UNIVERSITY OF CALIFORNIA, SAN DIEGO

Victims and Veterans: Memory, Nationalism, and Human Rights in Post-Independence Timor-Leste

A Dissertation submitted in partial satisfaction of the requirements for the degree of Doctor of Philosophy

in

Anthropology

by

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Chair

University of California, San Diego
2018

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Notes on Names

East Timor's official name (since May 20, 2002, the date of Timor's official independence) is Democratic Republic of Timor-Leste (República Democrática de Timor-Leste or Timor-Leste). In the main text of this dissertation, I primarily use the term East Timor (simplified to Timor) to refer to the nation. I do this for consistency's sake, as the nation was referred to as East Timor during the Indonesian occupation, a time period that is central to this dissertation. I specifically spell out West Timor when I refer to Indonesian West Timor.

I use pseudonyms to refer to all of my informants, except for several public figures. I use full names (and then last names) to refer to these public figures, whereas I only use first names for my anonymous informants.

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Parts of Chapter 8 have been published in altered form in 2017. Victims versus Veterans: Agency, Resistance and Legacies of Timor-Leste's Truth Commission. International Journal of Transitional Justice 11(3): 443-462. I am the sole author of this article.

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PUBLICATIONS

- 2017. Victims versus Veterans: Agency, Resistance and Legacies of Timor-Leste's Truth Commission. International Journal of Transitional Justice 11(3): 443-462.
- 2015. Democratization of Perpetration: Human Rights, Transitional Justice and Memories of Resistance in Post-Conflict Timor-Leste. Conflict and Society 1(1): 92-108.
- 2017. Malae Melee: A Failed Attempt to Observe the Making of Timor-Leste's First Feature Film. *In* Fieldwork in Timor-Leste: Understanding Social Change Through Practice. Maj Nygaard-Christensen and Angie Bexley, eds. Pp. 227-245. Copenhagen: Nias Press.

Abstract of the Dissertation

Victims and Veterans: Memory, Nationalism, and Human Rights in Post-Independence Timor-Leste

by

Amy Caroline Rothschild

Doctor of Philosophy in Anthropology

University of California, San Diego, 2018

Professor Nancy Postero, Chair

This dissertation examines how individuals and groups in Timor, including Timor's State, have been engaging with, talking about, commemorating, and creating historical narratives of the brutal 24-year Indonesian occupation of Timor from 1975-1999. While the dissertation begins with an examination of remembrance of Indonesian rule in Timor's immediate post-independence period, as conducted by Timor's truth commission (the CAVR), its focus is on the "post-transitional justice period" following

the end of the CAVR's formal operations in 2005, and continuing to the present day. It focuses most specifically on the period from 2011-2012.

I argue that there has been a shift in Timor's post-independence period from a CAVR-sponsored narrative of the past focused on human rights violations and suffering victims, to a narrative focused on Timor's struggle for independence from Indonesia and the veterans or heroes of that struggle. The dissertation explores how this narrative, which involves the allocation of various benefits to those deemed veterans, has been promoted or embraced by various actors in Timor for different purposes. Among other things, Timor's political leaders, who themselves are mostly veterans, have promoted a narrative of past resistance to Indonesian rule in order to maintain personal political power.

The dissertation examines how the CAVR's previously dominant narrative of victims and veterans has come to be largely displaced from Timor's public sphere. I argue that a victim-veteran binary has developed in Timor, in which the victim has come to be defined in negative relation to the veteran as one who did not resist Indonesian rule and is devalued accordingly. At the same time, I show how the superficial displacement of an official narrative of victimhood and human rights by a heroic narrative of veteranhood in post-independence Timor, belies the fact that certain values of human rights and transitional justice have been incorporated into attempts to define veteranhood and to determine who are the most heroic Timorese.

Chapter 1

Introduction

In January 2003, I opened the freshly painted light blue door of my office in the former prison in East Timor's capital, Dili, which was serving as the headquarters of Timor's newly minted truth commission, the CAVR.[1] I had arrived in Timor five months earlier to work as a human rights lawyer at the commission. I had of course read plenty about Timor's violent past in preparation for my work. Still, I was shocked by the extent of the violence and destruction wrought by the 24-year Indonesian occupation, an occupation which led to the deaths of approximately 100,000 Timorese out a population of 650,000. It seemed that every Timorese person to whom I talked had lost at least one immediate family member during the occupation. Signs of the most recent spate of militia violence, that occurred after the 1999 UN-sponsored referendum for independence, were everywhere: in the crumbling buildings, in the political graffiti scrawled on burnt walls welcoming the post-referendum multinational military force, and in the new country's almost complete lack of infrastructure.

If I was taken back by the extent of the violence and destruction I encountered, I was equally surprised, in light of this violence, by the somewhat celebratory atmosphere in Timor. Among other things, my new Timorese friends' stories of the occupation tended to center around themes of heroic resistance, as opposed to themes of loss and violence. As I walked out of my office that day into the sweltering sun of midday Dili, I ran into one of the senior international UN advisors to the CAVR, and remarked on this

[1] The Commission for Reception, Truth and Reconciliation in East Timor (Comissão de Acolhimento, Verdade e Reconciliação de Timor Leste).

phenomenon. The advisor shook his head and proclaimed: "There was nothing heroic, really, about Timorese resistance; if a foot is stepping on ants, what are the ants going to do but run away?" This comment struck me. There was clearly a danger of romanticizing past Timorese resistance to Indonesian rule, particularly among foreigners such as myself; yet a portrayal of Timorese resistance as merely reactive seemed extreme as well. The advisor's comment – as well as the observations that preceded our conversation – sparked my interest in the historical relationship between the violence and oppression of the Indonesian regime and the Timorese resistance to this regime.

While working at the CAVR with Timorese and other internationals to fulfill the CAVR's mandate to "establish the truth" about Timor's history of human rights violations, I quickly came to realize that the CAVR was doing much more than uncovering a particular aspect of Timor's history. Rather, the CAVR was writing the first official post-independence draft of Timor's history. In a dynamic fashion, it was also giving shape to individual and group memories in the process. Alongside this realization, I came to see that the question which I was interested in was not only – or not even primarily – the historical relationship between the oppression of the Indonesian regime and resistance to this regime. Rather, it was how this relationship and how Timor's past in general were going to be remembered at both "official" and "unofficial" or "popular" levels, in Timor's post-independence era. What effect would the CAVR's official narrative of the Indonesian past – focused as it was on human rights violations and the victims of these violations – have on popular or broader collective memories of the Indonesian period in Timor? How would official and popular collective memories in Timor change over time?

This dissertation is an attempt to answer these questions. My research examines how individuals and groups in Timor, including Timor's State, have been engaging with, talking about, commemorating, and creating historical narratives of the Indonesian past in the post-independence period. While I begin this dissertation with an examination of remembrance in Timor's immediate post-independence period, when the CAVR was operational, my focus is on what I term the "post-transitional justice period," the period following the end of the CAVR's formal operations in 2005 and continuing to the present day. I ask: What components of Timor's past under Indonesian rule have been publically remembered or recognized in the post-transitional justice period? By whom and for what purposes? Through what practices and via what discourses? How has the CAVR affected this process?

BACKGROUND: THE INDONESIAN OCCUPATION

The Revolutionary Front for an Independent East Timor (Frente Revolucionária de Timor-Leste Independente or Fretilin), the party at the center of Timor's struggle against Indonesian rule, came into existence on May 20, 1974, over a year before the Indonesian invasion, in the context of decolonization from Portugal. Led by Timor's small, educated, urban elite, Fretilin modeled itself on other third-world anticolonial nationalist liberation movements, particularly those in Portugal's African colonies. Upon the invasion, Timorese civilians moved into the interior mountains of Timor with Fretilin and Fretilin's armed wing, Armed Forces for the National Liberation of East Timor (Forças Armadas da Libertação Nacional de Timor-Leste or Falintil), in a number of "liberated zones" outside of the reach of the Indonesian forces. Fretilin adopted a

"people's war" strategy, with civilians in "bases of support" supplying logistical help to Falintil. Beginning in the middle of 1977, Indonesia launched a military campaign to destroy Fretilin leadership and force civilians to surrender to the lowlands. Following the collapse of Timor's last liberated zone at the end of 1978, the Indonesian military engaged in mass executions, imprisonment, and deportation of Timorese thought to be linked with Fretilin.

While Timor's Resistance movement [the Resistance], was largely decimated by the end of the 1970s, it reemerged in the 1980s, albeit in a different form.[2] Responding, among other things, to the increased prominence of the international or global human rights regime, Timor's Resistance began employing the discourses and practices of human rights in order to win international support for Timor's independence. After coming down from the mountains, Falintil had transitioned into a guerrilla force. Yet while Falintil remained in the jungle throughout the occupation, Timor's Resistance shifted its focus from armed resistance to the nonviolent actions of Timor's newly emerged urban-based clandestine front. Along with international supporters in what is often termed the international solidarity movement, Timor's Resistance increasingly focused on the violence being perpetrated by the Indonesian regime against Timorese. It employed the human rights language of suffering victimhood to call attention to this violence.

This strategic turn by Timor's Resistance movement toward the discourses and practices of international human rights was prescient. As will be discussed further in the

[2] Unless otherwise noted, when I refer to Timor's "Resistance movement" [the Resistance], I am referring to the movement for independence conducted by Timorese nationals (whether they lived inside or outside of Timor during the occupation). I am excluding international actors.

historical section of this dissertation (Chapters 3 and 4), the legal basis for Timor's struggle for independence from Indonesia was the denial or violation of Timor's right to self-determination, a right which the Timorese had only belatedly begun to fulfill in 1974, with the collapse of the Portuguese empire. Yet it was the violence committed by the Indonesian regime – or more specifically, the employment of human rights discourses and practices by Timorese and internationals to frame this violence – that ultimately led to the UN-sponsored referendum for independence in 1999, as well to the post-referendum military intervention which ensured the departure of the Indonesian troops.

THEORETICAL FRAMEWORK

Anticolonialism and Human Rights

An emerging literature asks whether all post-1948 anticolonial movements were also human rights movements. Did these movements use the language of international human rights and adhere to the ideals of international human rights? Was the international human rights regime responsible for the colonies' achievement of independence? This question is in many ways a debate about the historical (and ideological) relationship between the right to self-determination and human rights writ large. Many scholars argue that self-determination and human rights necessarily overlap, in that self-determination is essential to ensure (other) human rights (see Burke 2010; Ibhawoh 2014); others argue that the two rights or sets of rights are fundamentally contradictory (see Moyn 2012; Eckel 2010; Meister 2012). The historian Samuel Moyn links the right to anticolonial self-determination with the Rights of Man, which he contrasts with present-day human rights. Moyn argues that the Rights of Man are

afforded to a collectivity, whereas human rights are afforded to individuals; the Rights of Man emanate from the state, whereas human rights are supranational; and the Rights of Man, which place sovereignty above other rights, are political or revolutionary, whereas human rights are instead anti-revolutionary or apolitical (2012).

The very fact that human rights was used as a political tool in Timor to achieve self-determination or independence, and did in fact achieve this political aim, disproves the idea of a strict political-apolitical divide between self-determination and human rights. Moreover, the historical record and my research both show that many Timorese and foreign actors involved in Timor's struggle for independence felt that they were struggling for both self-determination and human rights at the same time, without seeing this as a contradiction. Yet at the same time, there *was* a clear shift in Timor's independence struggle and in the way that this struggle was framed beginning in the 1980s. An increased focus on Timorese suffering worked to turn the dominant representation of Timorese in the international realm from that of armed guerillas fighting for their independence, to poor suffering human rights victims. It was only with this shift in representation that international support for Timor and for Timor's independence reached a critical mass. While human rights was used politically in the Timor case and worked to achieve the political end of Timorese independence, human rights was only able to do this work because of its ability to frame the Indonesian occupation in an avowedly apolitical or moral language of suffering victimhood.

Scholars who emphasize the interrelationship between self-determination and human rights argue that all anticolonial struggles were to some degree also human rights struggles. Even if this were true, due to two interrelated factors, one could argue that the

employment of the discourses and practices of human rights in Timor's struggle for independence was greater, or at least more impactful, than in other anticolonial struggles. One factor is the degree of violence committed during the Indonesian occupation: in terms of the percentage of the population killed, Timor can be considered one of the greatest mass murders of the 20th century.[3] A second and more important factor is the later historical timing of Timor's struggle for independence, which extended into the post-Cold War era, when the international human rights regime was more prominent and powerful. Both of these factors make Timor a particularly interesting case with which to study the relationship between anticolonialism and human rights.

Since independence, how have Timorese been remembering Timor's journey to statehood? Most broadly, has the period of Indonesian occupation been remembered as an anticolonial struggle for independence, as a human rights struggle, or as an experience of being subjected to mass human rights violations or genocide (or as some combination of these framings)? In addressing this question, this dissertation contributes to scholarship on anticolonial movements and human rights movements. It also contributes to the newly emerging literature that looks at the links between anticolonial and human rights movements, and the central rights or sets of rights at their centers.

Collective Memory: Timor's Past in the Present

Here I turn from the past to the present. A main theoretical framework of this

[3] In line with a theme of this dissertation – namely, the unknowability of the past – the exact number of Timorese who were killed during the Indonesian occupation or who otherwise died as a result of the occupation, is a matter of debate. However, many experts, including genocide scholar Ben Kiernan, estimate deaths of 20-25 percent of the population (a percentage comparable to the death toll in the Cambodian genocide) (2007:269). Kiernan's estimate (which actually only applies to the years 1975-1980), is based on an estimated pre-invasion population of approximately 650,000 Timorese (2007:277).

dissertation is the concept of collective or social memory. The term collective memory was first coined by the sociologist Maurice Halbwachs in 1925; it has since been elaborated upon by a range of scholars across the social sciences and humanities (Sturken 1997; Espiritu 2014; Zarecka 1994). A central conceit of the concept of collective memory is the idea that just as the past shapes the present, so too does the present shape the past. In other words, the past – or at least what we know of the past – is partially a social construction, shaped and reshaped in present-day cultural, social, political, and economic circumstances. As a result of the "presentist" nature of memory, the past is necessarily partial or biased. Some events or persons are remembered, made visible, or illuminated; others are forgotten, obscured, or displaced.

In 1918, the cultural critic Van Wyck Brooks coined the concept of "usable pasts" (1918); the anthropologist Arjun Appadurai has similarly referred to the past as a "resource" (1981). A central idea guiding my understanding of memory and my research at large is that individuals and groups, including nation-states, engage with and remember the past because the past is potentially valuable. Telling stories about the past is a main way that individuals and groups acquire, shape, and reshape identities (Zarecka 1994:58; Bellah et al. 2007:153). Individuals and groups also engage with the past in order to make various claims in the present, whether for political status, moral authority, or material gain. The potential value of the past is one reason why studying memory is so important, particularly in underdeveloped post-conflict contexts such as Timor.

What aspects of Timor's past have been illuminated since independence, and for what purposes? What aspects have been obscured or forgotten? One of this dissertation's main arguments (laid out in Chapter 5, my first main ethnographic chapter) is that there

has been a shift Timor's post-independence era from a dominant CAVR-promoted narrative of the past focused on victims and violations, to a dominant State-promoted narrative focused on veterans or heroes of Timor's Resistance struggle. Timor's State and its leaders, who are largely veterans themselves, have promoted a national narrative of past resistance focused on glorifying or valorizing veterans, for various purposes, including to legitimate the State, to maintain personal political power, and to keep the peace. Non-State actors in Timor have embraced and reproduced this narrative, touting their own personal or group pasts of resistance, in exchange for various benefits afforded by the State, both material and otherwise. Pensions given by the State to those deemed veterans, beginning in 2008, are the most significant benefit.

My research didn't just ask how Timorese have been employing the Indonesian past since independence, and for what purposes, it examined to what extent and to what end Timorese have been reflecting on the process of employing the past. Relevant here is what the historians Jay Winter and Lee Klein have, respectively, called the "memory boom" and the "memory industry" (Winter 2001; Klein 2000:127). These terms refer broadly to a spread of public interest in and public discourse about memory and history, beginning somewhere from the 1960s to the 1980s (see also Berliner 2005). While the memory boom, of which this dissertation and its framing is clearly a part, is especially pronounced in the United States and Europe, it is also an international or global phenomenon, with a close relationship to the international global human rights and transitional justice regimes with have played such a large role in Timor.

The most obvious or recognizable globalized discourse of memory linked with the human rights regime is a discourse that posits the importance of remembering pasts of

suffering victimhood. Linked to the Holocaust-slogan "Never again," remembrance of past suffering is deemed inherently moral; it is also viewed as essential to preventing future atrocities (Winter 2006:30). As discussed in Chapter 8, the CAVR and Timor's present-day victims' rights movement have embraced discourses that pose memory in general (and memory of suffering in particular) as morally good. Timor's leaders, on the other hand, have rejected such discourses. Timor's leaders have argued that calls to remember the past, and indeed the category of victim itself, are "projects" of the international community; they assert that Timorese should just "move on" from the past. These arguments – which are linked with leaders' refusal to pursue punitive justice for crimes from the Indonesian era – have served to obscure the reality that Timor's leaders themselves have not "moved on" from the past (as it relates to past resistance and veteranhood). In examining how global forces – including global discourses of memory – have been affecting national processes of remembrance in Timor, this dissertation engages with literature that posits the emergence of a global or cosmopolitan collective memory (Levy and Sznaider 2002; Huyssen 2003; Barkan 2000).

Limits of Presentism? History versus Memory

Before continuing further, I want to reflect a bit on my understanding of the relationship between the past and the present, and explain how this understanding plays into my research. A major debate in the field of collective memory studies concerns the extent to which the past is reconstructed in the present and is therefore malleable and subject to change. Appadurai has spoken out against an "anthropological assumption that the past is a 'boundless canvas for contemporary embroidery'" (1981:201). He has

pointed out that while pasts are resources, these resources are "limited." The sociologist Lewis Coser has argued that if the "presentist" approach to memory were pushed to its ultimate consequences, it would suggest that there is no continuity in history altogether (1992). Finally, as Jeffrey Olick and Joyce Robbins have pointed out, Halbwachs himself stressed the "inertial" force of the present in the past, discussing how memories become generalized over time into an imago, or a generalized memory trace (1998:129).

My research informants mostly included Timorese aged 30 or above. These informants had all lived through and personally experienced at least a period of the Indonesian occupation; to the extent that my informants were engaging with the Indonesian past they were engaging with events that either they themselves or their close friends or family had lived through. Because of this, it was not a stretch for me to understand the limits of the extreme presentist approach to memory – to see or recognize that collective memory, at least of lived events, always partially rests on "experiential bases" (Irwin-Zarecka 1994:17). How did I deal with the tension between the fact that remembrance takes place in present-day social, political, cultural, and economic contexts, but is also grounded in experience, and at least partially reflects this "reality" or experience?

As an anthropologist and not an historian, my main goal was not to figure out "what really happened" in Timor's past, either to specific individuals, to groups, or to Timor's nation-state at large. I first and foremost treated memory not as a methodology to get at the "facts" or the "truth" of the past, but as a topic of analysis in and of itself. For example, I primarily viewed stories or narratives about the past as instances of "memory work," not as oral histories. The main aim of my research and dissertation is not to make

claims about the past under Indonesian rule, but rather to describe and analyze how this past has been remembered in the post-independence period. This explains the distinction I made in this chapter's opening section between my interest in the historical relationship between the oppression of the Indonesian regime and the resistance to the regime, and my interest in how this relationship, and how the past in general, were going to be remembered in the post-independence era, in both official and unofficial realms.

This did not mean that I was uninterested in Timor's past in and of itself – in what "actually happened," or at least in what is widely agreed to have happened or said to have happened – concepts often termed "history." There is a large amount of scholarship on the relationship between history and memory (see Yerushalmi and Bloom 1996; Nora 1989). Many scholars contrast the two categories, arguing among other things, that history is objective and authoritative, whereby memory is subjective and personal (Novick 2000:3-4). I take issue with such binary understandings of history and memory. I view history, specifically the writing of historical narratives, as a form of collective remembrance. Like all forms of collective memories, historical narratives are produced, and as such are subject to the social, political, and economic conditions in which historians live and work (including changing ideas about the science of history).

Yet at the same time that I recognize the inability of any narrative to represent a purely "objective" truth, ascertaining the basic facts of what happened in Timor under Indonesian rule, or at least what is widely agreed to have happened, was essential to my main task of interpreting the memory work being done in the post-independence era. Arriving at an historical baseline of the Indonesian occupation of Timor and the resistance to this occupation, allowed me to ask who and what was being remembered,

and who or what was being forgotten. It also allowed me to examine in what ways remembrance of the Indonesian past in Timor has reflected what occurred or is widely agreed to have occurred in Timor's past, or has instead challenged existing narratives of the past. Finally, it allowed me to spot instances where those engaged in memory work in post-independence Timor have been consciously engaging with existing dominant historical narratives of Timor's past, whether critically or otherwise. I thus lay out a historical baseline of the Indonesian occupation and the resistance to this occupation in Chapters 2 and 3, before proceeding to the heart of the dissertation.

Memory, Postcoloniality, and Power

If the past, or at least what we know of the past, is shaped and reshaped in present-day cultural, social, political, and economic circumstances, what were some of the key circumstances with which my research was concerned? First was Timor's position as a newly independent, postcolonial state, the first new nation-state of the 21st century. Just as individuals and sub-national groups employ the past to shape and reshape identities, so too do nation-states. As the anthropologist Maria Alonso writes: "The hegemony of modern nation-states, and the legitimacy which accrues to the groups . . . that control their apparatuses, are critically constituted by representations of a national past" (1988:126). Due to the power and resources of nation-states, dominant forces within the nation-state are often able to create official narratives of the past which appropriate and silence other memories and identity discourses, working to "soldier a multiplicity of personal, local, and regional historicities and transform them into a unitary, national time" (Alonso 1988:126). A more extreme characterization of the

process by which states use the past to promote a shared identity and to legitimate themselves, speaks not of memories or histories, but of myths or "invented traditions" (Hobsbawm and Ranger 1992).

The Indonesian regime in Timor justified its occupation of Timor with false assertions of a precolonial unity between Indonesia and Timor in the Majahapit and Sriwijaya empires (Leach 2016:93). History classes in Timor during the occupation focused on the Indonesian struggle for independence from the Dutch; to the extent that these classes talked about Timor at all they taught a revisionist integrationist history (Leach 2016:96-97). Yet if the past is frequently used as a tool of political domination, it is also used as a form of resistance. Timor's Resistance movement worked to reappropriate history from the occupying power. Timor's Resistance leaders referenced an imagined, shared pre-colonial (pre-Portuguese) past via the symbol of the *Maubere*.[4] Leaders also interpolated particular instances of resistance to Portuguese rule – particularly the so-called Boaventura or Manufahi Uprising of 1912 – into a linear narrative of national, Timorese resistance extending into the Indonesian period (Henick 2014:34).

