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Chapter 6

Truth, Reconciliation and Nation Formation in 'Our Land' of Timor-L'Este

Damian Grenfell

In November 2004 community members gathered under a banyan tree in the port village of Hera on the north coast of Timor-L'Este. They had come to participate in the Community Reconciliation Program organized by the Commission for Reception, Truth and Reconciliation of East Timor, commonly known as CAVR.[1] The hearing was an attempt to reintegrate former East Timorese militia who were involved in violence during the withdrawal of Indonesian military and pro-integration militias in 1999.

The hearing was facilitated by a panel comprised of representatives from local church, youth and women's organizations, and was chaired by CAVR's Dili District Commissioner. To the right of the panel were 15 former members of the notorious Aitarak militia. To the left was a victim of their violence.[2] Sitting front and centre were a group of *lia nain*, traditional elders from the community who lent authority to the hearing.[3] Three CAVR administrators ensured that written records of the day were kept, legal processes were adhered to and that the statements of those involved corresponded with pre-hearing testimony.

CAVR procedures and mandates were publicly read, community members asked former militia to clarify their roles in the violence, and testimony from the former militia and the victim was given. The two day hearing was marked by different social and ceremonial acts, such as the reading of CAVR's mandate, a community lunch, the unfurling of the national flag and the testimony from those involved in the violence. Finally, in an act of community-mediated reconciliation, each perpetrator embraced the victim and received from the *lia nain* a red smear of betel nut to their forehead.

1 The acronym CAVR is from the Portuguese name *Comissão de Acolhimento, Verdade e Reconciliacão de Timor-L'Este*, though it became used across different languages.

2 *Aitarak* means thorn and was one of the most powerful militias established prior to the vote in 1999.

3 The literal translation of the Tetun term 'lia nain' is the 'keeper of the word'. It describes men who hold spiritual and customary knowledge and are often central to ceremonial activities in Timor-L'Este.

As with other hearings held across the new nation between 2003 and 2005, a banner was suspended above the Hera proceedings that read '*Ho Rekonsiliasaun ita hametin unidade iha ita rain*' ('With Reconciliation we can strengthen unity in our land.) The inferred link between reconciliation and the 'making of the nation' is common throughout CAVR's work, as it is more generally with truth and reconciliation commissions elsewhere.

This chapter aims to explore the link between truth and reconciliation processes and national unity, beginning with an examination of CAVR's community reconciliation and truth-seeking programs. It will be argued that, while such programs have a concern for justice, they remain underpinned by a nationalist logic where peace is sought as a means of guarding the nation. To situate an analysis only within the logic of CAVR's programs would be to miss the subtle yet powerful ways such a body intersects with the more general process of nation formation. Hence, in the second section, the work of Benedict Anderson will be cited to argue that the textual material produced through the truth and reconciliation process worked to integrate people temporally across an abstract territorial space. The third section will extend Anderson's connection between the temporal and the textual so as to argue that, in a post-conflict and agriculturally dominant society, a sense of the nation can be carried significantly through embodied forms of interaction. Taken together, these arguments support the link between reconciliation and the nation as typified by the rhetoric in the banner hung at the proceedings in Hera, Timor-L'Este. They also show that the truth and reconciliation process has effects that extend beyond its immediate intent or the logic of specific programs.

CAVR and the National Future

Born in 'flames and blood' like so many nations before it, on 30 August 1999 the East Timorese voted overwhelmingly against the option of autonomy within Indonesia. This set the stage for a national independence that came on the back of social and material devastation caused by the looting and destruction carried out by pro-Indonesian supporters and the Indonesian military. Much of the country's infrastructure was devastated, approximately 1,500 people were killed and a third of the population was forcibly deported to Indonesia.[4]

The level of destruction in 1999, combined with the effects of Portuguese colonialism and Indonesian occupation, meant that while Timor-L'Este existed on the world map there were none of the usual means to sustain the new nation from within. A plethora of institutions led by the United Nations began the slow and uneven process of nation formation – establishing the mechanisms for directly or indirectly carrying and propagating the idea of the new nation. Resources went into forming a centralized state, a market codified in relation to the national territorial form and the means to carry the idea of the nation (especially through symbols). The means were being built so as to carry the day-to-day reminders, from bank notes to

