambivalence towards exploring these more difficult and potentially divisive issues (see also Leach 2008). While there are recent signs that a more expansive concept of victimhood is emerging, which perhaps can be attributed to the CAVR's efforts to shed light on pre-1999 violence and East Timorese political party violence, the extent to which a politics of victims' rights can form the basis for the building of links of solidarity between a diverse group of victims is still uncertain. Although 1999 victims and other of victims of the Indonesian period are united by their shared

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<sup>9</sup> On file with author

<sup>10</sup> A similar petition was presented to Parliament this year to mark the ten year Commemoration of the massacre (see Lao Hamutuk 2009b).

<sup>11</sup> Interview with member of *Rate Laek*, Liquica, July 21 2008

experiences of suffering and their marginalization from the government's nation-building priorities, there are also vast differences in the way that victims understand their experiences. This is evident in the comments made by 'Maria', a victim of FRETILIN violence during the early years of the occupation. Expressing the view that her own experiences were 'far apart' from those of 1999 victims, Maria perceives that undue attention has been paid to 1999 victims at the expense of those who experienced violence during the 1970's and 1980's. Their suffering, she argues, was far greater.<sup>12</sup>

These competing claims of victimhood are rendered even more complex by East Timor's context of scarce state resources and widespread impoverishment, in which a variety of other groups are seeking to access resources on the basis of identity claims. The current government has been clear in its preference to confer recognition to those who fit the 'heroic' veteran identity, through the provision of medals and pensions. In addition, it has been demonstrating a sensitivity towards the demands of different interest groups who are perceived as being a political threat, or danger, to national security. The provision of cash payments to a number of groups since the 2006 crisis, including the 'Petitioners' (the group of sacked army soldiers, some of whom later joined with Alfredo Reinado's rebels in 2006), families of police officers killed by the military, and those who were internally displaced due to the conflict (IDPs), is cultivating resentment amongst those who feel they have missed out.<sup>13</sup> Some 1999 victims, for example, express anger that those who were internally displaced due to the 'crisis' of 2006 are now receiving assistance to rebuild their homes, while they have yet to receive any compensation for their losses. Indicative of these tensions, a prominent victims advocate and member of *Rate Laek* suggested on East Timor national radio in 2008 that 'Its better if we 1999 victims just organise ourselves and go and live in a refugee camp' [in order to receive state assistance] (20 July 2008). Within a context of scarce resources, there is a potential for 'victims' to become one interest group among many others including veterans, the Petitioners and IDPs, all competing for recognition and state assistance.<sup>14</sup> These developments underscore the extent to which the politics of victims' rights has now become embedded within an emerging 'hierarchy of the deserving', in which those cannot successfully invoke an identity claim perceive themselves to be excluded from recognition and resources (see also Gledhill 2003).

## Conclusion

The growing prominence of local memory practices and advocacy for victims' rights in East Timor is indicative of the way in which some survivors of violence during the Indonesian period have embraced the identity of 'victim' in order to make public demands for recognition and reparations from the state. While these practices and demands are not new, the increasing engagement of local victims' groups with formal politics highlights the degree to which they have been influenced by the discourse of rights promoted by the CAVR and human rights NGOs. With the potential to foster solidarity among many previously marginalized individuals, the emerging politics of victims rights also contests official nation-building discourses by calling attention to 'unfinished business', namely, the need for acknowledgement - and response to - victims' experiences of past suffering. At the same time, this politics is taking shape within a broader context of identity politics, in which the government - faced with scarce resources - has its own priorities for conferring recognition. These developments - while still in their infancy - may bring to the fore new forms of tension amongst different *kinds* of victims, and between victims and other interest groups competing for resources and recognition, raising questions about the development of an inclusive national polity based on the rights of all East Timorese citizens.

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<sup>12</sup> Interview with 'Maria', Liquica, July 22 2008

<sup>13</sup> Personal observations and interviews in East Timor, July 2008, and July 2009

<sup>14</sup> Demands for compensation have emerged alongside competing demands for 'justice' in relation to the crimes of 2006.

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