The postcolonial nation-state has been deemed problematic due to the contradictory nature of the nationalist project on which it was founded. As Partha Chatterjee has written, anticolonial nationalism develops in an inner realm of the colony, with the creation of a "modern" national culture that is nevertheless not Western. Upon

[4] *Maubere* means "friend" or "brother" in Mambai, one of Timor's local languages. The term was used pejoratively by the Portuguese as a generic descriptor for "primitive" East Timorese. In 1974 Fretilin co-opted the term and turned it into a symbol of Timorese culture and the struggle against colonial subordination. Maubere came to embody primordialist ideas of an "essentialized, precolonial Melanesian Timorese identity" (Crockford 2007:62).

independence, the national community clashes with the new liberal democratic state and its modern forms of disciplinary power. The adoption of the liberal democratic state, now in the hands of the formerly-colonized middle class, results in a reproduction of the colonial logics of domination, oppression, and exclusion (logics also inherent in the liberal nation-state more generally) (1997; see also Joppke 2005). Indonesia's behavior in Timor ironically serves as a perfect example of the cyclical nature of such colonial, liberal logics. Indonesia not only replicated many of the same policies in Timor that the Dutch had implemented in Indonesia, it did so to the same unintentional end – the spread of local nationalism. As Benedict Anderson himself mused: "Did the Indonesian military leaders ever consider the possibility that they were replaying, in reverse, the final trajectory of the colonial relationship between themselves and the Dutch?" (1993).

To what extent have the colonial and liberal logics of domination and exclusion continued to play out in Timor's post-independence era, via the uses of memory? If Timor's Resistance movement employed history and memory to resist the Indonesian State, in the post-independence era, Timor's veteran leaders have been using history and memory – specifically a narrative of past resistance to Indonesian rule – to shore up personal and state power. My research found that a narrative of past resistance to Indonesian rule has indeed served to maintain the dominance of Timor's nation-state and keep its veterans leaders in power; it has also worked to marginalize already marginalized segments of society such as women and the rural poor, groups which suffered under the Indonesian invasion, but whose members have had difficulty qualifying as veterans in the post-independence era. This dissertation explores the processes whereby Timor's veteran leaders have been employing the past to maintain or reconfigure power hierarchies in the

post-independence era; it also examines various forms of resistance to these political uses of the past.

Relevant to an examination of Timor's postcoloniality are the particular circumstances of the establishment of Timor's State, or at least its main foundational institutions. These institutions were in essence constructed from scratch by the UN and the international community between Timor's referendum for independence at the end of 1999 and Timor's official independence in May 20, 2002. During this period the UN served as the sovereign power of Timor in the form of the United Nations Transitional Administration in East Timor (UNTAET), a mission which has been termed the "most ambitious statebuilding intervention in [UN] history" (Egnell and Haldén 2013).[5] Putting aside the immense role played by the UN and the international community in Timor's immediate post-independence period (not to mention in Timor's struggle for independence), Timor is also in the fairly unique position of having been colonized by not just one, but two nation-states (Portugal and Indonesia).

Memory, Violence, and Transitional Justice: A Turn Toward Victims?

The appropriation of war death has been deemed "central to the construction of national modern memory" (Kwon 2008:48). If nation-states in general construct narratives of the past around memories of war, violence, or conflict, it would stand to reason that the violence of the Indonesian occupation would play a particularly prominent

[5] UNTAET served as the sovereign power of Timor from October 25, 1999-May 20, 2002. Adding to the colonial implications of the UN's formal power in Timor, during the time of UNTAET, there was a fair amount of criticism of the relationship between some UNTAET staff and Timorese. Indeed, the former head of UNTAET himself, Jarat Chopra, argued that many UN staff exhibited "colonial-style behaviour" in Timor (2002:981).

or salient role in Timor's post-independence narratives of the past. Violence, however defined, is a central feature of all colonial experiences; it was particularly so in the case of Timor under Indonesian rule. As already noted, in terms of the percentage of the population killed, Timor can be considered one of the greatest mass murders of the 20th century. In addition, it was the framing of this violence (in human rights terms) that helped lead to Timor's independence. Finally, scholars agree that it was the violence of the Indonesian regime – and the resistance to this violence – that first gave rise to a shared Timorese national identity (Robinson 2010:80).[6]

Yet it was not necessarily self-evident *how* this violence would be framed in Timor's post-independence era, including in the post-transitional justice period during which my fieldwork took place. Historically, states have appropriated the war dead as heroes, and have institutionalized commemoration of a specific category of "heroic death," defined as "the death of fallen soldiers who sacrificed their lives for the sacred purpose of protecting the nation" (Kwon 2008:103). This held true even as the focus of national remembrance shifted over time from generals and admirals, to more common soldiers or sailors (Winter 2006:6). However, as scholars from across a range of disciplines have pointed out, the last 50 years or so has seen a turn from the heroes of history to its victims (Neiman 2010:75; see also Winter 2006). A focus on victims is closely tied to the spread of the international global human rights and transitional justice regimes (as well as with the global memory boom mentioned above).[7]

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[6] At the time of the Indonesian invasion in 1975, only a handful of East Timorese intellectuals had even begun to think of the ethnically-diverse Timorese population as one people, and to imagine a potential future East Timorese nation-state. Benedict Anderson himself marveled at how quickly a shared sense of Timorese identity developed under Indonesian rule, particularly in light of the lack of capitalism in Timor, and the extremely high rates of illiteracy (1993).

[7] All of these phenomena are linked in turn with the rise of a globalized Holocaust memory. Indeed, philosopher Susan Neiman has argued that Holocaust memory serves as the paradigmatic example of the

Indeed, the global turn toward victims was brought to bear, or applied in Timor's immediate post-independence era by Timor's truth commission, the CAVR. The CAVR produced the first official narrative of Timor's past, a narrative that emphasized the violations experienced by Timorese and the suffering Timorese victims of these violations. I noted above that at the time of the CAVR, my new Timorese friends' stories of the occupation tended to center around themes of heroic resistance, as opposed to the themes of loss and violence emphasized by the CAVR. Despite this, there were a lot of good reasons to think that the CAVR's narrative of past victimhood would "stick" in Timor after the CAVR closed its doors.

One could surmise that the ultimately successful use of human rights in Timor's struggle for independence might make Timorese more amenable to a post-independence human rights narrative of the past. In addition, despite the existence of intra-Timorese violence both before and during the Indonesian occupation – and despite the reality that many Timorese collaborated with the Indonesian regime – the main conflict in Timor was not a "civil conflict." The overwhelming number of violations committed during the CAVR's mandate period were committed by members of the Indonesian armed forces, forces which exited Timor in 1999. Unlike in some other post-conflict contexts, in Timor, the major perpetrators weren't still in positions of power after the transition; nor were they living side-by-side with their victims. There was less of a need in Timor than in other post-conflict contexts to "forget" a history of past victimization in order to keep a

shift from heroes to victims. Neiman notes that while Zionism was founded on "a vision of Jewish heroism" and the belief that "the Jew should no longer be the passive object but the active subject of history," the Israeli State now clearly embraces the Holocaust and a narrative of past victimization (2010:76).

fragile national peace or promote national reconciliation. Indeed, a post-independence narrative of shared Timorese victimization at the hands of Indonesia had unifying potential.

In light of all of this, I was surprised during my fieldwork by the extent to which the CAVR's narrative of victims and violations seemed to have been displaced by a blatantly nationalist narrative of past resistance to Indonesian rule. The global turn from the heroes of history to its victims was mimicked somewhat in Timor during Timor's struggle for independence, as Timor's Resistance shifted its emphasis from armed struggle and anticolonial rhetoric to nonviolent protest and a discourse of suffering victimhood. Yet it seemed that in Timor's post-independence era, Timor was experiencing a reverse turn – a turn from victims to heroes, or at least a turn back to heroes. Indeed, during my fieldwork, I found that the category of victim had not only largely disappeared from Timor's public sphere, but to the extent that it was still in circulation, it was devalued.

This dissertation examines how and why the CAVR's narrative of victims and violations came to be largely displaced from Timor's public sphere in the post-transitional justice era (and how the category of victim came to be devalued). The dissertation also explores the efforts of Timor's present-day victims' rights movement to advocate for victims' rights in such a context. A major finding here is that victims' rights advocates and self-defined victims have been forced to advocate for victims by framing victims and victims' quest for reparations in relation to veterans and veterans' pensions.

Timor's present-day victims' rights movement is itself an effect or legacy of the CAVR; my research asks what other effects the CAVR and its discourses have had on

remembrance of the Indonesian past in Timor's post-transitional justice era. Among other things, I argue that a seeming displacement of an official narrative of victimhood and human rights by a heroic narrative of veteranhood in Timor's post-transitional justice era, belies the fact that certain values of human rights and transitional justice have been incorporated into attempts to define veteranhood and to determine who are the most heroic Timorese (and thus who deserve the most recognition, power, and status). This dissertation describes how, in the post-transitional justice era, those who engaged in nonviolent resistance during the Indonesian occupation have drawn on the human rights values of nonviolence and reconciliation, in order to promote their heroic status and Resistance credentials.

Most studies of the impacts of truth commissions judge commissions narrowly "on their own terms," looking to see whether the commissions successfully achieved their stated goals or fulfilled their mandates (Brahm 2007:17).[8] They also typically limit their analyses to the circumstances under which the truth commissions were created, the conduct of the commissions, or the initial reception to the commission's findings. As a result, it is unclear what the longer-term consequences of truth commissions are, much less whether these are positive or negative (Brahm 2007:19). In examining the legacy of the CAVR, my dissertation fills in these gaps in the literature. It also engages with a much broader set of literature that uses ethnography to determine how discourses and practices of human rights in general, and discourses and practices of transitional justice in particular, circulate, or are used or vernacularized at the local level (Malkki 1995; Merry

[8] Other analyses of commissions' outcomes are framed in the context of a political philosophical debate that dominates the field of transitional justice between the goals of "justice" (typically exemplified by the trial) and the goals of "reconciliation" or "truth" (typically exemplified by the truth commission) (Brahm 2007:18-19).

2006; Khalili 2007).

STUDYING MEMORY: METHODS AND METHODOLOGY

Since 2002, I have spent approximately three and a half years working and conducting research in Timor. Yet my main period of fieldwork or dissertation research, from which I collected the data that informs the main ethnographic chapters of this dissertation (Chapters 5-8), took place in Timor from August 2011-December 2012. Most of this fieldwork took place inside of Timor's capital, Dili. However, I also engaged in research in rural areas outside of Dili that experienced extreme violence. The area outside of Dili where I spent the most time was in and around the village of Kraras, in the district of Viqueque. Kraras was the site of some of the largest massacres of the Indonesian period, massacres which occurred in 1983 after Timorese from Kraras engaged in an armed uprising against local Indonesian troops (Kraras is primarily discussed in Chapter 7).

During my fieldwork period, I followed the activities of four main nongovernmental institutions based in Dili. These included the Committee of 12 November (Comité 12 de Novembro), the Association of Victims and Families of Victims of Human Rights Violations During the Conflict from 1974-1999 (The Asosiasaun Vitima no Familia Vitima Violasaun Direitus Umanus Duranti Konflitu 1974-1999 or the Victims' Association); Yayasan Hak (Hak); and a Timorese chapter of the International Center for Transitional Justice (ICTJ).

The Committee of 12 November, which was officially formed in 2008, gathers and represents the self-named "survivors" of the 1991 Santa Cruz or Dili massacre. The

latter three organizations are all avowed human rights or victims' rights organizations. The Victims' Association, which was formed in 2009, and Yayasan Hak, which was established in 1996, are both local or Timorese organizations. The ICTJ, which opened an office in Timor in 2006/2007, was headed by a regional Jakarta office (Timor's ICTJ branch closed at the end of my fieldwork period, in 2012). While the Victims' Association and ICTJ focused exclusively on issues relating to violence from the Indonesian era, Hak's human rights mandate was broader: Hak focused on human rights issues relating to the Indonesian past as well as other, present-day human rights issues.

My main method of research was participation observation. I focused on participating in and observing public events, projects, activities, and other instances of "memory work," which were explicitly centered around aspects of the Indonesian past. These activities or "memory projects," were conducted in Dili and in rural areas (particularly in and around Kraras), and were organized by State and non-State actors, including the NGOs listed above. Examples of activities include the inaugurations of museums dedicated to Timor's Resistance; ceremonies commemorating particular acts of past violence and/or resistance; protests focused on the lack of justice for crimes from the Indonesian era; burials of former members of the Resistance; and the shooting of a film in Kraras based on the 1983 Kraras massacres. I also attended various meetings, conferences, and seminars. In addition to these memory projects, I observed Timor's 2012 presidential and parliamentary elections. The 2012 election cycle lasted approximately four months, from early March 2012-July 2012.[9] Over this period, I observed numerous campaign events, including over a dozen campaign rallies in different

[9] The first round of the presidential election took place on March 17, 2012; the second round of the presidential election took place on April 16, 2012; the parliamentary election took place on July 7, 2012.

parts of the country, as well as press conferences, "peace pacts," and debates. While not explicitly focused on the past, the 2012 elections – particularly the campaign rallies – focused heavily on themes relating to the Indonesian period.

My participant observation resulted in over a thousand pages of double-spaced, typed fieldnotes, thousands of pictures, and hundreds of hours of audio and video recordings. In addition to participant observation, I followed public discourse related to the Indonesian past and to the main themes of my research on various local media, including radio, TV, newspapers, and the internet. I collected hundreds of relevant newspaper articles from Timor's local papers, as well as various other documents from events that I attended (and from the nongovernmental organizations with which I worked).

I also conducted hundreds of mostly unstructured and semi-structured interviews. My informants included human rights or victims' rights workers, State officials, "victims," and "veterans." Due to my association with the Committee of 12 November, among other things, most of the veterans of Timor's Resistance movement with whom I engaged were former members of Timor's urban clandestine movement. I met some of my informants through the above-noted organizations or at memory events; others I had met during my previous trips to Timor, or were introduced to by persons I knew from my previous trips to Timor.

Over a dozen different languages are spoken in Timor. The dominant language that I employed during my fieldwork was Tetum, one of Timor's two official languages.[10] Most of the public events I participated in and observed were conducted in

[10] The other national language is Portuguese. Timor's national language, Tetum, is technically called Tetum-Praça. Also referred to as "city Tetum" or "Tetum Dili," Tetum-Praça is a creolized form of the

Tetum. I conducted most of my interviews in Tetum as well.[11] I learned Tetum through a combination of private tutoring and an intensive language course in Dili. Tetum is the most widely spoken language in Dili, where I was based. It is also the main language of communication at the state or national-level, a level on which I was focused. Finally, it is the most widely spoken language throughout Timor, including in rural areas. Speaking Tetum thus gave me access to the widest possible range of interlocutors when I left Dili. In my previous trips to Timor I had used Bahasa Indonesia to communicate with non-English speaking Timorese (I began learning Indonesian in Timor and in Indonesia in 2003).[12] My decision to switch from using Bahasa Indonesia to Tetum reflected changes in language usage in Timor over the years (including a decline in Indonesian usage and an increase in Tetum usage), as well as the specific goals of my fieldwork.

While my dissertation centers around data collected in 2011-2012, it was informed by and draws on insights from my previous periods of work and research in Timor, and changes I have been able to observe in Timor over time. I spent 13 months in Timor from October 2002-November 2003, interning for 10 of these months at the CAVR as a human rights lawyer. At the CAVR, I helped with the commission's human rights database, working to explain some of the legal categories in the database to members of the CAVR's truth-seeking division. I was at the CAVR when the institution moved from its temporary premises in the former compound of the United Nations Mission in East Timor (UNAMET), to its main office in the rehabilitated Balide prison

rural varieties of Tetum also spoken in Timor. It is influenced by Portuguese. "Tetum" is sometimes spelled "Tetun."

[11] I used English with English-speaking Timorese and with other foreigners.

[12] "Bahasa Indonesia" is the Indonesian name of the Indonesian language.

(the Comarca Balide Prison).[13] I attended the CAVR's first public, national "Victims' Hearing," held in November 2002, as well as several of the CAVR's local "reconciliation" events. I was in Dili in December 2002, when Timor experienced its first post-independence spate of violence: several people were killed, and hotels, stores, and homes (including then-Prime Minister Mari Alkatiri's home) were burned.

Before beginning my Ph.D. in anthropology at the University of California, San Diego (UCSD), I spent approximately six months in Timor, from March-September 2007. I spent most of this time in Baucau, Timor's second largest city, located over 100 kilometers east of Dili. I lived with a Timorese family of six in a house in Baucau's old city and taught English to Timorese at the local UN headquarters and at a local NGO. During this period, I observed the tail end of what has since become known as the "2006 crisis." Fighting between those from the east of Timor and those from the west of Timor in 2006 resulted in 1,000 homes being burned and around 100,000 Timorese from Dili becoming "internally displaced" (either returning to their home villages or moving into internally displaced person or IDP camps). Prime Minister Alkatiri was forced to resign. In 2007, I observed the first presidential and parliamentary elections conducted by Timor's State.[14] I was in Baucau when it was announced that Fretilin would not form the new government.[15] The announcement let to a brief outbreak of violence in Baucau (then a Fretilin-stronghold). In 2002, during Timor's first post-independence "riot," I had been

[13] UNAMET was the UN mission that conducted and supervised the 1999 independence referendum in Timor. It operated from June 11, 1999-September 30, 1999.
[14] The two rounds of the presidential elections took place on April 9 and May 9; the parliamentary election took place on June 20. The previous post-referendum elections in Timor, for Timor's Constituent Assembly and for Timor's first post-independence president, had been held in 2001 and early 2002 respectively, while Timor was still under UNTAET rule. Those elections were formally organized by UNTAET.
[15] Instead, Xanana Gusmão's new party, National Council for Timorese Reconstruction (Conselho Nacional de Reconstrução de Timor or CNRT) was to form a coalition government to lead the government. This was despite Fretilin having received more votes than any other single party.

evacuated for the day, along with many other internationals (particularly those working at the CAVR) to the UN headquarters in Dili (the "Obrigada Barracks"). In 2007, I spent several nights with UN peacekeepers at Baucau's local UN headquarters where I had been teaching English.

I spent two summers in Timor after beginning my Ph.D., to prepare for my fieldwork. In 2008, I split my time between Dili, Baucau, and Oecusse (an exclave of Timor located inside of Indonesian West Timor). In 2009, I spent most of my time in Dili. During both periods, I conducted informal and semi-formal interviews with a range of informants. My interviews focused on informants' lives during the Indonesian occupation, their involvement in Timor's Resistance struggle, and their perceptions of post-independence life in Timor. Finally, I spent several weeks in Timor in 2013, after my main period of fieldwork was completed. I conducted follow-up interviews and presented some of my research at a seminar that took place at Yayasan Hak on the topic of remembrance of the Indonesian past.

My Positionality

My understanding of collective memory meant that when any act of remembrance took place in a context in which I was part of the audience, it was necessary for me to take into account my particular positionality and the effects of this positionality. Of course, in interviews, I was often the sole audience. Some of the main relevant aspects of my positionality were that I was a white, female, American anthropologist, known to some for her previous links with the CAVR. Indeed, I often felt the effects of my positionality most clearly when engaging with Timorese involved in "victims' rights

work" or "human rights work," or when I explicitly brought up human rights in my interviews. There seemed to be an assumption that I was either a human rights "expert" (perhaps testing my interviewees' knowledge of human rights), and/or a human rights proponent or activist (in support of human right measures regarding the Indonesian past, including punitive justice for crimes from the Indonesian era).

On the one hand, I used these encounters as data: a main focus of my research, after all, was studying the effects of international actors and international discourses (including human rights discourses) on post-independence remembrance in Timor. I was interested in international actors as both producers and consumers of memory. On the other hand, I tried to communicate that I was not in Timor as a human rights activist, but as a scholar or researcher. This brings me to my next point, which is my relation to human rights and to the various struggles for recognition and justice in Timor's post-independence era that formed a part my research. While I initially entered Timor in 2002 as a human rights lawyer, I conducted my fieldwork in Timor and have written this dissertation as a social scientist and an anthropologist. My research does not aim to promote or further any specific human rights agenda in Timor. To the extent that my research focuses on human rights, it aims instead – in line with the ethnographic approach that I take to studying human rights, discussed above – to provide a critical and nuanced analysis of how human rights in Timor has worked to shape remembrance of the Indonesian past, in ways both positive and negative (and in-between).

OUTLINE OF DISSERTATION

This dissertation consists of nine chapters, including the Introduction and

Conclusion. Chapters 2 and 3 contain background information. In these chapters I lay out some of the most basic widely-agreed upon "facts" of Timor's history, focused on the Indonesian occupation and resistance. The goal is to provide context for the analysis at the center of the dissertation, on how this history has been remembered in the post-independence period (with a focus on the post-transitional justice period during which I conducted my fieldwork). Chapter 2, "History of the Indonesian Occupation and Timorese Resistance," lays out a "metanarrative" of official narratives or histories of Timor's past, focused on the period between the end of the Portuguese colonization of Timor in 1974, and the international military intervention into Timor in September 1999. Chapter 3, "Anticolonialism and Human Rights in Timor's Independence Struggle," focuses on the use of human rights in Timor's independence struggle, and analyzes the relationship between the right to anticolonial self-determination and human rights more broadly.

Chapter 4, "Victims and Violations: Timor's Truth Commission and the First Official Narrative of the Indonesian Occupation," serves as a bridge between the historical section of my dissertation and the main ethnographic section of my dissertation (which focuses on remembrance in Timor's post-transitional justice period). Chapter 4 examines the first official narrative of the past in Timor, as produced by the CAVR in Timor's immediate post-independence period. I assert that the CAVR's narrative, in line with the CAVR's mandate (and with the mandates of truth commissions more generally), was a humanitarian-inflected human rights narrative that emphasized the human rights violations experienced by Timorese and the suffering victims of these violations. In elevating this narrative, an alternative narrative of Timorese resistance to the violence of

the Indonesian occupation was minimized.

Chapters 5-8 form the main body of my dissertation; these chapters rely on ethnographic data from my central period of fieldwork in Timor in 2011-2012. Chapter 5, "From Victims to Veterans: 'It wasn't that the Indonesians just went and shot them,'" examines the official, dominant collective memory of the Indonesian past in the post-transitional justice era, and compares this narrative to the previously dominant CAVR narrative. I argue that whereas the CAVR-sponsored human rights narrative of the past focused on violations and victims, the State-promoted, post-transitional justice era narrative focuses instead on the struggle for independence from Indonesia and the veterans or heroes of that struggle. Accompanying the shift in focus from victims to veterans is a shift in emphasis from past experiences of suffering to past experiences of struggling (or at the very least a shift from passive suffering, to a more purposeful, active, or agentive suffering *for*).

Chapter 6, "The Resistance Narrative and the Patronage State: Memory and Money," continues with analysis of the official, dominant resistance narrative of the past in the post-transitional justice era. I focus on the role of Timor's State and its leaders in promoting this narrative. I argue that a narrative of resistance that has benefited those deemed veterans, has resulted from a symbiotic relationship between Timor's elite veteran leaders, and Timor's "non-State" veterans. Leaders have promoted a narrative of resistance that involves promising and/or granting various benefits to veterans, in exchange for getting or maintaining political power (and in exchange for promises of peace and security). This chapter explores the conditions that helped give rise to the symbiotic relationship between Timor's veterans leaders and non-State veterans; it also

explores various consequences of the resistance narrative.