4 This violence came at the bloody end of a conflict that has been estimated to cost more than 180,000 lives.

the time on the clock, that both territory and sovereignty had been brought into a sustainable unison.[5]

As part of this process, enormous efforts went into preventing renewed violence. First, the International Force for East Timor (INTERFET) and then the United Nations Transitional Authority in East Timor (UNTAET) were responsible for a large contingent of foreign troops who were sent to secure Timor-L'Este from continued militia and military activities from across the West-Timor border. However, the question of how to secure the nation from within remained, not least because so many of its citizens had sided with the Indonesian occupiers. To meet this need, a number of institutions were formed over the period of United Nations mandated rule, with CAVR being one of the key post-occupation peace-building institutions. Taking form over 2002, and commencing its public activities in 2003, CAVR focused its activities on two mandates. First, to reintegrate into the community former perpetrators of certain 'less serious' human rights crimes through the Community Reconciliation Program (CRP), and second, through truth-seeking, to determine a factual basis regarding human rights abuses from April 1974 until October 1999 (Pigou 2004; Kent 2005). Both programs can be seen as underpinned by a concern, not just for human rights, but for securing the new nation more generally from renewed conflict and cycles of violence.[6]

While the CRP process was seen as providing a form of justice when virtually no formal legal infrastructure was available, it was also an important step in attempting to secure the nation from cycles of retributive violence. By drawing the perpetrator, victim and community together, an attempt was made to bind those once violently opposed to one another into a peaceful coexistence.

The logic of such a process is that the victim's claims are clearly recognized and recorded with the hope that this will be enough to end ongoing enmity with former militia who live in the same community. Participating in a CRP also gave a perpetrator state-sanctioned security within the new political structures, serving to negate the sense of living in opposition to the new state and nation and perhaps mitigating future possibilities for re-mobilization. As long as the admission of guilt is not disproved by new evidence in the future, former militia members received a guarantee never to be prosecuted by the state for their crime.

'Truth-seeking', the second key program of CAVR, can be construed as a means to establish a human rights culture but it also operates as the condition of the new nation as a whole. As an early CAVR pamphlet suggests:

> We need to build a solid foundation for our new nation. If we ignore the suffering and violations of our past, we run the risk that they will continue to have a damaging effect on our community and nation. The first ingredient of this foundation must be facing the truth – as individuals, communities and as a nation. To acknowledge what has happened

5 The influence here is from Gellner 1983.

6 Such sentiments can be found in the earliest calls for a Truth and Reconciliation Commission, for 'political stability', 'national unity' and 'reconstructing and generating peace within the society'. *Outcomes of the CNRT National Congress: 21–30 August 2000*, Dili, 2000, 15.

in our country is the first step to ensuring that such violations are never repeated (CAVR Pamphlet May 2002 (English and Portuguese version)).

Establishing the truth in such situations can limit the potential for violence in various ways. First, the construction of a 'truth' contributes to the public clarification of guilt through hearings or publications. In turn, this can prevent false accusations and community reprisals, creating a sense of justice by publicly identifying a perpetrator and recording their deeds. Second, the establishment of a formalized and circulated truth can consolidate the new nation by creating a clear historical break with the past. The effect of CAVR's program similarly delineated the past – notably the period of its review of April 1974 until October 1999 – marking the present as a distinctly separate and historical phase.

The third way that a truth-seeking program is used to break cycles of violence comes with the circulation of that 'truth' in the new society. CAVR's final report, *Chega*, is full of narratives that convey the impact that violence has on people's lives. By drawing on the testimony of victims, material produced through truth-seeking mechanisms can be used in an attempt to change cultures that may see violence as an appropriate form of conflict resolution. For instance, following a split in the military in early-2006, which led to a complete breakdown of security in Dili, the then President and Prime Minister, both former critics of *Chega*, implored the public to learn from its findings (Gusmão 2006; Ramos-Horta 2006).

'Truth-Seeking' and 'Community Reconciliation' programs feed into the general process of nation formation by reducing the possibility of instability or conflict. This is to consider their work on their own terms however. It is also possible to extend the analysis so as to consider the ways in which CAVR brought together a war torn society. This latter argument will explore how nation formation has been theorized – with emphasis on the work of Benedict Anderson – and how nation formation has occurred in practice in Timor-L'Este.

Building a National Discourse

To use the work of Benedict Anderson to understand the impact of truth and reconciliation commissions on nation formation is to choose one of a possible number of key 'modernist' theorists. While drawing almost singularly from his influential *Imagined Communities*, the arguments in the remainder of this chapter also aim to modify Anderson's modernist tendency towards an abstract account of nationhood.

According to Anderson, ontological shifts across early modernity – new discoveries both social and scientific – stimulated social changes that made possible new forms of community, including the nation (Anderson 1991). Anderson notes a shift away from how time is understood in pre-modern societies, namely as a 'simultaneity along time, where the past and future are bound to an instantaneous present, marked by prefiguring and fulfilment' (which he calls Messianic time). Changes across early modernity result in 'homogenous, empty time', marked by temporal coincidence and measured by the clock and calendar (Anderson 1991, 24). For Anderson, this change in temporal perception towards homogeneity enabled people to imagine themselves as living alongside other people simultaneously.

Although nationalists subjectively call upon less abstract forms of social integration – for example, through the embodied connection of blood and belonging –the nation nevertheless remains understood as a bounded community of strangers moving simultaneously across time. While Timor-L'Este is a world away from the nations that Benedict Anderson wrote of in *Imagined Communities*, his comprehension of the importance of print and also temporality allow for some of his ideas to be carried forward into a contemporary example of nation formation.

To begin with the question of print, it is worth returning to the banner at Hera that proclaimed 'with reconciliation we can strengthen unity in our land'. This banner was similar to a range of other textual materials produced by CAVR whereby the nation was presented as none other than a *fait accompli*. Unlike any other number of possible subjects that could invoke a sense of simultaneity, the content of the material carries information that is explicitly about the nation. Maps, lists of commissioners, laws, mandates, programmatic structures and explanations are all presented graphically or literally within the legal-territorial logic of Timor-L'Este.

The repetitive use of 'we' and 'our' in CAVR pamphlets indicates the way in which readers are not simply presented with the nation as an object but are drawn into it. For example, in the CAVR booklet *Hear Our Voices* people are extracted from their immediate modes of existence and situated within the nation:

> In public hearings in villages and sub-district towns across the country, and at the national hearings, the CAVR placed victims of violations at the centre of the national story of Timor-L'Este. The voice of our sisters and brothers who suffered, and who were silenced for so many years, is a vital voice which must be heard in independent Timor-L'Este. We believe that only through understanding and appreciating the impact of violence upon people's lives we as individuals and as a nation remain vigilant to ensure that this behaviour is never repeated in our land (Guterres 2005).

This is to consider the effect of the text on the reader. Of equal importance is the form of the objects circulated, in this instance, identical, mass-produced, distributed and printed texts. For Anderson, 'print capitalism' played a key role in the emergence of the nation. According to this process, the intersection between modes of communication (mass print) and production (capitalism in search of new markets) gave rise to print languages that were below the elite use of Latin and above the multiple day-to-day vernaculars. These new markets acted as a kind of disembodied field of exchange in which the reader was linked across a territory with countless unknown others.[7]

> Speakers of the huge variety of 'Frenches, Englishes, or Spanishes', who might find it difficult or even impossible to understand one another in conversation, became capable of comprehending one another via print and paper. In the process, they gradually became aware of the hundreds of thousands, even millions, of people in their particular language-field, and at the same time that only those hundreds of thousands, or millions, so belong.

7 The notion of disembodiment is used to counter a limitation of the term 'imagined', which does not allow enough of a sense of how abstract processes return to re-frame and shape people's activities. 'The imagined' runs the risk of being seen only as enacted in the mind. See: James 1996.

> These fellow-readers, to whom they were connected through print, formed, in their secular, particular, visible invisibility, the embryo of the nationally imagined community.

People were connected not just by the understanding that a common language was being shared, but also by the act of reading the material which linked people according to a sense of horizontal simultaneity, through reading 'at the same time'.