Chapter 7, "Banners versus Bullets: Remembering Violent and Nonviolent Resistance," asks what kinds of pasts of resistance – or whose pasts of resistance – have been considered the most heroic in post-independence Timor, and thus the most valuable or usable. I specifically compare remembrance of past violent resistance (and violent resisters) with remembrance of past nonviolent resistance (and nonviolent resisters). I argue that for the most part, former members of Falintil, who engaged in armed resistance, have received more recognition and have been considered more heroic than former members of Timor's clandestine front. Yet I argue that there is a competing or contradictory hierarchy of heroism and recognition in Timor, in which some former members of the clandestine front have been considered more heroic than some past violent resisters, precisely because of their past nonviolent resistance. I argue that this reverse hierarchy of heroism, in which past nonviolent resistance is valued above past violent resistance, is linked to the discourses and practices of human rights that have circulated in Timor since the later part of Timor's independence struggle.

Chapter 8, "Victims' Rights and the Victim-Veteran Binary," turns away from a direct focus on the dominant narrative of resistance in Timor's post-transitional justice era, to look at the legacy of the previously dominant narrative of victims and violations promoted by the CAVR, that I laid out in Chapter 4. I ask how the CAVR's narrative came to be displaced. I discuss the lack of political will on the part of Timor's leaders to support victims' rights, and claims for justice for crimes from the Indonesian era more generally. I also discuss how the victim has come to be defined in negative relation to the veteran as one who did not resist Indonesian rule. Connecting back to analysis in Chapter

4, I argue that the CAVR unintentionally contributed to this victim-veteran binary through its focus on innocent, suffering victimhood, and its failure to adequately deal with the theme of past resistance. Finally, I examine how victims' rights advocates in post-transitional justice era Timor have been advocating for victims in a context where veteranhood is fetishized and victimhood is devalued.

Chapter 9, "Conclusion," summarizes the main results of the dissertation in relation to the broad theoretical themes discussed in this chapter.

Chapter 2

History of the Indonesian Occupation and Timorese Resistance

Narratives of the past are always formed in the present, in particular cultural, social, and economic circumstances, by particular persons and for particular purposes. The valuable, partial, and plastic nature of remembrance forms the very basis of dissertation, which examines how individuals and groups in post-independence Timor – with a focus on my main period of fieldwork from 2011-2012 – have been engaging with and remembering the violence of the Indonesian occupation. Yet at the same time that I recognize the inability of any narrative, whether labeled history or memory, to represent a purely "objective" or complete truth, ascertaining the basic facts of what happened in Timor under Indonesian rule, or at least what is widely agreed to have happened, was essential to my main task of interpreting the memory work being done in the post-independence era.

Arriving at an historical baseline of the Indonesian occupation of Timor and the resistance to this occupation allowed me to ask who and what was being remembered, and who or what was being forgotten. It also allowed me to examine in what ways remembrance of the Indonesian past in Timor has served to reflect what occurred or what is widely agreed to have occurred in the past, and in what ways it has instead served to challenge existing conceptions of the past. Finally, it has allowed me to spot instances where those engaged in memory work in Timor have been consciously engaging with existing dominant historical narratives of Timor's past, whether critically or otherwise. In this chapter I thus lay out a history or "metanarrative" of Timor's past. This

metanarrative is focused on the period between the end of the Portuguese colonization of Timor in 1974, and the international military intervention into Timor in September 1999, following the Timorese referendum for independence in August 1999. I have constructed this metanarrative from a variety of mostly second-hand sources. These sources, which include books, articles, and reports, were written both during and after the Indonesian occupation, by journalists, by Timor's truth commission (the CAVR), and by historians and other academics.

PORTUGUESE COLONIZATION

Timor is a narrow mountainous island in the southeastern end of the Indonesian archipelago. It lies about 350 miles northwest of Darwin, the most northern city in Australia. Smaller than 15,000 square kilometers in area, East Timor consists of the eastern half of the island of Timor, and the exclave of Oecusse in West Timor (as well as the two smaller islands of Atauro off the northern coast and Jaco at its eastern tip). East Timor is ethno-linguistically diverse, with an estimated nine different ethnic groups, which together speak an estimated 19 different "local" languages (East Timor Demographics 2012). Most groups are of Austronesian and Melanesian-Papuan descent. Apart from "indigenous" Timorese, Timor's population consists of Chinese-Timorese and "mestiço" Timorese of mixed African, Arab, Portuguese, and local ancestries. Timor has been the site of human settlement for thousands of years, with migration from Melanesia and the continental Asia (Fernandes 2011:3).

Portuguese involvement in Timor began in the 1550s when Portugal sought white

sandalwood from Timor.[16] Yet it wasn't until the end of the 19th century that the Portuguese regime tried to establish control over the entire territory (Fernandes 2011:4). At this time, the regime sought to consolidate its administration through head taxes and forced labor (CAVR 2006,3:6). Attempts at "pacification" of the Timorese population beginning during this period led to localized resistance to Portuguese authority (Taylor 2000:9). The biggest act of resistance by Timorese during the Portuguese colonial period was the 1910-1912 uprising under the leadership of the Manufahi *liurai* (king or chief), Dom Boaventura. The CAVR has estimated that up to 25,000 Timorese died during the campaign to suppress this uprising (2006,3:8).[17]

During World War II, after the Japanese bombed Pearl Harbor, Australia moved in to Timor to defend from possible Japanese encroachment. Australian troops landed in Timor on December 17, 1941. On February 19, 1942, 20,000 Japanese were sent in to take the island. When Australians were forced out of Timor in 1943, the Timorese carried on fighting the Japanese troops. In areas where the Australians were active, villages were burnt, populations were resettled, and entire families were executed. Japanese troops engaged in torture and the sexual slavery of Timorese women. An estimated 40-60,000 Timorese were killed during the Japanese occupation (Taylor 2000:14).

Between 1946 and 1974 there was a second period of Portuguese presence in Timor. This period was characterized mostly by neglect on the part of the Portuguese. Scholars have noted that during these years the "living conditions for the majority of

[16] In 1590, the Portuguese established a Catholic mission on the western half of the island of Timor, in Lifau, Oecusse. This became the base for the first Portuguese administration of Timor. In 1769, due to tension with the Dutch, Portugal moved its base to the current capital of Timor, Dili, and increasingly focused its efforts on colonizing the eastern half of the island (CAVR 2006,3:7). The colonial boundaries between Portuguese and Dutch Timor were fixed in a decision at the international court in The Hague in 1913 (with Portugal taking the eastern half of the island and Oecusse).

[17] The Portuguese brought in troops from Mozambique to quell the rebellion.

Timorese remained relatively unchanged, characterized by poverty, underdevelopment, lack of resources, and lack of mobility" (Crockford 2007:54; see also Jolliffe 1978:91). By 1973, 93 percent of Timor's population was illiterate (Taylor 2000:23). Monsignor Marthinho da Costa Lopes famously reflected that during 400 years of Portuguese colonization, not one lawyer, engineer, or doctor had been born in Timor (cited in CAVR 2006,3:10).[18] Timor's capital, Dili, was only provided with electricity in the 1960s; by 1974 only a few main streets in Dili had been paved (Ramos-Horta 1986:22).

DECOLONIZATION AND THE DEVELOPMENT OF POLITICAL PARTIES

On April 25, 1974, amidst armed struggle in Portugal's African colonies, the Portuguese army staged a coup in Lisbon, leading to the collapse of Europe's last colonial empire. Portugal implemented a policy of decolonization in Timor, with the administration announcing three options opened to the Timorese: continued links with Portugal, integration with Indonesia, or complete independence (Jolliffe 1978:61).[19]

By the time Portugal left Timor in 1974, there had been little nationalist sentiment on the ground (Anderson 1993). The CAVR has attributed this to Timor's underdevelopment, the restriction of channels for social, political, and economic mobility during Portuguese rule, and Portugal's strategy of divide and rule (2006,3:6-9). An exception to this lack of nationalist sentiment involved a small group of urban educated elites, mostly based in Dili. These elites had benefited from a small increase in secondary

[18] John Taylor has made the point that Portugal's neglect of Timor meant that indigenous economic, social, and cultural systems remained largely intact during Portuguese rule (2000:9).
[19] In 1974, Portugal annulled the article of its 1933 Constitution that classified Timor as a national territory, and acknowledged Timor's right to self-determination and independence. Portugal communicated this change to the UN four times between August and December 1974 (CAVR 2006,7.1:10-11).

and tertiary education during the post-World War II period of Portuguese rule. From the 1960s onwards, these elites had taken up posts in government administration, the health service, or the army (Taylor 2000:17-18). Inspired by the nationalist liberation movements of Portugal's African colonies, some of these elites had founded a small anticolonial political group in 1967, which was still functioning at the time of the collapse of the Portuguese empire (CAVR 2006:3,23).

This group of elites formed Timor's first political parties. The Timorese Democratic Union (Uniao Democratica de Timor or UDT), initially the most popular party, was formed on May 11, 1974. Its founders tended to be politically conservative, with many having had links with the Portuguese administration. While initially proposing "aggressive autonomy under the Portuguese Flag," allowing for the possibility of independence in "15 to 20 years," on August 1, UDT declared that its goal was eventual independence after a period of federation with Portugal (CAVR 2006,3:15). The Timorese Social Democratic Association (Associação Social-Democratica Timorense or ASDT) was established on May 20, 1974. ASDT's founders were "mostly young intellectuals, from a range of backgrounds" (CAVR 2006,3:16). Modeling itself on other third-world anticolonial nationalist liberation movements, particularly those in Portugal's African colonies, ASDT published its first manifesto on May 22, calling for a right to independence and a rejection of colonialism (Jolliffe 1978:63).[20] On September 11, 1974, ASDT transformed into a new organization, Fretilin.[21] Making more radical claims, this

[20] During the 1970s, key leaders of ASDT/Fretilin had spent time in the African colonies when anticolonial activity was taking place (Jolliffe 1978:63). Other Timorese spent time in Portugal in the 1970s where they met Africans from the colonies.

[21] The name Fretilin was based on Frelimo (Portuguese Frente de Libertação de Moçambique), the Mozambiquan revolutionary party.

new organization now declared itself the "sole representative" of the Timorese people and demanded an immediate declaration of "independence de jure" from the Portuguese, as well as the achievement of "independence de facto" through a transitional program of social development, "aimed at the total abolition of colonialism" (cited in Jolliffe 1978:74).[22]

Within several months of forming, both Fretilin and UDT had thousands of supporters. Yet by the end of 1974, Fretilin was the more successful party. Fretilin had gained success from its rural focus, which included traveling to villages and presenting its socio-political programs on literacy, agricultural development, and health (Taylor 2000:33). While Fretilin tried to promote a sense of Timorese cultural uniqueness, its argument for independence was ultimately an argument against neocolonialism, a political, not a cultural or racial argument. The key issue was the right for a Timorese identity to develop freely in the postcolonial era (Jolliffe 1978:80).

Indonesian Interest in Timor

Since at least the 1940s, Indonesian had officially supported the right of Timorese to self-determination, and disavowed territorial claims to the territory.[23] Indeed, as late as April 1974, Indonesian policy toward Timor was one of "noninterference" (Taylor 2000:23). This quickly changed during the period of decolonization, however. Indonesia publically justified its newly apparent interest in Timor by arguing that it wanted to stop

[22] The transitional development program called for transformation of the "old colonialist structure" and the implementation of "new forms of democracy." It also called for "cultural development . . . from the people, with the people and for the people" (cited in Jolliffe 1978:74).
[23] As late as 1974, a letter from the Indonesian Foreign Minister Adam Malik guaranteed the integrity of a future East Timor, after a June 1974 visit by José Ramos-Horta (although the Indonesian government also issued contradictory statements during this time) (Jolliffe 1978:65).

the spread of communism in Timor via Fretilin rule. It asserted that Fretilin's opponents – which included UDT and several other smaller parties, including Timorese Popular Democratic Association (Associação Popular Democrática de Timor or Apodeti), a party that Indonesia helped to form and fund – has asked for Indonesian interference to avoid a communist Fretilin takeover.[24] There have been debates about whether Indonesia's anti-communist rhetoric was sincere or merely an attempt to manipulate the issue (CAVR 2006,3:29).[25] Regardless, the rhetoric was effective in gaining Indonesia the support of the US and other powerful Western states, which were complicit in Indonesia's ultimate invasion and occupation of Timor.[26] The CAVR has argued that the US and its allies "looked to Indonesia as a vital component of its post-Vietnam strategy for preventing further communist advances" (2006,3:17).[27] The US in particular had wanted to avoid the prospect of a "second Cuba" in Southeast Asia (Stokke 2013). It feared that a hostile Timor could impede the free passage of US nuclear submarines through the Ombai-Wetar Straits that lie parallel to East Timor.

Apart from assertions of a communist takeover, the Indonesian case for the

[24] Apodeti called for the autonomous integration into the Republic of Indonesia in accordance with international law (CAVR,3:16). The party apparently never had more than 300 members throughout 1974 (Taylor 2000).

[25] There have also been debates about how communist or Marxist Fretilin really was at different times throughout the occupation. A popular conclusion is that while there were Marxist or communist components of Fretilin's ideology, and individuals in Fretilin who adhered to Marxism or communism, Fretilin's dominant ideology was nationalism (CAVR 2006,3:28). David Webster has argued that Fretilin's Marxism was "mostly rhetorical, following the international fashions of the day" (2003:6).

[26] The invasion occurred two days after then-US President, Gerald Ford, had completed a State visit to Jakarta with his Secretary of State, Henry Kissinger. It is now well-known that Ford and Kissinger privately gave Suharto US approval for the invasion (CAVR 2006,3:69; see also Simpson 2005). Among other things, the US and other Western states transferred millions of dollars of supplies to Indonesia during the occupation. This included equipment like OV-10 Bronco counter-insurgency aircraft that Indonesia used against Timorese in the earliest deadliest years of the occupation (ETAN 1997).

[27] As the CAVR has pointed out, Timor's opportunity for decolonization came at a crucial moment in the Cold War: "The North Vietnamese victory in Vietnam in April 1975 and the almost simultaneous collapse of pro-US governments in Cambodia and Laos fueled fears among Western policymakers and their Asian allies that other countries in South-East Asia were also vulnerable and that the line must be held at all costs against the spread of communism" (2006,3:7).

acquisition of Timor rested on a variety of other claims. These included claims of "putative historical ties, shared cross-border cultural affinities, and suggestions that any other course would produce an impoverished and unsustainable state" (Cotton 2004:70). Scholars have offered different reasons for Indonesia's interest in Timor, asserting that Indonesia desired Timor's valuable resources (including oil in the Timor sea), and that Indonesia feared that an independent Timor might spark separatism elsewhere on the archipelago (Simpson 2004:455).

CIVIL WAR AND DECLARATION OF INDEPENDENCE

In response to increasing pressure from Indonesia, UDT and Fretilin formed a coalition on January 21, 1975, around the common principle of independence (Jolliffe 1978:94). Yet tensions soon erupted, with UDT declaring Fretilin too radical and leftist, and Fretilin criticizing UDT for being too conservative. Indonesia exploited these tensions, spreading rumors to UDT of a planned "communist" Fretilin coup (Jolliffe 1978:84). On August 11, UDT launched a coup or uprising against Fretilin. On August 20, Fretilin responded with a "general armed insurrection," with its new armed wing, Falintil, having received the backing of most Timorese members of the Portuguese military. A civil conflict between the two parties lasted about three weeks, during which time it has been estimated that between 1,500 and 3,000 Timorese were killed (CAVR 2006,3:8).

By August 27, 1975, Timor's capital, Dili, was under Fretilin control. The Portuguese withdrew to the island of Atauro on the night of August 26, never to return to Dili. Fretilin, which was in control of nearly all of Timor by early September, established

a de facto or interim government which ruled Timor for three months. It began implementing the social programs it had introduced before the conflict, sending educated urban youth to rural areas to rebuild the country and to encourage the development of a nationalist spirit through "consciousness-raising" (Crockford 2007:25-26). It has been noted that Fretilin enjoyed widespread support from the population during this time (see Jolliffe 1978:161). During this period Fretilin continued to recognize Portuguese sovereignty and tried to encourage the Portuguese to return to continue the decolonization process (Jolliffe 1978:154).

In September 1975, the Indonesian military began to make incursions into Timor. The civil war had the effect of giving substance to Indonesia's territorial claims to Timor in the eyes of the international community, particularly as the Indonesian military falsely claimed that the war was continuing after August (Taylor 2000:58). When a major Timorese town fell into Indonesian hands in mid-November 1975, a sense of urgency provoked Fretilin to declare independence in a ceremony on November 28 (CAVR 2005,3:54-55).[28] Fretilin believed that if Indonesia invaded, an independent state might have a better chance of appealing to the UN than a political party. Before a crowd of 2,000 people gathered in front of the Portuguese government building, the Portuguese flag was lowered, the Timorese flag was raised, and the Proclamation of Independence was read (CAVR 2006,3:54-55). The Declaration of Independence was signed by Francisco Xavier do Amaral, who was appointed Timor's first president.[29]

Two days later, members of UDT and Apodeti (as well as several other minor

[28] The Declaration had originally been scheduled for December 1, the day Portugal celebrated its independence from Spanish occupation; it was moved up due to Indonesian advancements (CAVR 2006,3:55).
[29] About 20 nations eventually recognized Fretilin's Republic (Webster 2003:9).

parties that had formed during the decolonization process) gathered in West Timor. Under pressure from Indonesian intelligence they signed the so-called "Balibo Declaration" or "Proclamation of Integration," declaring "the independence and integration" of Portuguese Timor with Indonesia. Portugal did not recognize this declaration or the Declaration of Independence; it noted that it still considered itself the "administering power" of Timor (CAVR 2006,3:57).

INDONESIAN INVASION AND THE EARLY YEARS OF OCCUPATION (1975-1979)

Nine days after Timor's Declaration of Independence, on December 7, 1975, Indonesia launched a full-scale invasion of East Timor by land, sea, and air, with 10,000 troops (Taylor 2000:68). The invasion was vicious and made no attempts to avoid civilian casualties. The Chinese population was singled out with 500 killed the first day of the attack. Days of murder, rape, and looting followed (Taylor 2000:68-69). It is estimated that within the first two days of the occupation, 2,000 East Timorese had been murdered (Dunn 2004:246). By the end of 1976, Indonesia had at least 40,000 troops in Timor (Taylor 2000:80), and an estimated 60-100,000 Timorese had been killed (Dunn 2004:268).

Upon the invasion Fretilin and civilians from Dili retreated to a town called Aileu in the interior. As Indonesia approached, the group continued to retreat further.[30] Most of the rest of Timor's population likewise left their towns and villages upon the invasion and fled to the mountains. In May 1976, Fretilin held a meeting, termed the Soibada

[30] Fretilin, which still held prisoners from the civil war, killed many of these prisoners along the way (CAVR 2006,3:68).

Conference, during which it decided on a strategy of a protracted "people's war."[31] Civilians were to live in the mountains with fighters in "bases of support" within a number of "liberated zones" outside of Indonesian control.[32] The civilians would provide logistical support such as food to Falintil in exchange for protection. A pamphlet produced by Fretilin noted that the goal was to mobilize and educate people so that they could "work for the full and complete eviction of the enemy and . . . beat imperialism" (cited in CAVR 2006,5:17). The social programs that Fretilin had developed and begun implementing during 1974-1975 were re-continued (with a main difference being that the programs were now implemented to support the war) (CAVR 2006,5:16.) The liberated zones were beyond the reach of the Indonesian military for most of 1976.

Most of the intra-Resistance or Timorese on Timorese violence that occurred during the 24-year occupation occurred during this time in the mountains.[33] The violence was largely a result of disputes over what to do with the civilian population in the bases of support.[34] Some Fretilin leaders wanted civilians to surrender and resettle in town, so as to relieve pressure on Falintil; others with a more "radical" or "leftist" ideology, argued that surrender was treason.[35] The second group dominated and began carrying out detentions, torture, and summary executions of other members of Fretilin whom they

[31] The concept of a "people's war" was established by Mao Zedong. It has been suggested that some Fretilin leaders learned the strategy from materials from the African national liberation movements in the Portuguese colonies (CAVR 2006,5:16).
[32] During this period, Falintil, using weapons left behind by the Portuguese, consisted of 2,500 full-time regular troops from the former Portuguese army, 7,000 part-time militia, and 20,000 reservists (Taylor 2000:86).
[33] According to the CAVR, 29 percent of the 18,600 unlawful killings and enforced disappearances suffered by Timorese during its mandate period were committed by forces affiliated with Timor's Resistance movement (2006,6:17).
[34] These disputes increased as Indonesia increased its attacks and many parts of the liberated zones could no longer be defended (CAVR 2006,5:22).
[35] This group's domination led to Marxism becoming Fretilin's official ideology at the Laline Conference in 1977, in Lacluta, Viqueque (CAVR 2006,5:16). The ideology was formally dropped in 1984 (CAVR 2006,5:32).

termed reactionary or traitors for advocating surrender (CAVR 2006,5:21-22). Most famously, then-President Amaral was overthrown in August 1977 for advocating surrender, and was replaced on October 16, with Nicolau Lobato.[36]

From the middle of 1977 to the end of 1978, Indonesia launched a campaign known as "Encirclement and Annihilation," with the goals of destroying Fretilin leadership and forcing civilians to surrender to the lowlands. The Indonesian military engaged in heavy bombardment, including the use of chemical sprays and the strafing of villages in areas outside of Indonesian control. These were followed by large-scale artillery attacks. The attacks ended with the deployment of troops against villages, forcing inhabitants into more confined areas until they were completely surrounded (Taylor 2000:85-88). At this point Timor's Resistance was virtually decimated. Key Fretilin leaders had either been captured or killed or had surrendered (after which they were frequently disappeared). Lobato was killed in combat on December 31, 1978.

The CAVR has termed the period from late 1977-1979 the "greatest humanitarian tragedy in Timor-Leste's history" (2006,3:83). After surrendering from the mountains, thousands of Timorese were imprisoned; others were held in transit camps and then moved to resettlement camps known locally as "campos de concentracao."[37] The goal of the Indonesian regime was to separate the population from the Resistance. The camps were ringed by the military and by Timorese civil guards. Forced labor was rife and control on civilians' movement meant that people couldn't grow enough food – thousands of Timorese died in the camps from starvation or illness (Taylor 2000:92-94). Beginning in 1980 civilians also began to be exiled to Atauro island. Indonesia banned

[36] Amaral was captured by the Indonesian army in August 1978.
[37] Some transit camps were turned into longer-term camps.

international agencies and media during this entire period, only allowing some humanitarian aid to enter Timor in October 1979. An overwhelming majority of the Timorese deaths that occurred during the occupation occurred between 1977 and 1979 (Fernandes 2011:48).