At first glance the applicability of Anderson's ideas to contemporary Timor-L'Este may appear limited, not least because access to mass-communication systems remain limited. Moreover, literacy is extremely low and the majority of people live in agricultural conditions where printed materials, such as newspapers, are rare. In the absence of such infrastructure, CAVR has an important role to play in nation formation, being one of the few organizations able to distribute identical materials, with an explicitly national content, across the country.

One or all of the four constitutionally designated languages of Timor-L'Este wer used in the materials circulated by CAVR; Portuguese and Tetun are the two official national languages, English and Indonesian are working languages. While there was a narrow plurality in the languages used, a sense of language fixity was created. The establishment of these official languages limited the use of other vernaculars and languages to their specific regions. Moreover, whichever language is used still provides a sense of differentiation from a colonial past; Tetun is not spoken in Portugal and Portuguese is not spoken in Indonesia. This meant that the circulation of textual objects – posters, pamphlets, banners and booklets – created an opportunity for a subjective recognition of living simultaneously with a distinct number of strangers within a defined territory.

The sense of simultaneity that Anderson argues is created through the consumption of replicable objects is of course not confined to printed matter. While there was a reliance on textual production in Timor-L'Este following independence, CAVR also employed radio to create a sense of the nation. As a CAVR staff member describes:

> … the whole purpose of our program was to foster this notion of, this is the whole country doing this. So Los Palos listening to Suai, Manufahi listening to Dili, Liquica listening to Viqueque and Oecussi listening to Ermera, and so people can say, particularly around the CRP process, we're all part of this, this is bigger than the single community … At the local level, and at the national level, and at how the two mix through the sharing of experiences through people being brought from all different villages and regions to the national level … And that was our design, that people would feel that in doing this local thing they were part of the national process (Interview with Participant 13, CAVR 2004).

This quote represents the arguments made thus far. In the first instance people learn about a national program and the nation itself, identifying those different places within the territorial confines of the new nation—'Liquica listening to Viqueque and Oecussi listening to Ermera'. But here we also see an oral equivalent to Anderson's notion of the impact of print languages: a radio program held together by the one language of the broadcaster to which all the people are 'listening', simultaneously undertaking one activity and comprehending the same material with a set of strangers in a distinct territory. For all its importance though, mass mediated information is only one way in which the idea of a nation was invoked through the practices of CAVR. To this must be added a sense of the corporeal: the bodies that carry the nation into being.

Embodying the Nation

The level of violent division within the state apparatus and the emergence of ethnically framed bloodshed across Timor-L'Este during 2006 could prompt the question of national failure.[8] However, this was a conflict triggered from within the state, fuelled by rivalries about how and by whom the country was run. Changing the territorial domain of Timor-L'Este never surfaced as a question through the crisis. Given that this discussion is concerned with the relationship between truth and reconciliation commissions and the processes of nation formation, it is equally reasonable to ask why Timor-L'Este did not collapse in 2006, either as an idea or in practice?

To answer, it is worth returning to the CRP hearing in Hera and the remarkable resemblance between it and several hundred other hearings held around the country. In other sites, the same banner hung, the same procedures were read, participants typically sat in the same formation, the same documentation ensued and the same legal framework supported the process. The pro-forma character of the hearings shows how a body such as CAVR can play an important institutional role in the process of nation formation, suggesting that Benedict Anderson's analysis needs to be tempered and extended.

In a short article written well before the tumultuous events of 1999, Anderson put forward arguments as to why Indonesia's attempt to absorb East Timor had failed. As part of his answer, he argued that from 1975 East Timorese nationalism grew for two reasons. First, a 'profound sense of commonality emerged from the gaze of the colonial state. Indonesian power is infinitely more penetrating, infinitely more widespread, than Portuguese colonial power ever was' (Anderson 1993, 25). In tandem with this was the ability to form a common opposition via the practice of the Catholic faith, at once permissible under the Indonesian regime of Pancasilia while simultaneously in opposition to Islam as the dominant faith of the oppressor.

> The Catholic commonality in some sense substitutes for the kind of nationalism I have talked about elsewhere, which comes from print capitalism. Moreover, the decision of the Catholic hierarchy in East Timor to use Tetun, not Indonesian, as the language of the Church has had profoundly nationalizing effects. It has raised Tetun from being a local language or lingua franca in parts of East Timor to becoming, for the first time, the language of 'East Timorese' religion and identity. (Anderson 1993, 26).