THE FIRST FULL DECADE OF INDONESIAN RULE (1980-1989)

Indonesia declared Timor pacified on March 26, 1979 (Fernandes 2011:63).[38] Despite this declaration, the Indonesian military continued to engaged in operations in Timor. In mid-1981, in the east of the country, Indonesian military personal (including 12,000 soldiers and an additional number of troops in combat roles), and up to 60,000 Timorese civilians, created a "fence of legs" and marched across the territory to search for and capture remaining Falintil troops (Timorese civilians had been forced to join the operation). The "fence of legs" had serious humanitarian consequences, particularly after the traumatic famine and detention camps. Many died during the march and farmers who were forced to participate were unable to grow crops (CAVR 2006,3:87-93).

On June 10, 1980, members of Dili's clandestine networks and Falintil troops attacked an Indonesian military armory in the foothills of Dili, the first uprising following the defeat of Fretilin in late 1978. The Indonesians responded by detaining hundreds in a military sweep of Dili. Over 100 were killed and others were subject to torture and cruel treatment and exiled to Atauro. The military's aim was "not just to destroy the resistance but to send a message to the population that retribution would be severe and

[38] With the "pacification" of Timor, the military command passed from Dili to Bali, and Timor was now within the standard command of Indonesia's National Armed Forces, Angkatan Bersenjata Republik Indonesi (ABRI).

indiscriminate" (Fernandes 2011:65). As the historian Clinton Fernandes has noted, "this pattern would continue for the first half of the 1980s: a Falintil attack on a legitimate target such as an Indonesian military unit was followed by a severe and indiscriminate military response against combatants and non-combatants alike, then deportations to Atauro" (2011:65). One of the most infamous examples of this pattern occurred in 1983. On August 8, in the village of Kraras, a unit of East Timorese civil guards together with Falintil fighters killed 14-16 Indonesian combat engineers. Beginning a month later, Indonesian forces killed hundreds if not thousands of civilians from Kraras and the surrounding areas in a series of executions and massacres.

Toward the middle of the 1980s, this kind of extreme violence gave way to a period of superficial normalization in Timor (CAVR 2006,3:107). Indonesian State institutions were established and functioning, and Indonesia attempted to implement its national development programs. While there was some significant development in Timor during the 1980s (and 1990s), the Indonesian regime emphasized the infrastructure of the occupation, especially road construction, and administrative buildings and school construction (CAVR 2006,3:108). Schools in particular were a site of attempted Indonesian indoctrination or "Indonesianization." The Indonesian regime dramatically increased the numbers of elementary and high schools in Timor and in 1986, opened Timor's first university, the University of East Timor (Universitas Timor Timur or UNTIM). Schooling was made compulsory from ages seven to thirteen (Arenas 1998:145).[39] All schooling was in Indonesian; teaching or using Portuguese in schools was banned. Children had to learn the Indonesian "Pancasila," the nationalist ideology of

[39] Between 1975-1993, the number of elementary schools in Timor increased from 47 to 612, and the number of high schools increased from 5 to 34 (Arenas 1998:139).

Indonesia, word for word. They also had to sing the Indonesian national anthem each morning and attend special classes to learn about Indonesian nationhood (Arenas 1998:141).[40]

Reemergence of the Resistance

During this period of superficial normalization in Timor, Timor's Resistance movement reestablished itself. It began a process, which continued up until the 1999 referendum, of evolution from a Fretilin-dominated movement characterized by leftist ideology, toward a more centrist nationalist movement (Pinto, Jardine, and Nairn 1999:122–123). There were two main reasons for this shift. First, the Resistance wanted to broaden its base internally. It particularly wanted to gain the cooperation of UDT (especially its leadership abroad) and the conservative Catholic Church, which "could not come to terms with several aspects of Fretilin's [leftist] ideology" (CAVR 2006,5:32).

Second, most in the Resistance now believed that the only path to independence was to gain international backing. As the historian Geoffrey Robinson has noted, there was "a growing awareness among some resistance leaders that the strategy of armed resistance and the language of militant anticolonialism had failed to win the sympathy of the wider international community, and may even have undermined it" (2014:40). A move toward the center, away from armed resistance and the language of militant anticolonialism, was an attempt to win international support.

[40] "Indonesianization" was also attempted through the resettlement of Indonesians into the territory: beginning in 1989, migrants were brought into Timor from other parts of Indonesia. Many Indonesians also moved to Timor voluntarily (outside of government sponsorship). One estimate notes that by the late 1990s there were 150,000 voluntary transmigrants in Timor out of a population of roughly 800,000 (Pinto, Jardine, and Nairn 1999:245).

Turn toward the Diplomatic Sphere

Falintil, which transformed into a guerrilla force in 1981, remained in the jungle throughout the occupation. Yet beginning in the 1980s, Falintil's role shifted from one of offense to defense (Webster 2003:12). Attention turned to two main groups of actors operating in the international diplomatic sphere. The first group consisted of members of Timor's so-called "diplomatic front." Following Fretilin's Declaration of Independence in 1975, Fretilin had dispatched an "External Delegation" overseas. The Delegation's headquarters, led by Mari Alkatiri, was based in Maputo, Mozambique. Fronts were opened up in additional countries in Africa, as well as in Europe, the US, and the UN. José Ramos-Horta was the most well-known figure of the diplomatic front.[41]

The second group consisted of foreign or international supporters of Timor. In the early days of the invasion, foreign activism in support of Timor was limited to several key countries, including Australia, Britain, and Portugal. During the 1980s, solidarity groups spread to other nations, including the US, Canada, and Japan. The 1980s also saw the beginning of regional and international networks linking together groups from different countries, thus beginning the formation of what is often termed the international solidarity movement (CAVR 2006,7:185).[42] Mainstream international human rights organizations such as Amnesty International and Human Rights Watch also began to play

[41] Fretilin diplomats initially tried to act as a government-in-exile; this changed in 1983 when the "internal front" of the Resistance no longer demanded recognition of Timor's Unilateral Declaration of Independence.

[42] The movement is alternately termed an international or transnational solidarity network; an international or transnational advocacy network; and an international solidarity front. The CAVR uses the phrase international civil society.

a role in Timor during the 1980s (Simpson 2004:465).[43]

Over time, the Resistance's diplomatic front and the international solidarity movement increasingly worked together. They focused on lobbying the UN and Indonesia's western allies in Europe, North America, Australia, and New Zealand (Webster 2003:15).[44] Relevant here was that the Portuguese government had never rescinded its position as the legal administering power of Timor during the occupation. As a result, Timor was able to remain on the agenda of the UN throughout the occupation as a non-self-governing territory, a factor that "fundamentally distinguished it from other nationalist or separatist struggles within the Indonesian archipelago in the 20th century" (CAVR 2006,3:8).[45] While Indonesia obviously had a great deal of global support, most states had similarly never formally accepted Indonesian sovereignty (Cotton 2004:78).[46]

Human Rights Framework

Accompanying the Resistance's turn in emphasis from the armed struggle inside of Timor to the diplomatic struggle in the international sphere, was a shift from the more

[43] Robinson has stressed, however, that the human rights movement for Timor was "built largely from scratch by a small handful of activists, scholars, trade unionists, and others, with only limited support from major international human rights organizations like Amnesty International (2014:37).
[44] A third group that came to work with these two were diasporic Timorese, most of whom lived in Portugal and Australia. A first group of exiles had fled Timor in the 1970s, either during the civil war or upon the Indonesian invasion; a second wave fled Timor in the 1990s after the Santa Cruz massacre.
[45] On December 22,1975 and April 22, 1976, the UN Security Council passed resolutions calling on Indonesia to withdraw troops from Timor, and for Portugal to cooperate with the UN to enable East Timorese people to freely exercise the right to self-determination. While 1976 was the last time until 1999 that the Security Council considered the issue, from 1975-1982, there was an annual affirmation in the General Assembly calling on Indonesia to withdraw from Timor and affirming Timor's right to self-determination. After 1982 the issue was removed from the agenda of the General Assembly and passed on to the UN Secretary-General, who was to continue to seek an internationally acceptable solution to the Timor situation.
[46] A significant exception was Australia. Beginning in December 1978, Australia acknowledged East Timor as a province of Indonesia. In February 1991, Australia entered an international agreement positively affirming Indonesian sovereignty in Timor (this agreement was the Timor Gap "Zone of Cooperation" Agreement).

militant, leftist, or revolutionary language of anticolonialism, toward the discourses and practices of universal, global, or international human rights. As will be described further in the next chapter, human rights was used in two main ways.

First, it was used to frame the Resistance's goals – to depict what a future Timorese State would look like. The Resistance no longer wanted to achieve a revolution aimed at the "total abolition of colonialism," as it proposed in its more radical pronouncements; nor did it simply want to achieve national liberation. Rather, the Resistance now claimed a desire to form an independent state founded on human rights principles. As José Alexandre Gusmão ("Xanana")[47] stated in 1987: Timor's Resistance was "committed to building a free and democratic nation, based on respect for the freedoms of thought, association and expression, as well as complete respect of Universal Human Rights" (cited in CAVR 2006,7.1:88). The Resistance illustrated its embrace of human rights ideals during a ceasefire with Indonesia from March to July 1983, when it dropped its insistence that the international community recognize Timor's Unilateral Declaration of Independence.[48] It conceded that Portugal (still) held sovereignty over Timor, and declared that it would accept a referendum to decide Timor's fate. At this time, the Resistance also promised that Timor would have a future multi-party system.

Second, and more significantly, the Resistance began to use human rights discourses and practices to frame the physical violence being committed by the Indonesian regime in Timor, and to present Timorese as suffering human rights victims.

[47] Names in parenthesis and quotes are *codikos* (code names or nom de guerre).
[48] The ceasefire, brought about via negotiations between Fretilin and Indonesia, signaled an end to the Resistance's refusal to negotiate with Indonesia. During the period of the "liberated zones," a prominent Fretilin slogan had been "Negotiation – No and Never" (CAVR 2006,3:98).

The shift in focus from the armed violence of Falintil to the nonviolent diplomacy taking place in the international sphere, can be viewed in this context. So too can the increased emphasis on the nonviolent protests of Timor's emerging urban-based clandestine front, a front described below.

Urban Clandestine Front

One of the most significant developments of Timor's Resistance in the 1980s was the growth of an urban-based clandestine network. By the middle of the 1980s a number of clandestine cells existed, many with overlapping memberships (CAVR 2006,3:109). The clandestine front was largely composed of younger Timorese. The so-called "*gerasaun foun*" ("new generation") of nationalists consisted of Timorese born in the 1960s and 1970s. These Timorese had been children in the forest during the invasion and full-scale war period, and had experienced suffering at the hands of the Indonesian military during this time, with many having lost family members. Many had family connections to members of the Resistance in the interior. This new generation, which spoke Indonesian and was educated in the Indonesia school system (Fernandes 2011:125), had less attachment to Portugal than the older generation of nationalists. In joining the Resistance, scholars have argued that the new generation "demonstrated the defeat of the Indonesian project to win the hearts and minds of those who grew up under Indonesian rule" (Webster 2003:18).[49]

In addition to recruiting other young people into the Resistance, clandestine groups in the 1980s worked with specific guerillas. They provided the guerrillas with

[49] With the establishment of Timor's first university in 1986, university students in Timor also began engaging in clandestine activity (CAVR 2006,5:43).

information about Indonesian actions, including Indonesian military activities and human rights violations. They also brought materials to guerrillas such as food, medicine, clothes, and weapons.[50] Finally, they worked to send messages about East Timor out of the county to international activists, to Timorese in the diplomatic front, and to family and friends in exile in Portugal and Australia.

The Church

Another significant development for Timor's Resistance in the 1980s was increased Church support for Timorese independence. Timor's Catholic Church, which had been an "adjunct" of the Portuguese administration, had previously aligned itself with the more conservative UDT party as opposed to Fretilin (CAVR 2006,3:98). By the 1980s, however a "majority of the clergy . . . privately turned against the [Indonesian] military forces for their serious human rights breaches, which did not even spare Church personnel and buildings" (Pascoe 2006:123). The first leader of the Church, Martinho Lopes (cited above describing the lack of development in Timor during Portuguese rule), was forced by the Indonesian regime to step down in 1982 after speaking out against human rights abuses. He was replaced by Bishop Carlos Filipe Ximenes Belo, who remained outspoken regarding human rights violations, and who was awarded the Nobel Peace Prize in 1996 along with Roman-Horta for his efforts.

Robinson has noted that "by the early 1980s, the Catholic church constituted the moral center of resistance to Indonesian rule" (2010:86). The Church's central role in Timor's Resistance was tied to it being the only East Timor-wide institution independent

[50] These supplies were often secured through fundraising (many were bought from the Indonesian military) (Pinto, Jardine, and Nairn 1999:102).

of military control (Webster 2003:16). As the Vatican didn't recognize Indonesian sovereignty in Timor, the Timorese Church was ruled by the Vatican rather than subsumed from within the Indonesian Church; additionally, by 1983, Timor's Church declared Tetum the official language of the liturgy, so that Tetum would be used in mass (CAVR 2006,3:99). Both of these things increased the Timorese identity of the Church.

The Church became a sanctuary for Timorese during the occupation, as Timorese could not regularly gather in any space apart from the Church. Timorese used the Church as a place to organize resistance activities. The Church also played a critical role in protecting people on the run from the Indonesian army (Hodge 2013:157). During the early years of the occupation, when no international organizations were allowed in the territory, the Church was the sole societal organization in Timor to have contact with the outside world (Pascoe 2006:119), and thus the only entity to enable information to be sent outside the territory. An international Catholic network helped to provide the Resistance with a wide network of international support throughout the occupation (Robinson 2014:41).

Demotion of Fretilin and Rise of Xanana

A final significant shift in the Resistance during the 1980s was the demotion of Fretilin as the official leader of the Resistance. The first conference of Resistance leaders after the fall of the liberated zones took place from March 1-8, 1981, in Lacluta, Viqueque. At this meeting, Resistance leaders formed the Revolutionary Council of National Resistance (Conselho Revolucionário Resistência Nacional or CRRN). The CRRN was supposed to be an umbrella forum for all groups supporting independence,

not only Fretilin. At this 1981 conference, Gusmão was elected leader of the Resistance and Commander-in-Chief of Falintil. Another key meeting of the Resistance during this decade took place in 1987. At this meeting Falintil broke off from Fretilin, declaring itself neutral, non-partisan, and nationalist. It now served as the armed forces of the CRRN, not Fretilin (CAVR 2006,5:35). Other important dates during this decade include 1988, when CRRN became National Council of Maubere Resistance (Concelho Nacional da Resistencia Maubere or CNRM); and 1989, when Gusmão resigned from Fretilin and became president of CNRM (Gusmão remained Commander-in-Chief of Falintil).

THE FINAL DECADE OF INDONESIAN RULE (1989-1998)

Two events occurred at the tail end of 1980 that were both were helpful for the Resistance. One was local and one was global. The first, local event, was the opening up of Timor to foreigners. At the beginning of 1989 Indonesian President Suharto lifted travel restrictions to and from Timor, so that East Timorese could leave the territory, Indonesian citizens could enter the territory, and foreign (non-Indonesian) visitors, including international journalists, could visit eight of Timor's thirteen districts. Information to international supporters could now flow more freely, coinciding with the rise of the internet (Simpson 2004:457).

The second event was the end of the Cold War. The Indonesian occupation could no longer be linked to Jakarta's role as a "bastion of anti-Communism in Southeast Asia" (Simpson 2005:282). Indonesia's value to Western strategic planners was now greatly reduced, and people and governments were more willing to criticize Indonesia's actions and Western support for Jakarta (Simpson 2004:458; Webster 2003:19). In addition, the

end of the Cold War and the collapse of communism helped to strengthen the global human rights regime. The "promotion of human rights became an explicit foreign policy objective of an increasing number of Western states . . . establishing something like a new international norm" (Robinson 2014:42). Both events spurred on the use of human rights by Timor's Resistance.

Nonviolent Demonstrations and the Santa Cruz Massacre

With the opening up of Timor the clandestine movement adopted a new strategy of demonstrations, which members had learned about by following struggles in places such as South Korea, Israel-occupied Palestine, and Europe (Pinto, Jardine, and Nairn 1999:107).[51] Protests, designed to appeal to international opinion, were timed to coincide with visits to Timor by international figures (Webster 2003:18). The first public demonstration in Timor since the invasion, took place on October 12, 1989, when Pope John Paul II visited Timor, the only foreign Head of State to visit Timor during the occupation. As the Pope's mass was finishing, around 100 members of Timor's Catholic Scouts took off their Catholic Scout uniforms, and ran to the front of the altar, shouting, "Long live the Pope!" and "Long live free East Timor." Some in the choir and in the crowd began shouting slogans as well, and three or four persons opened banners with pro-independence slogans (Pinto, Jardine, and Nairn 1999:110). The Timorese activists were attacked by Indonesia riot police while the Pope looked on. A photo of protesters was transmitted around the world (Webster 2003:17).

In 1991 the clandestine movement had planned another major protest to take place

[51] Some Timorese have referred to the period between 1989 and 1991 as the Timorese "intifada" (Pinto, Jardine, and Nairn 1999:118).

during a proposed visit to Timor by a delegation from the Portuguese Parliament.[52] On October 28, a group of provocateurs tried to provoke a fight among those involved in the planning. Sebastião Gomes, an independence supporter, as well as one provocateur, were shot and killed. On November 12, on the two-week anniversary of Gomes's death, a demonstration was planned to commemorate Gomes's killing following a funeral service at Motael Church. After an hour-long mass at the Church ended at seven o'clock, a group of around 1,500 Timorese headed toward the Santa Cruz graveyard on a winding, four-kilometer route. They were joined en route by more people, including schoolchildren on their way to classes. Indonesian soldiers, police, and intelligence lined the streets. Upon reaching the graveyard 500 additional mourners joined the group (Fernandes 2011:89). At the graveyard, Timorese unfurled banners calling for the UN's involvement in Timor, and expressing support for Gusmão and self-determination. They shouted "Viva Timor Leste" and "Viva Xanana Gusmão" (Pinto, Jardine, and Nairn 1999:192).

After a brief ceremony at the cemetery, as the crowd was about to disperse, army trucks came up and unloaded troops. Soldiers fired automatic weapons into the unarmed crowd (Pinto, Jardine, and Nairn 1999:191). Many protestors fled into the cemetery grounds (Nicholson 2001:22). Soldiers surrounded the cemetery, killing previously unharmed and lightly injured people with bayonets.[53] Between 80-270 Timorese were killed.[54] British journalist Max Stahl captured the massacre on film, which he buried in

[52] Apparently the aim of the delegation was to obtain a favorable report on the human rights situation in East Timor, in order to allow the Portuguese government to formally accept the integration of Timor into Indonesia (Fernandes 2011:88).
[53] Soldiers then took people in trucks to a local hospital, to interrogation centers, or to be killed. Many taken to the hospital were also killed – they were given poisonous white pills and soldiers used stones to crush the skulls of those left alive (Fernandes 2011:139).
[54] There is debate surrounding the number of Timorese killed in this event. The highest estimates are 270 (see Robinson 2010:7). The CAVR noted that 200 is a "not an unreasonable estimate" (2006,7.2:204).

the cemetery.[55] Some of the key tapes (as well as graphic photos taken by another British photographer) were smuggled out of Timor. Footage of the massacre was broadcast around the world within days and Timor was momentarily transformed into a front-page story (Simpson 2004:459).

The Santa Cruz massacre is widely agreed to have been a turning point in Timor's struggle for independence. It has been termed a "watershed" (Robinson 2010:7), "pivotal" (Nicholson 2001:23), and "decisive."[56] Dan Nicholson has noted that the massacre "defined the issue of East Timor for many around the world (2001:48)."[57] It "showed the world that the issue of East Timor was far from resolved" (2001:18), making clear the reality of Indonesian military repression. The massacre had immediate tangible effects. First, it resulted in the exponential growth of the international solidarity movement in support of Timor (Webster 2003:20).[58] Second, it resulted in widespread international condemnation of Indonesia's human rights record in Timor, as well as the "initiation of some of the first concrete measures designed to compel the Indonesian government to clean up its act" (Robinson 2010:82).[59]

Gregorio Saldhana, the leader of the demonstration, told me that he has only been able to confirm approximately 80 deaths.

[55] Amy Goodman and Allan Nairn, two reporters from the US, were also present at the massacre.

[56] The latter description came from Richard Woolcott, one of the original designers of Australia's policy toward East Timor (cited in Fernandes 2011:90-91).

[57] As Robinson has noted (2014:56), several scholars have compared the Santa Cruz massacre to South Africa's Sharpeville massacre in terms of its historic importance (see Braithwaite, Charlesworth, and Soares 2012:86; see also Carey 1998:55).

[58] Brad Simpson notes that by 1995 East Timor solidarity groups existed in more than 20 countries (2004:461). The International Federation for Timor (IFET) has noted that by the late 1990s there were solidarity groups in 31 countries; there were also 900 members of Parliamentarians for East Timor in 41 countries (Webster 2003:41). One of the most significant groups to form after the Santa Cruz massacre was the US group East Timor Action Network (ETAN). Allan Nairn and Amy Goodman, who had been at massacre, served as the public faces of ETAN.

[59] In 1992, the UN Human Rights Commission passed a consensus statement on human rights in East Timor that year – a resolution that was critical of Indonesia's practices in the territory. The UN Commission on Human Rights passed a stronger statement in 1993 (Webster 2003:19).

While most historians have stressed the international effects of the massacre, others have noted the pivotal role the massacre played inside of Timor, particularly in regards to Timor's youth. Nicholson has noted that "no other event in East Timorese history had such a defining effect on the new generation as the Santa Cruz massacre" (2001:23). Specifically, the event gave new prominence to the clandestine student movement, encouraging more Timorese to participate in clandestine resistance (Pinto, Jardine, and Nairn 1999).

Student Movement in Indonesia

If students and youth inside of Timor played a critical role in the final decade of resistance to Indonesian occupation, so too did Timorese students living in Indonesia.[60] In 1985, a policy change had allowed Timorese to receive scholarships to study in universities in Indonesia, including in East Java, Jakarta, and Sumatra. By 1989, approximately 1,500 students from East Timor were studying in these universities (Fernandes 2011:82). After the opening up of Timor in December 1989, this number increased further. On June 20, 1988, 10 of these students had formed a clandestine organization in Bali, called the National Resistance of East Timorese Students (Resistência Nacional dos Estudantes de Timor-Leste or Renetil); Renetil cells were soon opened up in Java and in other cities in Indonesia where Timorese were studying.

Timorese students in Indonesia engaged in efforts to "Indonesianize" the Timorese conflict. They allied with the Indonesian democracy movement to oust Suharto, emphasizing that the ongoing abuses in Timor were linked to abuses by the authoritarian

[60] This group of Timorese living in Indonesia has alternately been referred to as part of the clandestine front, as part of the diplomatic front (see Fernandes 2011:126), and as a fourth front (see Webster 2003:23).

regime elsewhere in the territory (Simpson 2004:461).[61] Timorese students also worked to internationalize the conflict. They provided information about East Timor to a number of key embassies in Jakarta, building links with internationals and media representatives, and working with the clandestine front inside of Timor to coordinate visits of foreign diplomats and activists to Timor (Fernandes 2011:82).