If we accept that East Timorese nationalism grew in part out of the coercive effect of the Indonesian state then it is possible for a sense of modern simultaneity to be freed from the focus that Anderson gives to language alone. What is important is not the cultural artefact in itself – for instance a prayer book – but the subjective response to it; a silent acknowledgment that thousands of others are participating in

8 See for instance the Report of the United Nations Independent Special Commission of Inquiry for Timor-L'Este, Geneva, 2 October 2006; Trindade and Castro 2007.

the same process. The idea of a 'Sunday Mass' is a good example. People may never need to enter a different church to receive communion but they know how to do so. A secularized equivalent is the Independence Day ceremony, where people across the country stop at the same time and participate through ceremonial processes in almost identical activities. The spread of an institutional presence over a specified domain carries with it the possibility of people undertaking a range of activities that give rise to a sense of co-presence, of people linked by the likeness and purpose of their activities with unknown others. Hence at the Hera hearing, the use of the phrase 'our land' would have been an absurdity had people not simply assumed that it was a reference to Timor-L'Este as a whole.

The emphasis given by Anderson and other modernist thinkers to the abstract character of the nation, necessary for the sense of co-presence and shared temporal and spatial relations with others, allows us to understand a key process in how nations are formed and sustained. Yet nations cannot simply be understood if they are left at the level of the imaginary, as if taking place only in the 'lair of the skull' (Anderson 1991, 35). For all the emphasis given to the disembodied, via epitaphs such as 'imagined', 'industrial', 'mass', 'modern' and 'abstract', social relations that are constituted face-to-face remain crucial to understanding nation formation.[9] Face-to-face, or embodied-extended relations, are those forms of social relations that are integrated by regular, meaning-generating contact conducted in person. While it is understood that even in Anderson's terms a book is read by a person in an embodied sense, the emphasis here is on concrete forms of interchange between people (James 1996, 23–5).

The notion of corporeality is significant to our discussion in two ways. First, there is the sense of the embodiment of simultaneous activity, for instance the choice of participating in a reconciliation hearing not for the sake of spectacle alone but because the event is seen to be important to a broader society. This then extends the importance of the ceremonial beyond its own immediate logic by giving corporeal significance to an act that is felt beyond rather than within a particular place. In this way, we enter a kind of reciprocal movement between the corporeal and the nation, where on the one hand activities such as a CRP hearing help bring the nation into being, at the same time as the nation bears back upon the physical body of its participants and activities are re-defined as being 'national'.

Second, a sense of the corporeal is important when considering how information was transmitted across territory. With a lack of mass-communication systems, CAVR operations were centred in the capital, which in turn coordinated regional offices and then sub district teams. These teams were to carry CAVR programs to the most localized levels (Interview with Participant 11, CAVR 2003). In such instances people come to be informed about the nation in which they live via the transmission of knowledge by embodied others who make 'speeches'. In this sense the nation is formed through the innumerable tracks across the land that connect otherwise isolated communities with the nation as a whole. As one CAVR worker explained,

9 This list could be more extensive, though I am drawing not just on Anderson but the work of Ernest Gellner, Paul James and Tom Nairn.

the embodied character of such relations was crucial to the establishment of lines of communication that enabled the national program:

> Up until the end of the commission we did not have phone lines to these people. … So people had to come once a week, people from the regional offices and the district team coordinators came to Dili, and the week after that the regional coordination unit from Dili went to the regional offices. … That is how we communicated…we physically had to do our communication face-to-face, like the rest of Timor-L'Este (Interview with Participant 16, CAVR 2006).

These processes, both embodied and disembodied, transmit notions of nationhood to a multiplicity within the nation, embedding, shaping and further consolidating a conscious sense of integration. In the case of CAVR speeches about the institution's mandate, members of the community hear an embodied voice conveying information but the information itself is authored and authorized from afar. This is one way in which a kind of mutual dependence can be understood to occur between the corporeal ushers of the nation and the disembodied forms of mass organization and communication.