The role of Timorese students living in Indonesia increased throughout the 1990s.[62] The most prominent form of resistance undertaken by Timorese in Indonesia were "fence jumping actions." Organized by Renetil, with links to Gusmão, these actions attempted to bring media attention to the struggle. The most famous of these events occurred in 1994 during the Asia-Pacific Economic Cooperation (APEC) Summit in Bogor, which then-President Bill Clinton was attending. Twenty-nine Timorese students jumped the fence to the US Embassy in Jakarta on November 12, 1994, the anniversary of the Santa Cruz massacre, demanding to meet Clinton. Once inside they unfurled banners and chanted "Free East Timor." Dozens of riot police surrounded the embassy, leading to a standoff in full view of the international media (Fernandes 2011:33). The students delivered a letter to Clinton reminding him that November 12 was the third anniversary of the Santa Cruz massacre, and seeking intervention. The students stayed in the embassy for 12 days and were granted asylum in Portugal. The fence jumping was deemed a "stunning public relations success," as the group managed to dominate the summit's international press coverage (CAVR 2006:3:120).

[61] Gusmão appealed directly to young Indonesians for their support (Webster 2003:24).
[62] Seven days after the Santa Cruz massacre, Timorese living in Indonesia, including members of Renetil, held their first public protest outside the office of UN representatives in Jakarta. All 72 protestors were arrested (Nicholson 2001:23).

1996 Nobel Peace Prize

A last high point for the Resistance during the 1990s occurred in 1996, when the Nobel Peace Prize was awarded to Bishop Belo and Ramos-Horta. The CAVR has termed the granting of the Nobel Prize a "seminal moment in the struggle of the East Timorese people" (2006,3:121). Ramos-Horta's long-term advisor Dr. Juan Federer has argued that the Peace Prize "was probably *the* turning point" in Timor's struggle for independence (cited in Fernandes 2011:151).

Awarded on International Human Rights Day, on December 10, 1996, the Nobel Prize Committee announced that it wanted to advance "a diplomatic solution to the conflict in East Timor based on the people's right to self-determination" (Norwegian Nobel Institute 1996). The Prize "dramatically increased international awareness of the East Timor issue, and gave a new visibility and legitimacy to the international solidarity network" (Robinson 2014:45).[63] In terms of diplomacy, the goal was no longer to disrupt support given to Indonesian by its allies, but to win those governments as allies for Timor (in other words diplomacy "from below" shifted to diplomacy "from above") (Webster 2003:22). The award also worked to push international discourse "in the direction of demands for self-determination and independence" (Robinson 2014:46).

REFORMASI AND POPULAR CONSULTATION (1997-1999)

By late 1997, the Asian financial crisis had "engulfed" Indonesia, exposing the corruption of the Suharto regime (CAVR 2006,3:124). Protests calling for Suharto's downfall and for reforms resulted in what is known as the Reformasi. On May 21, 1998,

[63] As a result of the prize, Ramos-Horta met with Mandela in 1997, who then met with Gusmão in his prison in Jakarta the same year.

Suharto resigned and was replaced with Jusuf Habibie, a "non-military leader with no particular attachment to East Timor" (Nicholson 2001:32). The UN and the international community stepped up attempts to pressure Indonesia for a solution on Timor, and on June 9, 1998, Habibie offered East Timorese special autonomy in exchange for recognition of Indonesian sovereignty over Timor.

In April 1998, the Resistance held a conference in Penice, Portugal. At this conference CNRM dropped the term "Maubere" in its title, which was seen to be associated with Fretilin and thus to contain "revolutionary nuances." It transformed into CNRT, the organization that led Timor's Resistance to independence. In addition to members from all political parties, CNRT included students, NGOs, and members of the Catholic Church. Gusmão was chosen as the *lider maximo* (highest leader) of the Resistance and the CNRT President.

Some lightening of military control in the wake of the Reformasi, led for the first time since the occupation to open discussion in Timor of its political status, as well as to open organizing (CAVR 2006,3:124). Student groups in Timor "fronted the emerging public debate" and led massive demonstrations in Dili in June and July (CAVR 2006,3:26). These demonstrations were unprecedented in number and size (Nicholson 2001:36).[64] Demonstrators rejected special autonomy, calling instead for a referendum for independence, as well as for the departure of Indonesian troops. In September 1998, CNRT opened an office in Dili.

[64] One of the largest of the June demonstrations in Dili had approximately 30,000 people (Nicholson 2001:36).

Rise of Militias

By the end of 1998, the openness of the Reformasi gave way to threats and violence against pro-independence supporters. On January 27, 1999 Habibie surprised many by calling for a referendum, announcing that if the Timorese rejected autonomy they could have independence. Meanwhile, the Indonesian military had repositioned itself, making it clear that it planned to thwart Habibie's offer. The military began implementing its strategy to form, arm, and fund pro-integration militias across the country in an attempt to foil the vote. The goal was to "create the appearance of a spontaneous people-based movement" which was engaging in a civil Timorese war (CAVR 2006,3:128). Militia members included West Timorese and East Timorese serving in the Indonesian military. Some joined under duress; money and prestige motivated others (CAVR 2006,3:128). The militia promised that a "sea of fire" would descend on Timor if the Timorese voted for independence (CAVR 2006,3:138).

Militia violence increased slowly. In each case there was direct military involvement, targeting of independence supporters, and systematic body disposal by the military, so that it was difficult to know numbers (CAVR 2006,3:131). There was no action to investigate and arrest those responsible for this violence (CAVR 2006,3:136). Large numbers of Timorese, particularly from the western districts, became displaced during this time due to intimidation and fear of violence. By May 1999, up to 40,000 Timorese were displaced from their homes (the number rose to 60,000 by mid-July) (CAVR 2006,3:139). The most well-known incident of violence during this period occurred in the town of Liquica on April 5, 1999, when militia killed as many as 60 Timorese seeking refuge in the Liquica Church (CAVR 2006,7.2:250).

May 5 Agreements, Arrival of UNAMET, and Ballot

Under the leadership of then-UN Secretary-General Kofi Annan, negotiations between Portugal and Indonesia resulted in the "May 5 Agreements" to establish UNAMET. The countries set out the terms for a Popular Consultation in Timor whereby Timorese could accept or reject the autonomy package, with rejection leading to independence. The ballot was set for August 1999. Indonesia refused to hand over responsibility for security during the ballot, so responsibility was given to the Indonesian police, who were subordinate to Timor's military.[65] The international community felt that it couldn't push this issue, despite evidence of Indonesian military and police involvement in the violence in Timor (CAVR 2006,3:142).

When UN staff arrived in Timor in late May 1999, violence eased temporarily. UNAMET consisted of civilian and political electoral officers, unarmed civilian police, and unarmed military liaison officers from nations across the world.[66] In June, members of the mission were deployed to all 13 districts in Timor. By August 12, under orders from Gusmão, Falintil had unilaterally ordered all its troops to cantons, with the explicit goal of proving it was not the source of violence (and of persuading Indonesia's military forces to reciprocate by itself withdrawing to barracks and disarming militias, something it did not do) (CAVR 2006,5:41).[67] In the tense and violent atmosphere, campaigning was low-key (CAVR 2006,3:139). Just as in the immediate post-Reformasi period, youth and

[65] Indonesia's police and military were both under the authority of Indonesia's Minister of Defense.
[66] At its peak, the mission consisted of approximately 800 international staff and volunteers on the ground (Robinson 2010:117).
[67] Falintil's force of only 300 guerrillas in early 1998 had increased to 1,500 by late August 1999 (CAVR 2006:39).

students led the way, responding to a March 1999 call by Gusmão for youth to be a "motor" of the campaign (Nicholson 2001:43) About 800 students had returned to Timor from Indonesia to help with referendum (CAVR 2006,3:139). Voter registration proceeded on July 16, with 451,792 eventually registered to vote in Timor and overseas. Gusmão instructed pro-independence supporters to "behave with discipline and civility" and not to respond to pro-autonomy groups or militia violence, in order to avoid portrayals of civil war (cited in Nicholson 2001:46). While pro-autonomy groups held several large rallies, pro-independence groups only held one large peaceful rally, attended by thousands. This took place in Dili on the second to last day of the campaign period.

On August 30, voters lined up in polling centers in advance of opening times all across the country. Slightly more than 98.6 percent of registered voters came out to vote. Due to the tension, most quickly went home afterwards or fled to the hills or mountains. Foreign observers remarked on the voters' courage and dignity (CAVR 2006,3:143). In some areas violence against pro-independence supporters and UN staff, including 4,000 East Timorese staff, began toward the end of the day of the vote; attacks by pro-autonomy militia increased over the following days.[68]

Post-Referendum Violence

UNAMET announced the results of the Popular Consultation on the morning of September 4, declaring that 78.5 percent of Timorese had chosen to reject special autonomy. Violence intensified after the announcement.[69] On September 6, militia, in the

[68] East Timorese staff members of UNAMET were especially targeted.
[69] By September 5, most UNAMET regional teams had withdrawn from the districts to the UNAMET compound in Balide, Dili, where there were 3,000 people staying after 1,500 Timorese jumped the fence.

presence of district administrators and district police and military chiefs, killed between 27 and 200 of the 2,000 Timorese refugees in the Suai Church (in Timor's south coast), including three priests. Violence was most severe in the west of the territory. Gusmão said that no matter what the cost in human life and suffering, Falintil couldn't retaliate on the grounds that retaliation would create the civil war that Indonesia's military had tried to engineer. Retaliation would risk forfeiting the international intervention that was the only hope for salvation (CAVR 2006,3:146-147). Falintil mostly stayed disciplined in their cantons during this period (CAVR 2006,3:147).

Killings targeted CNRT leaders and their families. The CAVR has estimated that Indonesian military and militia killed between 1,200 and 1,500 Timorese in 1999, including 900 after the ballot (CAVR 2006,3:145). Rape was also rampant. In addition, 550,000 Timorese, over half of the population, became displaced post-ballot. An estimated 300,000 were estimated to have fled violence in the towns and villages for the hills, forests, and mountains inside Timor, and the protection of Falintil. The Indonesian military and police forcibly transferred 250,000 Timorese out of the territory, mostly to West Timor (CAVR 2006,3:145).[70]

HUMANITARIAN INTERVENTION, UNTAET, AND INDEPENDENCE

Resistance leaders tried to convince world and regional powers to intervene. The international solidarity movement, journalists, and the East Timorese diaspora held worldwide protests and media campaigns to demand the same. The story dominated the

By September 6, apart from Church personnel, there were no foreigners in Timor outside of the UNAMET compound (CAVR 2006,3:148).

[70] These forced expulsions, which were planned before the vote, continued until the arrival of INTERFET on September 20.

international news (Wheeler and Dunne 2001:817). While key states, including the US, initially maintained their position that the violence could be controlled by the same Indonesian forces that were organizing it, the US and other governments eventually had an about-face and lent their support to the idea of an armed intervention (Robinson 2010:192-193). At the APEC Summit in Auckland, New Zealand, on September 9-10, all foreign ministries present called on Habibie to invite an international intervention into Timor. Scholars have argued that pressure was put on Jakarta in two forms. First was sanctions: on September 11, Clinton announced the suspension of arms to Indonesia.[71] Second was moral censure: Nicholas Wheeler and Tim Dunne have argued that "global moral outrage" (2001:20) cast Indonesia in the "role of an international pariah" (818).

On September 12, 1999, Habibie finally consented to an international force. On September 15, the UN Security Council passed Resolution 1264 (1999), mandating a multinational force with full Chapter VII powers to restore peace and security in Timor. The Resolution noted the "worsening humanitarian situation in East Timor" and expressed concern at the "systematic, widespread and flagrant violations of international humanitarian and human rights law [that] have been committed" (cited in Cotton 2004:71). On September 20, the commander of the International Force for East Timor (INTERFET) arrived in Timor, followed by the first batch of international troops.[72]

Soon after the arrival of INTERFET, Indonesian troops and militia began to leave Timor.[73] Violence quickly ceased and by the end of October the last of the Indonesian

[71] The International Monetary Fund (IMF) and the World Bank also threatened financial sanctions.
[72] Troops came from a mix of 22 countries (at 4,500 troops, Australian soldiers made up the majority of the force) (Lachica 2011:1). It has been noted that the speed with which the Security Council passed the resolution authorizing a coalition of troops and their deployment was unparalleled in UN history (Lachica 2011:1).
[73] Troops and militias continued with their killings as they withdrew.

military had withdrawn. Yet at this time there were still thousands of Timorese refugees in West Timor camps controlled by the Indonesian military and militia auxiliaries, who lived with fear, intimidation, and rape (CAVR 2006,3:151-152). Before they left Timor, troops and militia destroyed 70 percent of Timor's major infrastructure, houses, and buildings. They razed entire villages and looted possessions (CAVR 2006,Annex:1,44-46).

With INTERFET deployed in Timor, a huge international humanitarian intervention commenced. A conference of donors that took place in November in Tokyo resulted in pledges of $522 million. UN agencies, including the International Monetary Fund (IMF), mobilized emergency relief (as did East Timorese NGOs and Timor's Catholic Church). On October 19, Indonesia's parliament recognized the results of the referendum and rescinded its 1976 law incorporating Timor. On October 25, the UN Security Council passed Resolution 1272 (1999) establishing UNTAET. The UN became the official administering authority of Timor, with Sergio Vieira de Mello at its head (CAVR 2006,3:152). Gusmão, who had been released from prison on September 7, returned to Timor on October 2. Refugees in West Timor started returning in the last months of 1999, assisted by the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM).

CNRT disbanded in June 2001. On August 2001, elections for a Constituent Assembly were held. Fretilin won 55 out of 88 seats. Timor's new Constitution was adopted on March 22, 2002 and entered into force on May 20, 2002, the date of Timor's official independence. Following Timor's independence, the Constituent Assembly was transformed into Timor's National Parliament. As Secretary-General of Fretilin, Mari

Alkatiri was appointed by Fretilin to serve as Timor's first Prime Minster. In April 2002, Gusmão was elected Timor's first post-independence president.

Chapter 3

Anticolonialism and Human Rights in Timor's Independence Struggle

"In the 1970s there were no human rights in Timor, there was just *oho oho* (killings) and *baku baku* (beatings). One couldn't speak about human rights violations before ABRI [the Indonesian defense forces]" (Interview with anonymous, 2012).

This chapter examines the shift in Timor's independence struggle from armed resistance and militant anticolonial rhetoric centered around the right to independence, toward nonviolent resistance and the human rights language of suffering victimhood. In other words, it explores the process whereby "killings" and "beatings" became "human rights violations" in Timor. This chapter proceeds as follows: In the first two sections I document the turn toward the uses of the discourses and practices of human rights by Timor's Resistance movement, beginning in the 1980s. Why did this shift occur? *How* was human rights employed by Timor's Resistance movement? What was the relation between the Resistance's use of human rights and the Resistance's calls for independence or self-determination? What impact did the use of human rights have on Timor's struggle for independence? In the third and fourth sections I look at the use of human rights by Timor's Church and by the international solidarity movement, respectively. A main focus is on the relationship between these actors' employment of human rights and their support for Timorese independence or self-determination. The fifth and final section looks at the scholarship on the relationship between human rights and the right to anticolonial self-determination, and applies this scholarship to the case of Timor.

A deeper analysis of the role of human rights in Timor's struggle for independence is warranted for multiple reasons. A main reason concerns the relationship

between human rights and the right to anticolonial self-determination. While I disagree with scholars who posit an absolute binary between the two rights or sets of rights (see Moyn 2012), there are clearly some significant differences between the right to self-determination and human rights writ large. These differences are reflected in the shifts in Timor's independence struggle beginning in the 1980s, when Timor's Resistance increasingly began to employ human rights discourses and practices in the struggle. Among other things, beginning in the 1980s, Timor's Resistance shifted emphasis from the armed violence of Falintil to the nonviolent tactics of the mostly younger clandestine front; Timor's diplomatic front, and international actors who were part of the international solidarity movement, gained increased prominence; and the Resistance increasingly directed itself toward an audience of the international community.

An understanding of these historical shifts in Timor's Resistance movement – shifts which historians argue were ultimately instrumental in Timor gaining its independence – is critical for my analysis of the memory work being done in Timor's post-independence era. The role of human rights in Timor's struggle for independence is particularly relevant to my attempts to examine the effects of the CAVR and the human rights discourses it promoted on post-independence remembrance. To understand the effects of the post-independence circulation of human rights discourses in Timor on remembrance of the Indonesian era, it is necessary to first have an understanding of the role that human rights played in Timor during the Indonesian era. Many studies that have examined the impact of Timor's transitional justice mechanisms have failed to address

this historical reality.[74] While I primarily use second-hand sources in this chapter, I also engage with some of my own interview material from 2011-2012.

TIMOR'S EARLY RESISTANCE MOVEMENT: AN ANTI-IDEOLOGY

The earliest incarnation of Timor's Resistance movement, the political party ASDT, came into existence on May 20, 1974, in the context of decolonization from Portugal, before the Indonesian invasion of Timor on December 7, 1975. At this time, the modern international or global human rights regime had arguably existed for over two decades. Additionally, the right to self-determination for former colonies had been enshrined by the UN for almost 15 years. The UN's Declaration of the Granting of Independence to Colonial Countries and Peoples (the Declaration on Decolonization) was passed in 1960; the right to self-determination was also included in Articles 1 of the International Covenant on Civil and Political Rights, and the International Covenant on Economic, Social and Cultural Rights, both ratified in 1966.[75]

Despite this reality, international human rights played little role in the earliest edicts of Timor's Resistance movement. Led by Timor's small, educated, urban elite, ASDT modeled itself on other third-world anticolonial nationalist liberation movements, particularly those in Portugal's African colonies. ASDT's original platform of anticolonialism, antineocolonialism, antiimperialism, and antidiscrimination, could in

[74] Robinson notes: "it is striking that East Timor is virtually absent from most of the general histories of human rights, including more recent works, which have continued to focus by and large on the dynamics of human rights movements in the Soviet Union, Eastern Europe, and Latin America" (2014:55).
[75] In addition to the inclusion of the right to self-determination in the 1966 Covenants, the "principle" of self-determination is included in Articles 1 and 73 of the United Nations Charter. The term "self-determination" first entered the international sphere with the Atlantic Charter of August 14, 1941, a joint statement by Roosevelt and Churchill, aimed at colonies or at countries that had been occupied during the war. Scholars argue that the term was used in order to win the support of these colonies and countries for the war effort (Eckel 2010:114).

many ways be defined as an "anti-ideology" (see Eckel 2010:115). In early 1975, ASDT, now renamed Fretilin, did refer to the Universal Declaration of Human Rights. Yet it was only in relation to the right to independence (see Jolliffe 1978:94). Moreover, when Fretilin unilaterally declared its independence on November 28, 1975, it did so in technical violation of UN rules, in which independence is supposed to come about through an "act of self-determination," which typically takes the form of a referendum.[76] Fretilin flatly dismissed calls for a referendum. In March 1975, Fretilin and UDT, which were in a temporary coalition, issued a communiqué. The communiqué noted that the two parties "rejected any questioning of the right of the people to independence implied in a referendum," which they termed a "so-called 'act of free choice.'" The parties asserted that "nobody should ask a slave if he wants to be free" and argued that "independence is the [only] possible way for real liberation of the people" (cited in Hicks 2014:118).[77]

Timor's Resistance movement maintained its distance from the discourses and practices of human rights during the early years of the Indonesian occupation, when civilians lived in the mountains with Falintil in "liberated zones" outside of Indonesian control. As noted in the previous chapter, Fretilin took a more "radical" or "leftist" turn during this period, with Marxism declared Fretilin's official ideology in 1977 (CAVR

[76] A right to independence is frequently conflated with a right to self-determination. Yet it is the latter – the right of a people to decide its future – which is technically or legally a human right, as laid out in the 1966 Covenants. Independence, a principle described in the 1960 UN Declaration on Decolonization, is only one of three outcomes which can result from an act of self-determination, the other two options being integration with another independent state and free association with another state.

[77] Of course, there were legitimate, practical reasons that UDT and Fretilin did not want a referendum. Specifically, the parties feared that a referendum would not be conducted fairly, or that an offer of a referendum was just an excuse for the Portuguese to hold on to power (Jolliffe 1978:85). Additionally, as Ramos-Horta has pointed out, regardless of the three outcomes that can result from an act of self-determination, independence has been the general outcome of processes of decolonization (1986:182).

2006).[78] While in the mountains, Fretilin implemented the social programs that it had developed before the invasion, including programs involving agricultural reform, literacy, and consciousness-raising. In line with a Marxist critique of rights as "bourgeois hypocrisies" (1978), these programs primarily focused on collective and economic emancipation, rather than on the individual and political freedoms associated with human rights.

During this period in the mountains, the Resistance not only maintained its distance from the international human rights regime, it maintained its distance from the international community at large. In line with other anticolonial movements, Timor's Resistance movement emphasized the idea of "self-reliance," with many within the movement arguing that the Resistance should refuse all foreign aid. Indeed, the principle of self-reliance was officially adopted by the Resistance in 1977 (CAVR 2006,3:77).

Finally, the main form of resistance to Indonesian rule from the time of the invasion through this time in the mountains was armed violence. Armed resistance is not only viewed by many leading anticolonial theorists as coterminous with anticolonial ideology (see Fanon 2005:61), but as will be discussed further below, even if used in self-defense, armed resistance is seen to be at odds with human rights.

TIMOR'S RESISTANCE AND HUMAN RIGHTS

Motivations for Shift Toward Human Rights

It was only in the early 1980s, after the surrender of Timor's civilian population from the mountains, that Timor's Resistance began to deemphasize anticolonial

[78] Apparently, Marxism was taught in the political education classes in the bases of support. Marxism was formally dropped as an ideology by Timor's Resistance in 1984 (CAVR 2006,5:32).

discourses and practices and embrace human rights discourses and practices. What accounted for this shift? First, there was a realization that independence would not come about through a military victory and would only be gained with international support (CAVR 2006,5:40). Accompanying this was the realization, as Robinson has pointed out, that "anticolonialism had failed to win the sympathy of the wider international community, and may even have undermined it" (2014:40; see also Robinson 2010:79).

The failure of the language and practices of anticolonialism to win the sympathy of the international community was due, on the one hand, to a sense that mainstream decolonization had already run its course, as most large European colonies were already independent, or in the case of Portugal's colonies, were in the process of becoming independent. As the CAVR noted: "In this context, issues like Timor . . . were seen in some quarters as vestiges of colonialism that were unsustainable as independent states and best dealt with through incorporation into a larger entity, in some cases former colonies, with which they shared a border and other features" (2006,7.1:6). [79]

The failure of anticolonialism to win the sympathy of the international community, and to perhaps have even undermined it, was arguably also due to growing international disillusionment with the idea of anticolonialism in the 1970s. This was a result, among other things, of the reality that many former colonies had become authoritarian, violent, and antidemocratic – in other words, not supportive of human rights (Moyn 2012:87). Moyn, who has argued that by the 1970s anticolonialism was widely considered a failed project, has specifically pointed to the case of Timor to illustrate his point. He notes that Timor's Resistance movement initially received little

[79] The CAVR gives the example of Goa's incorporation into India.

attention because it "continued to conceive of its cause in terms of postcolonial self-determination, adopting strategies of armed violence." As such, Timor "fell outside the pale of empathy" (2012:173).

If an anticolonial framework wasn't helpful or was even counterproductive in winning international support for Timorese independence, human rights provided a promising new framework for a number of reasons. One reason was the reality that since the invasion the Indonesian regime had committed and was continuing to commit the most widely agreed upon and fundamental abuses of human rights in Timor. A second reason was that by the 1980s the global human rights regime had become increasingly prominent. The prominence of human rights increased further after 1989 and the end of the Cold War, when human rights "became an explicit foreign policy objective of an increasing number of Western states . . . establishing something like a new international norm (Robinson 2014:42) (along with the increased prominence of the human rights regime at the end of Cold War, there was an increased ability to criticize Indonesia in human rights terms, as the Indonesian occupation could no longer be linked to Jakarta's role as a "bastion of anti-Communism in Southeast Asia") (Simpson 2005:282).

If a primary reason that Timor's Resistance embraced human rights was to gain international support for independence, a secondary reason – albeit one that is related, as international support hinged on presenting a unified internal front – was to widen support for the Resistance within Timor. The Resistance's use of human rights discourse helped it to gain both the support of Timor's Catholic Church and the *gerasaun foun* (new generation). As noted in the previous chapter, the Catholic Church in Timor had not originally supported Fretilin due to Fretilin's perceived leftist agenda; it had only begun

to (privately) support independence in the 1980s, due to the violence of the Indonesian regime. As will be discussed further below, in the early 1980s, the Church began to employ the language of human rights independently from the Resistance to speak out against the Indonesian regime. Notably this language meshed with the Catholic language of suffering.

Turning to Timor's *gerasaun foun*, this younger generation of Timorese had no experience of Portuguese colonialism. The *gerasaun foun* was drawn to the struggle for independence because of experiences of political violence under the Indonesian regime. Many in this generation had issues with the nationalism of their elders which they regarded as driven by political parties, not nationalism, and tainted by the civil war that preceded the occupation (Nicholson 2001:42).[80] They believed that the older generation had blood on their hands, whereas their hands were clean – they saw their struggle as better and purer (Nicholson 2001:42). In addition, many "had declining patience with the failing guerrilla strategy of their elders" (Robinson 2014:40; see also Carey 2003). For all of these reasons, human rights became an attractive basis for a different form of nationalism for some in this generation.

Human Rights and Suffering Victimhood

As I noted in Chapter 2, there were two main ways that Timor's Resistance employed the discourses and practices of human rights in its struggle. First, the Resistance used human rights discourses in its assertions of what the Resistance stood for or was struggling for, and what an independent future Timorese State would stand for. In

[80] Nicholson has noted that these kinds of beliefs are characteristic of student movements in developing nations more generally (2001:42).

1987, Gusmão stated that Timor's Resistance was "committed to building a free and democratic nation, based on respect for the freedoms of thought, association and expression, as well as complete respect of Universal Human Rights" (cited in CAVR 2007,7.1:94). The legal scholar Henry Steiner has argued that human rights has two interrelated, but distinct missions that are often confused: human rights as utopian politics and human rights as "catastrophe prevention." Here, the Resistance embraced the utopian dimension of human rights, in which human rights are seen to give people "the freedom and capacity to develop their lives and the world" (2004:52). In declaring an intention to construct a state based on human rights principles, the Resistance made it clear that the international community had nothing to fear from an independent Timor (which would not follow the paths of other authoritarian, former colonies).

Second, and more significantly, the Resistance used human rights discourses and practices to frame the violence being committed against Timorese by the Indonesian regime. In calling attention to Timorese suffering and victimhood, the Resistance appealed to the anti-catastrophe goal or dimension of the human rights movement, aimed at "stopping the massive disasters that have plagued humanity" (Steiner 2004:52). In emphasizing the violence of the Indonesian regime, the Resistance was essentially sending a message to the international community that self-determination or independence was necessary for an end to the violence.

Indeed, at various times throughout the occupation, Timor's Resistance – and the Church – explicitly made this argument to the international community. The first prominent public call for a referendum as a way to end the conflict was made by Bishop Belo in a 1989 letter to the President of Portugal, the Pope, and the UN Secretary-

General. Noting that "we continue to die as a people and a nation," Belo stated that "the people of Timor must be allowed to express their views on their future through a plebiscite" (in another part of the letter Belo used the word "referendum") (cited in Scott 1996:17). In 1993, Resistance spokesperson Abe Barreto Soares testified to the UN Commission on Human Rights that "there will be more human rights abuses in East Timor as long as there is no peaceful solution for the East Timor problem" (Soares 1993).

Notably, the Resistance increasingly focused on the suffering victimhood of Timorese at the same time that the global human rights regime as a whole was shifting its focus toward the anti-catastrophe mission of human rights. Scholars have argued that after 1989, the human rights regime not only became more prominent, but human rights changed form. Specifically, human rights began to merge with humanitarianism, emphasizing a concern for the suffering of "powerless, helpless" victims (Mutua 2001:203). As Robert Meister notes: "The crux of the twenty-first-century conception of human rights" is that "there is nothing worse than cruelty and that cruelty toward physical (animal) bodies is the worst of all" (2012:16).

As human rights became increasingly concerned with suffering victimhood, genocide prevention took on increased importance (Moyn 2012:219).[81] In addition, in the 1990s, a new norm of "humanitarian intervention" emerged.[82] Didier Fassin and Mariella Pandolfi have argued that post-Cold War humanitarian interventions, which aim to protect a population and save lives and relieve suffering, are different than previous

[81] Moyn argues that in the 1970s, genocide was a separate humanitarian norm. He notes: "In their explosive moment [in the 1970s] human rights were pursued by dissidents under Eastern European totalitarianism and victims of Latin American authoritarianism, not those in miserable circumstances in general" (2012:220-221).

[82] If human rights incorporated humanitarianism, meaning that it increased attention to the suffering victim, humanitarianism now became justified in terms of human rights (Moyn 2012:221).

interventions in that they are framed via a paradigm of disaster rather than a paradigm of war. Legitimized in the name of humanitarian morality, they are based on affective foundations such as compassion, that are supposedly not nationalist, but universalist or simply humanist (2010:12). Pointing specifically to the case of Timor, Fassin and Pandolfi argue that: "intervention was used in . . . Timor at the moment when it appeared that thousands of people were massacred or were in danger of dying in the same way that it was used in Honduras after Hurricane Mitch, in Iran after the earthquake, or in Sri Lanka after the tsunami" (2010:13).

Performing Human Rights

Laleh Khalili has similarly discussed a post-1989 shift in human rights toward the suffering victim. Khalili has specifically argued that since the 1990s human rights has taken on the form of a "trauma drama," a tragedy of suffering aimed at appealing to a transnational audience's sense of pity and sympathy (2007:33–34). Turning back to the case of Timor here, I ask how Timorese called attention to their suffering victimhood in order to win the sympathy of the international community. What kinds of human rights practices did Timorese employ to create their "trauma drama?"

One key practice employed by Timor's Resistance was documenting violence. In the early years of the occupation, documentation typically took the form of lists or reports; as early as 1983, Gusmão ordered Fretilin officials to start making lists of civilians who had been killed, disappeared, tortured, and detained (Robinson 2014:40). Documentation was then smuggled to supporters outside of Timor (funneling information out of Timor was one of the clandestine front's main tasks). When possible, particularly

after 1989, Timorese arranged for foreigners to witness and document human rights violations in Timor. In addition, Timorese were sometimes able to conduct visual documentation of violations themselves with smuggled-in cameras or video cameras.

In addition to documentation, Resistance leaders made statements, included in various documents such as peace plans, press releases, and letters, denouncing the violent human rights violations committed by the Indonesian regime or appealing for protection of Timorese human rights. These statements – which leaders directed at the international community, particularly the UN – often employed the language of human rights. References were made to general terms such as "human rights," and to documents or proclamations such as the "Universal Declaration of Human Rights." References were also made to specific human rights violations, such as "extrajudicial execution," "disappearance," or "prisoner of conscience" (Robinson 2014:44). The term "genocide" was frequently used as well. A 1992 press release by Timor's Resistance, for example, spoke of "massive human rights violations [that] have caused the death of over one third of the population," and described a Timorese "war of genocidal proportions" (CNRM 1993). A 1992 letter by Gusmão to UN Secretary-General Boutros Boutros-Ghali noted the "policy of genocide in which the Jakarta leadership have been engaged" (Gusmão 2000:156). It spoke of Indonesia's "scorched earth tactics," and of the Indonesian military's engagement in rape, torture, imprisonment, and "individual and collective killings" (Gusmão 2000:154). [83]

By the 1980s, arguably every Timorese person of a certain age had already

[83] Along these lines, students often chanted for human rights, or called for human rights on banners at the nonviolent demonstrations that occurred in Timor after 1989 (foreign journalists were usually present at these demonstrations).

experienced or at least witnessed multiple human rights violations (as committed by the Indonesian regime, but also possibly by Timorese actors, either during the civil war preceding the invasion, or in the early years of the occupation). Yet as Robinson has noted, Timorese still needed to learn the language of universal human rights (2014:43-44). Timorese often learned this language through links with foreign NGOs. These links were made most easily by Timorese activists studying in Indonesia, who connected to Indonesian human rights NGOs and human rights activists via Indonesia's pro-democracy movement (Robinson 2014:40).[84] As one of my interviewees, a former member of Renetil (the main Timorese clandestine group in Indonesia) told me: "I learned the language of human rights in the '90s in Indonesia. But I lived in the jungle for three years from '75-'78 when I was four years old 'till seven years old . . . I remember running around and people killing each other . . . At the time you didn't think about, that's a human rights violation. But then you learn it in the world, actually that's a human rights violation, it is against the will of any other person."

Perhaps the most significant way that Timor's Resistance used human rights to present Timorese as suffering victims to the international community, was to lessen its engagement with violent resistance and subsequently to increase its reliance on nonviolent resistance. Specifically, the Resistance shifted its focus away from the armed violence of Falintil, and toward the nonviolent activities of the clandestine and diplomatic fronts. In international law, a people can use violent resistance if their self-determination is being denied.[85] Yet in practice, the victim-perpetrator binary that underlines human

[84] Some of these activists had suffered human rights violations such as ill-treatment and imprisonment by Indonesian authorities themselves.

[85] As the South African politician and human rights scholar Abdul Kader Asmal has noted: it is "accepted that people denied effective political participation and basic human rights have, under international law, the

rights implies that one is either a victim or a perpetrator. This binary arguably only strengthened or became more pronounced in the post-Cold War era, with an increased human rights focus on innocent, suffering victimhood.

Outcome of Turn Toward Human Rights

Was Timor's "trauma drama" successful? Did it achieve its goal? The Resistance's use of human rights to appeal to a transnational audience's sense of pity and sympathy was ultimately effective. One could argue that there were two pivotal "scenes" if you will, in Timor's trauma drama – both were critical to Timor gaining its independence. Significantly, both hinged on the absence of Timorese violence.

The first scene was the Santa Cruz massacre of November 12, 1991. As described in the previous chapter, video footage of this massacre, which included images of Indonesian troops firing on unarmed Timorese protesters, including women and children, was smuggled out of Timor and broadcast on televisions around the world within days. The massacre momentarily turned Timor into a front-page story, resulting in widespread international condemnation of Indonesia's human rights record in Timor and the "initiation of some of the first concrete measures" designed to discipline Indonesia (Robinson 2010:82). This included two statements from the UN Commission on Human Rights, issued in 1992 and 1993. Most historians of Timor agree that the massacre – which also led to the exponential growth of the international solidarity movement in support of Timor – was a "watershed" moment in Timor's struggle for independence (Robinson 2010:7).

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right to 'alter, abolish, or overthrow any form of government that becomes destructive of the process of self-determination and the right to individual participation'" (1997:186).

The second pivotal scene resulted from the Resistance's decision to abstain from using armed violence, even in the form of the defense of the population at large, during the "scorched-earth campaign" conducted by the Indonesia military and militias in the period between the August 30, 1999 referendum and the arrival of international troops into Timor on September 20. Despite the large amount of Indonesian-led militia violence committed in the months preceding the referendum, as well as threats by the Indonesian military and militias to "turn Timor to dust" should the population vote for independence, by August 12, under orders from Gusmão, Falintil had put all of its troops in cantons, in order to prove that it was not the source of the violence. After the referendum, the Indonesian military and the militias killed at least 900 Timorese (this was in addition to the Timorese who had been killed in the months leading up to the referendum). They also transferred a quarter of Timor's population by force, mostly to Indonesian West Timor, and destroyed 70 percent of Timor's infrastructure.

When then-Commander-in-Chief of Falintil, José Maria Vasconcelos ("Taur Matan Ruak" or "TMR"),[86] threatened to retaliate on September 7, Gusmão, speaking to TMR from Jakarta by satellite phone, forbade this retaliation, no matter what the cost in human life and suffering. He didn't want to risk forfeiting the international intervention that was the only hope for salvation (CAVR 2006,3:146-147). As with images of the Santa Cruz massacre, images of the post-referendum violence dominated the international news (Wheeler and Dunne 2001:817). Massive worldwide protests calling for intervention ensued, including protests of tens of thousands in Australia. These protests

[86] I give individuals' *codikos* (code names or nom de guerres) after their given names. Many former members of the Resistance in Timor (such as TMR) are only referred to by their *codikos*. In such cases, I employ these names as well throughout the dissertation.

(and media campaigns) eventually led the US and other governments to agree to the idea of an armed international intervention to stop the violence – and to begin applying adequate pressure on Indonesia to accept such a force.

Historians have argued that without the 1999 post-referendum violence, international opinion would not have been sufficiently mobilized to make an intervention possible (see Cotton 2004; Webster 2003:27; Fernandes 2011:207). However, critically, it wasn't the violence or the press images of the violence alone that resulted in the intervention, but rather the way that these images of one-sided violence (a result of Gusmão's order forbidding retaliation) fit into the already existing narrative of Timor, a narrative which posed "a courageous underdog against [a] regional bully" (Webster 2013:16). This narrative had solidified as a result of the Resistance's deemphasis on armed resistance beginning in the 1980s; it was confirmed in 1999 as a result of Gusmão's order.

Human Rights, Nonviolence, and Victimhood

The term "trauma drama" is useful in stressing the performativity of human rights and the agency of those involved in this performance. Members of Timor's Resistance were aware that they were performing a drama for an audience of the international community. Obviously, Timor's Resistance movement didn't create the two critical "scenes" of violence discussed above, in which Timorese were killed and subjected to other human rights violations in massive numbers. Yet nor were these scenes entirely random. In the case of the 1991 Santa Cruz massacre, it was indeed lucky that the massacre was caught on film, and it was lucky that the videotape of the massacre was

successfully smuggled out of Timor. Yet the fact that the massacre was caught on videotape was not pure luck. As one foreigner noted, the presence of foreign journalists and activists in Dili at certain points during the occupation "significantly changed life in the city" (cited in Fernandes 2011:137). Foreigners, especially foreign media, were essential components of the trauma drama that the Timorese were performing. Members of Timor's clandestine front not only invited foreign journalists to their protests, with activists letting these foreigners know "that at such and such a time in such a place there would be a demonstration" (Fernandes 2011:137), they also intentionally staged protests when foreign journalists were in the territory. Indeed, as one foreigner noted, the situation in Timor was so volatile that "it got to the point where [protesters] would almost demand a presence of TV cameras, without which it made little sense to run such risks" (Fernandes 2011:137). The Resistance had prior relationships with all of the foreign journalists present at the Santa Cruz demonstration and massacre.

The fact that foreign media were such a critical component of Timor's struggle for independence brings up a critical point in relation to nonviolence, victimhood, and human rights. This is the fine line between the role of nonviolence in calling attention to already existing victimhood, and the role of nonviolent resistance in *producing* victims and victimhood (at least where nonviolent resistance is being employed in the context of a much stronger occupying force). To paraphrase the quote above: Timorese protesters would almost demand a presence of television cameras when they demonstrated, because the risks of being killed or suffering other human rights violations without international witnesses to make this killing or suffering potentially "count" made little sense.

Indeed, there have been questions or debates about the extent to which Timor's

Resistance created situations meant to provoke the Indonesians into committing human rights abuses. There is some evidence that Timor's nonviolence protests, including the protest that led to the Santa Cruz massacre, were meant to provoke violence (Braithwaite, Charlesworth, and Soares 2012:101). A senior Falintil commander has described the Santa Cruz event as an "intentional sacrifice" to provoke a turning point externally and internally, noting "[i]t was the intention to create an incident in which many would be killed" (cited in Braithwaite et al. 2012:86). Another leader acknowledged that it was a human rights violation to sacrifice young people's lives, but said that the Resistance had "no options" at that time (cited in Braithwaite et al. 2012:86). My own research (to be discussed further in Chapter 5), likewise revealed that leaders of the Santa Cruz demonstration aimed to create Timorese victims for an international audience, although Resistance leaders were shocked that the violence had been so great.

The fact that Timorese engaged in nonviolent protests with the knowledge or even hope that Timorese victims would be produced, illustrates the importance of the narrative of suffering Timorese victimhood for Timor's Resistance movement in the late 1980s and 1990s. Indeed, a former clandestine member told me that in the post-Santa Cruz era when the Indonesians were "on their best behavior" (a result of the negative publicity the Indonesian regime had received post-massacre), clandestine members would occasionally stage (and document) fake human rights violations, in order to keep the attention of the international community. This informant told me of an instance where members of the Resistance poured animal blood on themselves and took pictures. He also told me of instances where members of the clandestine movement, himself included, feigned injury

in jail when the International Committee of the Red Cross (ICRC) came to visit.[87]

TIMOR'S CHURCH AND HUMAN RIGHTS

Here I turn to the use of human rights by Timor's Church. Timor's Church employed human rights in a similar vein to the Resistance – in order to frame the violence of the Indonesian regime and call attention to Timorese victimhood. The Church also used similar tactics to Timor's formal Resistance movement. Like the Resistance and its leaders, Timor's Church and its leaders engaged in documentation, making detailed outlines of human rights abuses in diocesan publications (Pascoe 2006:120).[88] The Church and its leaders also worked to funnel this information to the international community (as noted, the Church provided some of the best channels of communication to the outside world; during the early years of the occupation it was the sole societal organization in Timor to have contact with the outside world).

Church leaders, particularly Marthinho Lopes and Bishop Belo, also spoke out against the violence of the Indonesian regime, often using the language of human rights. Lopes gave the first official statement from the Church after the Indonesian occupation, at a religious rally in Timor on October 13, 1982. At this rally Lopes publicized recent human rights abuses committed by the Indonesian military, including a massacre that had occurred a few weeks before in Lacluta, Viqueque. After being summoned by Indonesian

[87] I want to stress that I bring up these stories not to argue that faking violations was a common practice in Timor. I have no evidence of this at all. I share these stories only because they illustrate how important a narrative of suffering victimhood came to be for Timor's Resistance.

[88] The Church's documentation included lists of the victims of two of the biggest incidents of violence to occur in Timor during the occupation – the 1991 Santa Cruz massacre and the 1983 Kraras massacres. It was Church sources, who, in the early 1980s, first began to speak of 200,000 dead in a decade of Indonesian rule: "a dramatic demonstration of suffering quickly picked up by Amnesty International and others" (Webster 2003:17). Despite the fact that the CAVR listed a lower number of Timorese deaths during the first decade of Indonesian rule – and in fact during the entire occupation – this number was still in use in Timor during my fieldwork.

authorities after the rally, Lopes told the authorities: "I feel an urgent need to tell the world about the genocide being practiced in Timor, so that when we die, at least the world knows we died standing" (cited in Lennox 2000:174). In 1988, Belo drafted a statement that was published in the New York Times in January 1989, under the heading "Bishop Says Indonesia Tortures in East Timor." This statement, which was also read in churches throughout Timor, stated: "We disagree with this barbaric system and condemn the lying propaganda according to which human rights abuses do not exist in East Timor" (Belo 1989). In Belo's speech on December 12, 1996, upon receiving the Nobel Peace Prize, Belo stated: "The people want peace, an end to violence and respect for their human rights" (Belo 1996).

Despite these similarities, there was a major difference between the Resistance's employment of human rights and the Church's employment of human rights. The use of human rights by Timor's Resistance movement was always tied in with the Resistance's quest for independence, a quest that preceded its use of human rights and that was its raison d'etre. In addition, the Resistance's use of human rights discourses never completely displaced its use of the language and practices of anticolonialism. Falintil remained in the jungle throughout the occupation. In addition, Timor's Resistance continued to make explicit calls for independence and self-determination throughout the occupation, calls which did not frame independence as merely a means to an end of human rights violations, but rather as an end in and of itself. As Robinson noted, even as appeals for the protection of basic human rights and justice increased, "the key slogans [of the struggle] continued to be 'Independence or Death!' Long Live East Timor!' and 'The Struggle Continues!'" (2014:40).

In contrast, Timor's Church only began to support Timor's Resistance movement and calls for Timor's independence after the Indonesian invasion, as a result of the human rights violations being committed by the Indonesian regime. Moreover, even though most Church leaders supported the Resistance and were seen by Timorese and Indonesians alike as supporting the Resistance, this support was never explicit. In order to survive as an institution in Timor, the Church had to go to great lengths to appear apolitical – to not be seen as supporting the struggle for independence (despite its calls for self-determination).[89] Bishop Belo thus tried to distance himself from partisan groups, discouraging violent resistance or protest against the Indonesian regime, as well as the use of religious ceremonies and places of worship for political ends (Pascoe 2006:127).

THE INTERNATIONAL SOLIDARITY MOVEMENT AND HUMAN RIGHTS

Here I turn to the use of human rights by a third actor: the international solidarity movement in support of Timor. As previously noted, this movement included a range of non-Timorese individuals and groups, from scholars to trade unionists to church organizations (Webster 2003:27). It also included self-defined human rights NGOs, including but not limited to larger human rights NGOs like Amnesty International and Human Rights Watch.

As with Timor's Resistance (and Timor's Church), the main way that the international solidarity movement employed human rights was to frame the violence of the Indonesian regime. Solidarity groups – which worked closely with Timor's

[89] The Vatican had also ordered the Church to stay neutral in the conflict with Indonesia (Pascoe 2006:123).

diplomatic front, particularly over time (Webster 2003:20)[90] – criticized Timor's human rights record at the UN Commission on Human Rights and the UN Special Committee on Decolonization.[91] Sometimes these groups funded Ramos-Horta or other Timorese representatives to testify in their stead (CAVR 2006,7.1:107). Solidarity groups also focused on lobbying Indonesia's Western allies. For example, in the US, ETAN worked to establish relationships with sympathetic senators and representatives (Simpson 2004:459). After the Santa Cruz massacre ETAN sent an open letter to President Bush protesting the US's acceptance of Indonesian policy. Amnesty International (and Human Rights Watch) frequently brought Indonesian and Timorese activists to Washington to meet with officials and testify before Congress.