This brings us back to 2006 and to the question of why the national form had not more obviously been brought into question by the violence and collapse of key aspects of the state. While a violent and politically driven competition over resources was occurring within the nation, identification with the nation as a legitimate and assumed territorial domain did not shift. This was in part due to the role CAVR had played in the post-independence era as one of the few institutional means by which people were drawn together and incorporated within the nation. The nation was not simply brought into being in the capital alone. Rather, the new nation is carried by people travelling across territory and creating an exchange of information between a political centre and local communities. As a result, the nation has come to be the logical ground for life, including the enactment of violence.

Other processes can be understood as producing a sense of simultaneity through like activity, for example, the consolidation of the education system and the curriculum, coordinating laws, policing and citizenship, the development of codified and organized production (including state, state-regulated and capitalist driven) and the implementation of taxation. While a complex system of production might be mapped onto a national territorial form, for instance a coffee industry, the intent of such an activity remains the private appropriation of profits. A body such as CAVR may similarly be organized across a territorial domain. However its orientation towards the sustainability of the nation made it a key element of nation formation in Timor-L'Este. While the 2006 crisis may indicate that East Timorese were not willing to see all of their fellow citizens as equals, especially in relation to who could lay claim to forging the nation, Timor-L'Este remained a legitimate point of identification. That alternative national formats – such as further division of the country or a re-integration with Indonesia – did not surface as part of the 'crisis narrative', suggests that East Timorese have, to some degree, come to see the nation as a natural and assumed domain.

Conclusion

Caught between processes of European decolonization and Indonesian power, the high price for Timor-L'Este's independence has been the effort required to buttress the nation against innumerable pressures. The violence across 2006 and 2007 may give the impression of failure, both of bodies such as CAVR and of the process of nation formation as a whole. While the presence of CAVR did not eradicate either a culture of impunity or the use of violence for political ends, it is noteworthy that there was no real discourse that linked previous opponents of Timor-L'Este's independence to the current violence. Integrative processes such as those undertaken by CAVR are just one means toward nationhood. However, with both its aims and organizational domain effectively national, CAVR has been able to temporally draw people together through embodied and disembodied practices in ways that integrate them into new national forms, in effect fulfilling the claim that with 'reconciliation we can strengthen unity in our land'.

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Chapter 7

Testimony, Nation Building and the Ethics of Witnessing: After the Truth and Reconciliation Commission in South Africa

Kay Schaffer

The Truth and Reconciliation Commission (TRC) hearings in South Africa initiated a project of reconciliation, nation building, and healing through a process of truth telling and forgiveness. Witness testimony provided the nation with a harrowing historical archive that somehow had to be incorporated into the weft and warp of a fractured and deeply divided society. In the decade since the hearings closed, the country has witnessed many acts of remembrance that have been woven into the 'rainbow nation', some with deft stitches to reveal the strength of its diversity, others darned and roughly patched to conceal its gaping divisions. This paper looks at two such initiatives. One concerns large memorial projects initiated by the government to commemorate the Struggle against apartheid, honour its victims and provide unifying myths of nationhood. The other relates to a small project of listening instigated by a trio of researchers concerned to honour the testimony of one TRC witness in order to assist her journey towards recovery. The former relies on a 'top-down' politics of reconstruction for the nation that is often pragmatic in intention and hegemonic in effect. The latter relies on an interpersonal ethic of listening, hospitality and openness to the other that is just in intention and singular in effect. Although both can be redemptive, one encourages a politics of sameness, while the other promotes an ethics of difference.

The first volume of the TRC Report seeds an argument for both sorts of memorial projects. In regard to its mission of reconciliation within the nation, the report insists on a process that depends, firstly, upon the testimony of victims and perpetrators to uncover the 'truth' about the past, in order to provide a path to healing for the nation and, secondly, upon the ethical reception of that testimony by listeners engaged in an ongoing intersubjective dialogue. Archbishop Tutu, the Chairperson of the Commission, repeatedly enacted an ethics of listening and recognition for victims during the hearings. For him the telling and listening process held out a promise of healing and closure for the nation:

> However painful the experience, the wounds of the past must not be allowed to fester. They must be opened. They must be cleansed. And a balm must be poured on them so they