Members of the international solidarity movement also issued human rights reports about abuses in Timor (reports that were generally regarded as more credible than Timorese reports).[92] While Amnesty International had been reporting on the human rights situation in Timor since the late 1970s, in 1985 it "released a major report that drew together most of what was then known about human rights conditions in the territory" (Robinson 2010:83). It continued to issue reports on the human rights situation in Timor throughout the occupation. Smaller organizations like ETAN and the British Campaign for the Release of Indonesian Prisoners (TAPOL), which was established in 1973 and which began reporting on Timor beginning in 1974, also published valuable reports (CAVR 2006,7.1:98). NGO reports often included images of Timorese human rights

[90] After 1991, Timor's Resistance (then the CNRM) established a network of Timorese representatives in Western countries charged with working with solidarity groups, thus strengthening the bonds between Timor's Resistance and the international solidarity movement (Webster 2003:19-20).
[91] Timor had been removed from the agenda of the Human Rights Commission in 1985, but after lobbying by solidarity groups and Belo's letter to the Secretary-General, it was restored in 1989 (Webster 2003:19).
[92] This is despite the fact that the Indonesian regime still tried to dismiss them as propaganda (CAVR 2006,7.1:106).

abuses, including photos of young Timorese being tortured (Webster 2003:18).

Perhaps even more so than Timor's Resistance movement (at least the movement's "internal front"), the international solidarity movement framed the situation in Timor as one of genocide. For example, a 1980 report from an International Congress on East Timor which took place in Amsterdam was entitled "Holocaust on the Sly" (Committee East Timor 1980). In 1995, a Portuguese professor labeled the situation in Timor the greatest genocide in the 20th century (Barbedo de Magalhaes 1996). In 1997 and 1998, two Australian organizations, Australians for a Free East Timor and Descendants of the Shoah Inc., created a photo exhibition entitled "Stop Operation Annihilation," in which "extermination camp photos of the Jewish Holocaust" were placed "in juxtaposition with those of East Timor's contemporary holocaust" (The Nizkor Porject n.d.). The exhibition circulated around the capitals of major cities in the global North, stopping first in Jerusalem.

This framing was effective. As legal scholar Ben Saul has noted, the international community's belief that the post-referendum violence in East Timor amounted to genocide was "both popular and widespread" (2001:479). As Saul has pointed out, on September 7, 1999, the front page headline of Australia's Sydney Morning Herald read: "Race Against Genocide" (cited in Saul 2001:478).[93] The Executive Director of Australian Council for Overseas Aid issued a press release on September 6 noting that "Australia must not stand by and witness a genocide on its doorstep" (cited in Saul 2001:478-479). In a meeting of the UN Commission on Human Rights in the wake of the

[93] Newspapers from the following countries also described the 1999 violence in Timor in terms of genocide: Philippines, Hong Kong, Portugal, Spain, Mexico, Portugal, Spain, Belgium, Czech Republic, and the UK (Saul 2001:478-479).

referendum, several nongovernmental organizations also spoke of the violence in Timor as genocide (cited in Saul 2001:3).[94]

Yet as with the Church, there was one major difference between the international solidarity movement's employment of human rights and the Resistance's employment of human rights. With some exceptions, throughout the 1980s, the international solidarity movement focused primarily on the issue of human rights abuses under the Indonesian occupation, rather than on the broader question of self-determination. For example, while both Amnesty International and Human Rights Watch publicly acknowledged the lack of international recognition of Indonesia's annexation of Timor, neither organization ever called for Indonesian withdrawal from Timor or for Timorese self-determination (Simpson 2004:465).[95] Human Rights Watch explicitly declared that it took "no position on the territory's political status." It also took "what it perceived to be an even handed approach to human rights violations by investigating and publicizing abuses by 'both sides' in the conflict" (Jardine 2000:59).

Almost all of the international solidarity groups which had been active in the 1970s, and many of the groups which became active in the 1980s and the 1990s, were "supportive of Timor's independence movement" (Cotton 2004:150; see also Jansen 2017). Why then did the international solidarity movement focus mainly on issues of

[94] Saul argues that the violence in Timor during the Indonesian occupation most likely did not amount to genocide in strict accordance with international law (2001). Other scholars, however, have used the term genocide in relation to Timor. Genocide scholar Ben Kiernan refers to the violence in Timor as genocide (2003). Robinson also argues that the violence in Timor in the 1970s was genocide "at least in the colloquial sense of the word—and arguably even by its strict legal definition" (2010:7).

[95] However, Robinson, who previously worked for six years at Amnesty International's Research Department in London (Robinson was head of the Southeast Asia Research Unit of Amnesty International's International Secretariat), has noted that by stressing the illegal nature of Jakarta's presence in East Timor and contending that the human rights atrocities in the territory were an outgrowth of the presence of the Indonesian military, Amnesty International had in fact challenged Jakarta's annexation of East Timor (Jardine 2000:60).

human rights during the 1980s, as opposed to the question of self-determination? Matthew Jardine has argued that larger human rights organizations like Amnesty International and Human Rights Watch were hemmed in by their narrow mandates, which tend to focus on a narrow range of rights, "largely those related to individual and civil political rights," as opposed to cultural, economic, or collective rights like self-determination (2000:61). Other groups focused almost exclusively on issues of human rights because of a global political environment that disfavored anticolonialism and favored human rights (thus, for the same strategic reason that Timor's Resistance increasingly employed human rights in the 1980s). In 2015, I interviewed ETAN spokesperson John Miller in his apartment in New York. Miller explained:

> The goal from the beginning was to change US policy to support a genuine act of self-determination. In that sense highlighting the human rights violations was saying, this is what is being done with our [the United States's] assistance and this can stop if Timorese have a say on their political status. So, self-determination was fundamental to what we were doing and arguing – the political goal. Yet a lot of members of Congress weren't willing to go along with self-determination . . . but they could then support human rights.

Yet some solidarity groups and supporters weren't just being strategic or reacting to restrictive mandates. Miller noted that many of the self-defined human rights groups, aid groups, and church groups which supported Timor, focused on issues of human rights abuses as opposed to the question of self-determination, because human rights abuses were their primary concern (and they did not necessarily see human rights and self-determination as linked). Thus, Robinson notes that when Indonesia attempted to lessen criticism based on its human rights record by hiding the torture it was committing, holding show trials, releasing some prisoners in 1988 and 1989 after time served, and opening up Timor in 1989, some "supporters concluded . . . that the human rights

situation in East Timor had improved dramatically and that the argument for independence had therefore been rendered moot" (2010:71). Simply put: these groups differed from Timor's Resistance movement in their ultimate goal.

It wasn't until the 1990s that self-determination became a major talking point of the international solidarity movement, alongside human rights. For those individuals and groups who had always supported Timorese self-determination, the awarding of the Nobel Peace Prize, among other things, finally gave international legitimacy to the idea of a political solution to the conflict (the Nobel Committee had noted its intentions to "spur efforts to find a diplomatic solution to the conflict in East Timor based on the people's right to self-determination") (Norwegian Nobel Institute 1996). For other individuals and groups, it could be argued that the awarding of the Nobel Prize and the continued violence in Timor (and the continued attention brought to this violence), had finally led to an acceptance of the argument that peace in Timor would only come about with self-determination.

HUMAN RIGHTS AND THE RIGHT TO ANTICOLONIAL SELF-DETERMINATION

Why is it relevant that human rights was used in Timor's struggle for independence, much less that it played such a critical role? One way to answer this question is to look at the relationship between anticolonial struggles and human rights more broadly. Were all post-1948 anticolonial struggles also human rights struggles? Did these struggles all employ the ideas and politics of human rights? Did human rights help lead to these colonies' independence? These questions lead to another set of questions concerning the core logics of anticolonial self-determination and human rights.

In what ways do these logics overlap? In what ways do they differ?

Various scholars have argued that all anticolonial movements were also human rights movements. Fabian Klose has pointed out that anticolonial movements intentionally exploited reports about massive violations of basic individual and collective rights, including torture and summary killings, in order to win the support of international public opinion (Klose 2014). Roland Burke has written that anticolonial leaders explicitly referred to human rights in their arguments (2010). Bonny Ibhawoh has asserted that leaders and followers in various anticolonial movements not only drew on the language of human rights, but also drew on the ideas behind the language, particularly the idea of an "immutable" universal humanity (2014:8). Finally, Klose has argued that despite the fact that colonial powers tried to deny the universal character of human rights in the colonies, particularly in times of "colonial emergency" – and despite the fact that London or Paris didn't withdraw from their colonies because of human rights petitions – incidents brought to attention by human rights petitions limited the role of colonial powers as credible actors. This made it difficult for colonial powers to manage worldwide public opinion and ultimately led to the independence of some colonies (2014).

Scholars have backed up claims regarding the historical relationship between anticolonial movements and the human rights regime, by arguing that the inclusion of self-determination in human rights documents – a right promoted by the newly independent African, Asian (and Arab) countries – represented a natural and logical pairing between self-determination and human rights (Burke 2010:36). Among other things, these scholars argue that the right to self-determination is the "prerequisite for fulfilling other rights aspirations" (Ibhawoh 2014:7).

Yet other scholars, most notably Samuel Moyn and Jan Eckel, have critiqued what they conceive of as "standard, historical accounts of human rights [that] have simply assimilated self-determination into the ever-ascending cascade of rights that now encircle the globe" (Weitz 2015:2015). Moyn and Eckel argue that there are fundamental contradictions between anticolonial self-determination and human rights more broadly. As such, anticolonial movements were not human rights movements – they were about nothing more than sovereignty and gaining freedom from the colonial masters. Moyn and Eckel argue that postwar anticolonial activists rarely invoked the phrase "human rights" or appealed to the Universal Declaration of 1948.[96] They further argue that even those few anticolonialists who did talk about human rights, after newly independent colonies had pushed the international community to include self-determination in the idea of human rights in 1960, only meant self-determination, and self-determination was still linked to nothing more than gaining independence. Eckel further argues that human rights accusations "never formed a dominant motivation for colonial retreat" (2010:129).

Moyn argues that the idea of anticolonial self-determination was based on the Rights of Man as proclaimed at the end of the 18th century, not on human rights. He emphasizes three main differences between the Rights of Man and human rights (which he argues only evolved into their present-day form in the 1970s). First, the Rights of Man are afforded to the collectivity (the nation), whereas human rights are afforded to individuals (2012:2). Second, the Rights of Man are granted by the state to citizens of the state, whereas human rights are universal or supranational and aim to protect persons

[96] Moyn includes Leopold Sengor, Gandhi, Sukarno, and Nasser in his list of anticolonial activists who rarely invoked the phrase "human rights" or appealed to the Universal Declaration of 1948 (2012:90-91). Eckel adds Nehru, Ho Chi Minh, and Seko Toure to the list (2010:155).

from the state (2012:12-13). Third, the Rights of Man, which focus on sovereignty above other rights, are political or revolutionary, whereas human rights are anti-revolutionary or apolitical (2012:43). Scholars such as Fassin and Pandolfi, who argue that a post-1989 human rights regime has merged with humanitarianism, emphasize the latter two characteristics of human rights. In other words, they argue that after 1989 human rights has been increasingly framed as moral or apolitical (or ethical or neutral), as opposed to political or revolutionary or ideological; they further argue that this morality has been specifically presented as a universal or global morality (see Fassin and Pandolfi 2010:12).

Human Rights *and* Self-Determination in Timor's Struggle

How does this theorization of the relationship between anticolonialism and human rights relate to the historical case of Timor, as laid in this chapter? What does the historical case of Timor add to this theorization? On the one hand, it is clear that the strict political-moral distinction between anticolonial self-determination and human rights of which Moyn and others write, doesn't apply to the Timor case. As we have seen, and as scholars such as Robinson have pointed out, the use of human rights discourses by those involved in Timor's struggle for independence *was* "intrinsically political, in the sense that it entailed direct and intentional challenges to the Indonesian state" (2014:53). Timor's Resistance movement, as well as many, if not most of the international solidarity groups that advocated for Timor, at least partially employed human rights discourses and practices in order to achieve the ultimate political end of Timorese independence or self-determination.

Additionally, as shown in this chapter, the use of human rights discourses to

frame the Timorese conflict helped lead to concrete political outcomes in Timor. Timor would most likely not be independent today if the Resistance and the international solidarity movement had not used human rights discourses and practices to frame Timor's independence struggle beginning in the 1980s, and if human rights-based institutions such as the UN had not existed and acted in relation to Timor at critical moments. The ultimate effectiveness of the use of human rights discourses to call attention to the Timor case, is evidenced, among other ways, by the fact that there was more violence (and death and suffering) in Timor in the 1970s, immediately following the Indonesian invasion, than there was in the 1990s. Yet no action was taken on the part of the international community to intervene during this early period, when the violence was not framed in terms of human rights.

Anticolonialism and human rights were so different, according to Moyn, that the human rights regime couldn't emerge until the 1970s, after the international community had turned away from the idea of anticolonialism as a political project. Yet in Timor, there was never a complete displacement of anticolonial practices and discourses by human rights. As noted, Falintil remained in the jungle throughout the occupation and the Resistance made explicit calls for independence or self-determination throughout the occupation (not just as a means to an end of human rights abuses, but also as an end in and of itself). These calls entailed classic anticolonial rhetoric or slogans, such as "Independence or Death!," "Long Live East Timor!" and "The Struggle Continues!" (Robinson 2014:40). As Robinson has argued, in specific response to Moyn: "even as it changed over the years, East Timor's struggle deftly combined demands for human rights and national self-determination . . . what occurred, then, was not a matter of

'displacement' . . . but a conjoining of different elements into a new whole" (2014:34).

Some Timorese and foreign actors may have primarily employed human rights as a tool to achieve self-determination, without being ideologically bound to the larger human rights corpus and its ideals. Yet it is fair to argue that most Timorese, and most internationals involved in the international solidarity movement, believed the argument that was directed at the international community at large – that the political violence in Timor stemmed from the illegitimacy of Indonesian rule and would only be resolved with independence or self-determination. As noted above, it was the violence of the Indonesian regime – whether or not this violence was conceived of in human rights terms at the time – that brought so many younger Timorese (and Timor's Church) to support Timor's Resistance movement in the first place.

What was the actual historical relationship between Timor's lack of self-determination and the violence in Timor? History has shown that self-determination doesn't preclude state violence – states of course commit violence and even genocide against their own citizens. Yet scholars have argued that the perpetration of genocidal-type violence entails the act of "othering" (Holslag 2015; Hinton 2002). Genocidal-type violence is easier to commit if the victim is already viewed as "other." Benedict Anderson linked the particularly horrendous nature of the violence committed by the Indonesian regime in Timor to the regime's lack of ability to view Timorese as fellow citizens. The lack of ability to view Timorese as fellow citizens was due to a lack of shared colonial history (and thus, to Timor's lack of self-determination) (1993). As Anderson noted: "the use of aerial bombardments, the napalming of villages, the systematic herding of people into resettlement centers . . . [had] no real counterparts in

Indonesian government policy toward, as it were, 'real Indonesians'" (1993). Abe Barreto Soares conveyed a similar understanding of the links between Indonesia's perpetration of violence in Timor and its perception of Timorese as "other" when he told the UN in 1983 how he used to ask himself: "If the Indonesian military say that we are brothers and sisters, why do they kill people in the jungle, kill people who surrender, kill innocent people who know nothing about politics?" (1993).

Human Rights *versus* Self-Determination in Timor's Struggle

Yet I argue that the Timor case does illustrate some of the fundamental differences between anticolonial self-determination and human rights that Moyn and others have discussed. While there was not a complete displacement in Timor of anticolonial practices and discourses by human rights practices and discourses beginning in the 1980s, there was a major shift in emphasis from the former to the latter during this decade. While this shift occurred in Timor in the 1980s, rather than in the 1970s, as Moyn argues occurred on a global level, the shift in Timor arguably reflected and was indeed at least partially a response to the global shift of which Moyn writes (including both a decline in sympathies toward anticolonial self-determination, and the growth of the international human rights regime).

The shift in Timor that occurred, moreover, significantly changed how Timor's struggle was fought and framed. Inside of Timor, emphasis shifted from the armed violence of Falintil to the nonviolent tactics of the mostly youth-based clandestine front. Timor's diplomatic front, and international actors who were part of the international solidarity movement, gained increased prominence in the Resistance. The Resistance

increasingly directed itself toward an audience of the international community, and international institutions such as the UN assumed increased importance. There was of course also a partial shift in the message sent by Timor's Resistance about why Timor needed or deserved its independence – an argument was increasingly made that Timor needed its independence in order to end the violence of the conflict (not because independence was a right in and of itself).

Here I return to the question of the theorized political-apolitical split between self-determination and human rights. Human rights discourses and practices were agentively employed by Timorese and internationals in order to achieve the political goal of Timorese independence, and these discourses and practices were ultimately pivotal in Timor gaining its independence. Yet these discourses and practices were arguably only able to have the effect they did because of the perceived apolitical or moral nature of human rights. Robinson notes that Indonesian state authorities saw the use of human rights as intrinsically political (2014:34). This would have included the use of human rights by Timor's Church. Still, the Indonesian State could not go to greater lengths to shut down the Church in Timor for speaking out on human rights issues because of its awareness that globally, human rights discourses – particularly human rights discourses focused on suffering and victimhood – *are* perceived as apolitical. At the very least, human rights discourses focused on suffering and victimhood are generally perceived of as much less political than discourses of anticolonial liberation or independence (or even discourses of self-determination, which fall somewhere in between).[97]

[97] In my interview with Miller, Miller stressed how ETAN and other solidarity groups were always extremely careful to use the term "self-determination" as opposed to "independence" in relation to Timor. This was despite the fact, as Miller notes, that it was clear to almost everyone involved in the Timor case that an act of self-determination would result in independence.

Similarly, it was the framing of the Timor issue as an apolitical or moral issue of suffering victimhood – as a situation of genocide – that won so much international support for Timor in the 1980s and 1990s, international support that this and the previous chapter have shown was critical to Timor's ultimate independence. The framing of the Timor conflict in human rights terms worked to turn dominant representations of Timorese outside of Timor from violent third-world revolutionaries fighting for independence, to innocent, suffering victims of human rights abuses, if not of genocide, whom the international community had a "responsibility to protect." This new framing drew international supporters who had not been interested in or even aware of Timor's cause when the issue had been framed as one of anticolonialism. It also drew the support of some who had actively opposed Timor's struggle when it had been framed in anticolonial terms. As Fernandes has written, after the Santa Cruz massacre, Catholic Bishop William Brennan and the Catholic Social Council, who had previously defined themselves as "totally anti-Timorese," now began to "sympathize . . . with the 'poor suffering Timorese'" (cited in Fernandes 2011:98).

CONCLUSION

Some scholars argue that all post-1948 anticolonial struggles were also human rights struggles. Even if this were true, one could argue that due the extent of violence in Timor during the Indonesian occupation, as well as the later historical timing of Timor's struggle, which extended into the post-Cold War era, when the human rights regime was more fully-developed and powerful – the employment of human rights in Timor's struggle was greater, or at least more impactful, than in other anticolonial struggles. At

the very least, due to the later historical timing of Timor's struggle, Timor's Resistance was engaging with a very different human rights regime than the resistance movements of earlier colonial states. If, as some scholars have posited, human rights has always been less overtly political and state-focused than anticolonial self-determination, this gap only widened in the decade following the end of the Cold War, the decade during which Timor's Resistance movement was most engaged with human rights. The tensions between human rights and the right to self-determination were thus more pronounced during this period.

Timorese may have felt that they were struggling for human rights and the right to self-determination at the same time, without seeing this as a contradiction. Yet the reason that the use of human rights in Timor's struggle for independence was successful was because of the way it shifted dominant representations of Timorese outside of Timor. It helped to turn the issue of Timor into a moral issue, as opposed to a political or ideological issue (or at least as opposed to a merely political or ideological issue). Timor became a situation that demanded, and indeed finally yielded, "global moral outrage" (2001:820). The remainder of this dissertation looks at how the Indonesian occupation and the Resistance to this occupation – resistance which included the political uses of an avowedly apolitical human rights – have been remembered in Timor's post-independence era. I turn first to remembrance in the immediate post-independence era during with Timor's truth commission, the CAVR, operated.

Chapter 4

Victims and Violations: Timor's Truth Commission and the First Official Narrative of the Indonesian Occupation

This chapter turns from an examination of the "history" of Timor under Indonesian occupation to an analysis of the first official national narrative of the Indonesian occupation in the immediate post-independence period, as produced by Timor's truth commission, the CAVR, which operated from 2002-2005. I argue that the narrative produced by the CAVR, in line with the CAVR's mandate and with the mandates of truth commissions more generally, was a humanitarian-inflected human rights narrative that emphasized the violations experienced by Timorese under Indonesian rule and the suffering victims of these violations. A focus on violations and victims worked to obscure, or at least to minimize, an alternative narrative of Timorese resistance to Indonesian rule. This is significant for numerous reasons, including the fact that during the occupation, human rights discourse in Timor was so intimately bound up with Timor's Resistance movement.

This chapter makes several contributions to the literature on transitional justice and truth commissions. Most studies of truth commissions judge truth commissions' impacts "on their own terms," looking to see whether the commissions successfully achieved their stated goals (Brahm 2007:17). They also typically limit their analysis to the circumstances under which the truth commissions were created, the conduct of the commissions, or the initial reception to the commissions' findings. The result is that it is unclear what the longer-term consequences of truth commissions are, much less whether these are positive or negative (Brahm 2007:19). While this chapter focuses on presenting

and analyzing the dominant narrative that was promoted by the CAVR, it lays the groundwork for evaluation in future chapters of the longer-term impacts of the CAVR's work and its narrative, both intentional and otherwise. An additional contribution this chapter makes to the literature on transitional justice and truth commissions involves its analysis of the CAVR's treatment of Timorese resistance to the Indonesian occupation, including its treatment of Timor's formal Resistance movement. Not only does the theme of resistance tend to be absent from the practice of transitional justice (a finding partially confirmed in this chapter in relation to Timor and its commission), but as the political scientist Bronwyn Leebaw has pointed out, analysis of resistance is also almost entirely absent from the scholarship and theoretical debates surrounding transitional justice (2011:46).

This chapter proceeds as follows: First, I provide background information on the CAVR. Next, I describe the dominant narrative of the past produced by the CAVR. After this, I analyze the CAVR's treatment (or lack thereof) of Timorese resistance to Indonesian rule. I then situate the CAVR's marginalization of narratives of Timorese resistance to Indonesian rule in a larger, theoretical context, analyzing the relationship between transitional justice and the theme of resistance more generally. I conclude by asking in what ways the CAVR's narrative of the Indonesian period is a new narrative, for both Timorese and the international community.

Analysis in this chapter is primarily based on *Chega!*, the main 2,500-plus-page text produced by the CAVR. The chapter also employs some ethnographic data from my time interning as a human rights lawyer at the CAVR from 2002-2003, and some data from my main period of fieldwork in Timor from 2011-2012. This chapter serves as a

bridge between the previous two chapters (which provided a metanarrative of the Indonesian occupation and resistance to this occupation), and the remainder of this dissertation, which consists of my four main ethnographic chapters on how Timorese have been remembering the Indonesian past in the post-transitional justice era.

BACKGROUND OF CAVR

The idea for a commission for reconciliation was first brought up at a conference of the CNRT's National Political Commission (NPC) on March 7, 2000 (CAVR 2006,1:3). As noted in the previous chapter, CNRT, which was formed in 1998 and which disbanded in June 2001, was the final umbrella organization representing Timor's Resistance movement. Described by the CAVR as a "broad-based organization," CNRT included members of all of Timor's political parties, students, NGOs, and members of the Catholic Church (2006,3:126). After the idea for a commission was endorsed at CNRT's first national congress in August 2000, a steering committee was created. The steering committee conducted consultations across Timor-Leste with the goal of gauging popular attitudes toward the idea of reconciliation.[98] The committee then spent three months drafting legislation for the CAVR (CAVR 2006,1:12). The CAVR was formally established by the head of UNTAET, Sergio de Mello, on July 13, 2001 (as noted, UNTAET served as the sovereign power of Timor from October 25 1999-May 20, 2002). An interim Office for the CAVR was created on August 2001, the CAVR's seven

[98] According to *Chega!*, the CAVR's steering committee visited each of the 13 districts in Timor, holding public meetings at the district, subdistrict, and village levels. Consultations were also held with East Timorese refugees in West Timor and other parts of Indonesia. The steering committee also consulted political parties, jurists, and human rights organizations and victims' groups within Timor (CAVR 2006,1:10-11).

commissioners were sworn in on January 21, 2002, and the operational phase of the CAVR commenced on April 7, 2002 (CAVR 2006,1:13-20). The CAVR was recognized in Article 162 of Timor's Constitution, which was promulgated on May 20, 2002, the date of Timor's official independence.[99]

The CAVR was established as an independent authority, with a requirement that it "not be subject to the control or direction" of any cabinet minister or other government official (UNTAET Regulation 2001/10). Its mandate consisted of eight main tasks, with the first and arguably main task being "inquiring into and establishing the truth regarding human rights violations which took place in the context of the political conflicts in Timor-Leste between 25 April 1974 and 25 October 1999" (CAVR 2006,2:2).[100] Although the CAVR was originally supposed to last 24 months, it ended up being extended to over 42 months, concluding on October 31, 2005, with the handing over of *Chega!* to the Timorese government and the international community (including the UN). During the time of its operations the CAVR was the third largest employer in Timor after the civil service and the UN system (Huang and Gunn 2004:33).

Whose Usable Past?

Before turning to the content of the "usable past" or narrative that the CAVR

[99] Section 162 of Timor's Constitution, entitled Reconciliation, notes that "It is incumbent upon the Commission for Reception, Truth and Reconciliation to discharge functions conferred to it by UNTAET Regulation No. 2001/10.2" (Constituent Assembly 2002).

[100] The seven other parts of the mandate included the following: preparing a comprehensive report which sets out the Commission's activities and findings; formulating recommendations designed to prevent the recurrence of human rights violations and to respond to the needs of victims; recommending prosecutions, where appropriate, to the Office of the General Prosecutor; promoting reconciliation; implementing Community Reconciliation Procedures (CRPs) to support the reception and reintegration of individuals who had caused harm to their communities through the commission of minor criminal offences; assisting in restoring the dignity of victims; and promoting human rights (CAVR 2006,mandate:2).

produced, it is first necessary to ask: Who did the CAVR represent? Who were the CAVR's dominant actors? To what extent was the CAVR a "national" as opposed to an "international" institution? To the extent that the CAVR was a national institution, to what extent was it "community-driven" versus "elite-driven"?

Timor's State did not exist at the time of the CAVR's founding, and the CAVR was established as an independent institution that was not to be tied to Timor's future State or government. Still, the CAVR was in many ways a national, Timorese institution. Relevant here was the early significant role the CNRT played in establishing the CAVR, as well as the inclusion of the CAVR in Timor's Constitution. Also relevant was an early decision not to have any foreign commissioners at the CAVR (or any permanent foreign staff). A CAVR proposal in late 2000 noted that only "a few international consultants are likely to be contracted to assist the commission for relatively short periods, especially on technical matters" (La'o Hamutuk 2003). Ultimately more than 90 percent of the CAVR's staff was East Timorese (La'o Hamutuk 2003). Finally, despite the failure of Timor's leadership to embrace *Chega!* when the report was handed to the government in 2005 (this will be discussed further in Chapter 8), Timor's leaders did largely cooperate with the CAVR during its period of operations. Among other things, Timor's leaders testified at a hearing that focused on the civil war preceding the Indonesian invasion.

The CAVR went to lengths to present the CAVR as not only a national, Timorese institution (as opposed to an international institution), but as a community-based, ground-up institution. The CAVR's steering committee conducted community consultations before it drafted the CAVR legislation. The CAVR stressed the broad nature of these consultations "with a wide and representative cross-section of East Timorese society"

(2006,1:14).[101] It noted that these consultations had revealed "overwhelming community support" for the CAVR (2006,1:11), and asserted that information from the consultations helped to shape the CAVR legislation. It added that "the principle of community consultation continued to shape the decisions of the Commission during the operational period of its mandate" (2005:1,22). In its report, the CAVR emphasized the importance of learning about the experiences of "ordinary people," noting that these experiences both "tell us where we have come from and help us understand who we are today" (2006,1:9). The CAVR also proudly touted the "traditional justice practices" that it employed in the approximately 200 Community Reconciliation Processes (CRPs) that it held across the country, in order to fulfill its mandate of "reconciliation" (see 2006,1:3).

Yet despite the CAVR's national-backing, and the CAVR's emphasis on community-level involvement in the CAVR, there is no denying the strong international elements of the CAVR, an institution which was funded entirely by international donors (including by 25 governments and funding agencies).[102] The UN, in the form of UNTAET, not only formally established the CAVR, but along with other international human rights organizations, including the then-newly formed ICTJ, the UN was also influential in the development and implementation of the CAVR (La'o Hamutuk 2003).[103] UNTAET's human rights unit (and the ICTJ) provided technical assistance to the CAVR's steering committee in its drafting of the CAVR legislation (La'o Hamutuk 2003). UNTAET's Human Rights Unit was in fact an official member of this steering

[101] These claims are countered by those of human rights researcher Simon Robins, who notes that the consultations conducted by the CAVR's steering committee before the drafting of the CAVR legislation were "limited in scale and scope" (2012:88).
[102] These included Japan, Britain, Ireland, the European Commission, Humanist Institute for Cooperation (Hivos), and the United States Agency for International Development (USAID) (CAVR 2006,preface:5).
[103] The ICTJ was founded in 2001.

committee (as was the UNHCR) (CAVR 2006,1:10). The first CAVR Interim office, which was established in August 2001, was also supported by UNTAET's Human Rights Unit. A former international solidarity worker, Patrick Walsh of the Human Rights Unit, was named as this office's Executive Director (Walsh later became a senior UN advisor to the CAVR) (CAVR 2006,1:13).

The CAVR's international staff ranged from unpaid volunteers, to interns, to UN volunteers, to United Nations Development Programme (UNDP) staff mandated to mentor local partners, to short-term consultants on commission, including transitional justice "experts" who had worked at other truth commissions (Huang and Gunn 2004:33).[104] In line with the CAVR proposal mentioned above, the number of international staff at the CAVR at any one time was relatively small – one reporter noted that there were 15 international staff in 2003, a number that resonates with my recollections of the same time period (La'o Hamutuk 2003:7). Yet many have argued that these internationals had outsized influence. In 2003, a semi-local NGO, La'o Hamutuk, wrote a report about international staff at the CAVR. While acknowledging that this group's "knowledge of East Timor's history, empathy for the East Timorese people, and skills in Tetum and Bahasa Indonesia are far better than most internationals here" (La'o Hamutuk 2003:7), the report also revealed that there was a "widespread feeling" among CAVR national staff that international staff dominated the institution (2003:8). Scholars Huang and Gunn similarly argued that there was a "sense . . that day-to-day management

[104] I largely fit into the first two categories, having gone to work at the CAVR as a human rights intern for 10 months from 2002-2003, a year after graduating from law school. I was unpaid by the Commission, but was supported by a Transitional Justice Project Internship Grant from the Center for Civil and Human Rights at Notre Dame Law School. I received a separate grant for the same time period – the Howard M. Holtzmann Fellowship in International Dispute Resolution (from Yale Law School) – to conduct independent research on victim reparations.

of CAVR [was] in the hands of international staff, leaving the national commissioners to play a more symbolic or consultative role" (2004:33).

In my particular experience, having read so much before heading to Timor that stressed that the CAVR was a "Timorese-run" institution, I admit I was initially taken back by the degree of influence of at least some international staff at the CAVR. In hindsight, however, I am more surprised by my initial surprise. As David Webster writes of the Resistance's shift toward the language of human rights in the 1980s: "*Chega!* simultaneously notes this shift, celebrates it, and is a product of it" (2007:3). In other words, in many ways the CAVR was a natural end result of the Resistance's increased embrace of international human rights discourses and practices beginning in the 1980s, a shift which of course included a greater reliance on international institutions and international actors.

Indeed, many of the more influential internationals at the CAVR, including Walsh, mentioned above, were human rights activists with a long history of involvement in Timor's international solidarity movement (something that explains this group's superior language skills and knowledge of East Timor's history) (La'o Hamutuk 2003:7). Many of the Timorese who worked at the CAVR – particularly those in the most powerful positions, such as the commissioners and the heads of the CAVR's different "divisions" – were likewise human rights activists (many of whom had joined the clandestine front and become involved in human rights while studying in Indonesia). The main example here involves the CAVR Chairperson, human rights lawyer Aniceto Guterres. Guterres had studied law in Bali, where, in 1988, he founded Renetil (the main clandestine organization in Indonesia). In 1996, Guterres founded Timor's first human

rights NGO, the Human Rights and Justice Foundation (Yayasan Hak).

In sum, rather than framing or viewing the CAVR as a national or international institution, it might be more accurate to frame or view the CAVR as a representative of the "human rights community" that was linked with Timor during the 1980s and 1990s – a community that consisted of both Timorese and foreigners or internationals. During the occupation, this community of human rights activists largely shared a common goal or interest of Timorese independence. In the context of the CAVR, a main question to ask is to what extent this community has continued to share goals in the post-independence era. In other words, to what extent have the interests of Timorese and foreign human rights activists continued to overlap in Timor's post-independence period (including during the time of the CAVR)? I return to this question in later chapters. I turn now to an examination of the narrative that the CAVR helped to produce.

THE CAVR NARRATIVE

Violations

What was the CAVR's official narrative of Timor's recent past? In line with the first and arguably main part of the CAVR's mandate – "inquiring into and establishing the truth regarding human rights violations which occurred in Timor-Leste" throughout the mandate period – the CAVR's narrative centered around the human rights violations experienced by Timorese during its mandate period (CAVR 2006,2:2). The CAVR focused on nine main violations or sets of violations. These included unlawful killings and disappearances; violations of the right to self-determination; forced displacement and famine; arbitrary detention, torture and ill-treatment; violations of the laws of war;

violations of the right to a fair political trial; sexual violence; violations of the rights of the child; and violations of economic and social rights.

The CAVR worked to fulfill its truth-seeking mandate by collecting 7,824 statements from across Timor detailing individuals' experiences of violence from 1974-1999 (CAVR 2006,1:26). It also conducted over 1,000 oral interviews on 10 different themes and held eight national public hearings in Dili (CAVR 2006,1:28). Six of the 10 themes of the oral interviews corresponded directly with the CAVR's central violations listed above; each public hearing (apart from a general Victims' Hearing and a hearing on the Internal Political Conflict of 1975) likewise corresponded to one of the CAVR's central violations.[105] The "truth" that was established about the human rights violations which occurred during the CAVR's mandate period is primarily laid out in three main chapters of the CAVR's 12-chapter report. The central chapter is Chapter 7, "Human Rights Violations." At 1,421 pages, this chapter, which the CAVR calls the "main body of the Report," is divided into nine sub-chapters, each pertaining to one of the CAVR's central violations (2006,1:8). Chapter 7 makes up more than half of *Chega!*.[106]

What kinds of "truth" did the CAVR tell about the human rights violations which occurred in Timor during its mandate period? In contrast to other truth commissions, most notably the South African Truth and Reconciliation Commission (TRC) (Posel 2002), *Chega!* includes a good deal of historical analysis of the broader geopolitical

[105] These ten themes were: famine and forced displacement; detention and torture; killings and enforced disappearances; children; women; the political party conflict of 1974-76; the role of international actors in the self-determination process; massacres; the policies and practices of the Indonesian military and police; and the policies and practices of Fretilin and Falintil. The six national, public hearings that corresponded to the CAVR's central violations were hearings on Famine and Forced Displacement; Massacres; Women in Conflict; Political Imprisonment; Self-Determination; and Children in Conflict.

[106] Chapter 12 is an Annex divided into four parts. The first two parts of the Annex also focus solely on human right violations.

context that helped lead to the violations it addressed. Chapter 3, the "History of the Conflict," examines, among other things, the complicity of the US and the international community in the Indonesian invasion and occupation. In addition to this larger "historical truth," the CAVR also tried to tell a more subjective truth about past experiences of violence. The individual statements contained this kind of truth, as did the victims' testimonies at the public hearings.[107]

Yet one of the main kinds of truth about past human rights violations with which the CAVR seemed concerned was a national-level statistical or demographic truth. *Chega!* presents the total number of killings and deaths due to hunger and illness. It also presents patterns of killings and disappearances of non-combatants over time, over space, by attributed institutional responsibility, against individual and group victims, and across demographic characteristics and political affiliation. The CAVR's analysis of non-fatal violations is similar: for each relevant non-fatal violation, *Chega!* reports on levels of institutional responsibility, variations across space and time, age-sex victim demographics, the nature of the abuses (whether they were against individuals or groups), and patterns of violations by political affiliations of victims.

The CAVR produced this kind of statistical and demographic truth through several means. One of these involved the development of a "Human Rights Database." Each of the 7,824 statements that was taken from across Timor was read by a "coder," who broke the statement down into a series of distinct violations, coded them, and then entered these codes into the database. One of my main tasks while working at the CAVR was to explain the different violations in the database to the Timorese statement-takers

[107] Parts of the testimonies taken from the statements (and oral interviews) were also sprinkled throughout *Chega!*.

and coders. In addition to the Human Rights Database, the CAVR brought in a Silicon Valley firm, Benetech, to create two other datasets to help estimate fatal violations. These came from a "retrospective mortality survey (RMS)" of 1,396 households in 139 neighborhoods throughout Timor, and a graveyard survey, which collected approximately 327,000 grave records.

The CAVR has pointed out that it was the first truth commission to use these latter two statistical methods. The CAVR noted that it had to create these new sources of information because it lacked other external sources of data that other truth commissions often rely on to corroborate the qualitative testimonies they collect (CAVR 2006,6:5). Yet scholars have questioned the CAVR's concern with statistics, as well as its methods for producing these statistics. The historian John Roosa, for example, has pointed out the problematic nature of the CAVR's reliance on the personal statements for sources of statistical information, as these statements, which were entirely voluntary, did not come from a representative sample (this was something the CAVR itself acknowledged) (Roosa 2007:572). Roosa has also pointed out problems with the death toll data collected by Benetech. For example, during the mass death of the late 1970s, entire families and even entire neighborhoods perished – the random sampling of households was therefore necessarily weighted toward those households that had survived intact or with few losses (2007:576).[108]

Roosa has asserted, and I agree, that despite Benetech's use of complicated statistical methods to compensate for the limitations of their surveys, the statistics on fatal

[108] As Roosa also points out, the graveyard survey did not include deaths of people who were not buried in a properly marked grave inside a graveyard. This is despite the fact that during the years of mass death, many victims were buried in unmarked graves outside of graveyards or not buried at all (2007:576).

violations that *Chega!* revealed were neither precise nor conclusive (2007:576). The CAVR noted that the total number of war-related deaths due to hunger and illness was 84,200, but "admitted that the number 'could be 103,000 with a possible (but improbable) high-end estimate of 183,300'" (Roosa 2007:576). As Roosa points out, that is a wide range (2007:576). The CAVR's figure for the total number of killings during its mandate period –18,600 – is also only a minimum estimate. Before the CAVR report, many people used the figure of 200,000 as an estimate of the total number of deaths. As Roosa notes, the figure was not based on solid evidence and could be "wildly inaccurate." While one can now state with certainty that at least 100,000 East Timorese died because of the Indonesian occupation, such a finding is not especially significant, as "it entails no revision of what was already commonly accepted" (Roosa 2007:576).

Suffering Victims

In line with another central part of the CAVR's mandate – one that called for "assisting in restoring the dignity of victims" (CAVR 2006,mandate:2) – the CAVR's narrative of the Indonesian past centered not only on the violations that were committed during the Indonesian occupation (and the preceding civil war), but also on the persons who experienced them. The CAVR declared itself to be "the voice of the victims" (2006,10:2) and vowed to "[prioritise] the interests and perspectives of victims and survivors" (2006,preface:2). It asserted that support to victims was a core principle of all of its programs (2006,10:2), and stressed that the individual statements on violations were all taken from human rights victims (or witnesses). It also asserted the centrality of victims in its national public hearings on violations, noting that they provided "the

principal voice that the public heard" (2006,10:24).

The CAVR's first national public hearing, the "Victims' Hearing," was explicitly devoted to victims. The CAVR also held 52 local, public "Victims' Hearings" throughout the country, as well as six three-day healing workshops for victims. It gave out a small number of reparations to victims with "urgent needs," and aimed many of its recommendations at victims. Among other things, the CAVR called for reparations for "vulnerable victims" (2006,11:35), for the memorialization of "significant sites of killings, or deaths" of victims (2006,11:43), and for the Indonesian government to apologize to victims and families of victims (2006,11:31). Finally, the CAVR noted that its report was "a compact with victims" (2006,preface:2).

The CAVR defined victims as persons who "[have] suffered harm . . . as a result of acts or omissions over which the Commission has jurisdiction to consider" (2006,10:4). It further specified that victims were "primarily civilians or noncombatants" who were "not directly involved in the armed struggle" (2006,6:21).[109] The CAVR's definition of victim thus excluded most members of Falintil (as well as those who didn't suffer specific violations covered by the CAVR's mandate – although technically every Timorese had been denied the right to self-determination). Yet informally, the CAVR extended victimhood to all Timorese. The CAVR proclaimed, for example, that "we are all victims" (2006,11:35). It also noted that "on some level, all East Timorese people and the society as a whole were victims of the political conflicts of 1974-99" (2006,10:18).

The CAVR framed victims within a specific, therapeutic discourse of trauma, suffering, and healing. The CAVR asserted its goal to be a voice for victims "who had for

[109] As *Chega!* explains, under international humanitarian law, armed combatants are legitimate targets in war (CAVR 2006,mandate:12).

so long been unable to express the suffering that they had experienced" (2006,10:2). It noted that *Chega!* was written with a spirit of "deep compassion for those who have suffered the most" (2006,preface:5). The CAVR's first national public hearing (the Victims' Hearing) took place on the anniversary of the Santa Cruz massacre, in the auditorium of the UNAMET compound where thousands had sought refuge in the days of violence after the 1999 referendum. The CAVR noted that the date and place of the hearing were chosen to "honour the suffering of victims" (2006,10:21). The site of the CAVR, the Comarca Balide Prison, the former Portuguese colonial jail built in 1963 that was used as an incarceration facility by the Indonesian regime, was likewise chosen because it was "infamous as a place of suffering" (Coupland 2013:4).[110]

The CAVR declared the healing of victims' suffering to be one of its main goals, central to the very question of "why Timor-Leste chose to address its difficult past" in the first place (2006,preface:1). According to the CAVR, victims not only had a "right to justice and the truth," but "justice, truth and mutual understanding" were "essential for the healing of victims" (2006,preface:2). Linking truth-telling with healing, the CAVR asserted that "statement-taking was the first step in the healing process the Commission was promoting" (2006,10:18). It likewise asserted that its public hearings were "valuable occasions for . . . healing" (2006,10:19). During the six healing workshops conducted by the CAVR, which provided the "most intensive interactions the Commission had with victims" (CAVR 2006,10:38), commission staff enjoined participants to participate in

[110] The prison had also been used by Fretilin to house UDT and Apodeti prisoners after the internal conflict or civil war in 1975.

"[journeys] of healing" (CAVR 2006,10:32–35).[111] Among other things, victims engaged in group counseling, singing, theater games, and drawing and painting. While the CAVR's mandate spoke of restoring dignity to victims – dignity of course being a central concept of the human rights regime – the CAVR spoke of the restoration of dignity as but a means to the end of healing. The CAVR noted that its work was "intended to contribute to healing through the restoration of [victims'] dignity" (2006,preface:2).

In line with its declaration that "the [Timorese] society as a whole" was a victim of the political conflicts from 1974-1999, the CAVR spoke of a "national need for healing" (2006,10:18), as well as of the need for the healing of the nation (2006,preface:2). In arguing for a healing of "the nation," the CAVR employed a metaphor of the nation as a wounded individual or body, a metaphor also famously employed by the TRC (see Moon 2009:79).[112]

THE CAVR AND RESISTANCE

Narratives of Resistance

In promoting a narrative of the past that focused on violations and suffering victims, the CAVR obscured an alternative narrative of Timorese resistance to Indonesian rule. To be fair, this exclusion was not complete. One of *Chega!*'s 11 chapters, Chapter 5, dealt solely with Timor's Resistance movement and its activities. This chapter, which was largely based on interviews with former guerrilla leaders, has, moreover, been

[111] *Chega!* notes that this concept was borrowed from Father Michael Lapsley, from South Africa, who visited the CAVR the day before the first healing workshop. The phrase "journey of healing" was also used by the CAVR to talk about healing in relation to its public hearings (CAVR 2006,10:30).
[112] See also Richard Wilson, who argues that "the TRC constructed a collectivist view of the nation as a sick body, which could be ritually cured in the TRC hearings" (2001:14).

praised by scholars. Webster has called it "pioneering" (2007:3), and Roosa has argued that passages within the chapter were among the "most informative and reliable parts of the report" (2007:577). Evidence of this chapter's importance and utility is evidenced, among other ways, by the frequency with which it is cited by various scholars writing about Timor (including myself, in the historical chapters of this dissertation).

In addition to Chapter 5, stories involving Timor's Resistance movement, as well as more informal or subjective forms of resistance not necessarily linked with Timor's Resistance movement, emerged from within victims' testimonies. For example, at the CAVR's national public hearing on Women and the Conflict, which took place in Dili from April 28-29, 2003, Olga da Silva Amaral linked her experiences of torture and rape at the hands of the Indonesian regime to her work with the Resistance. She explained that these violations occurred after she was arrested for helping a member of Falintil who was involved in an attack on an Indonesian military post in 1982 (CAVR 2005:21). In the same hearing, Fernanda Soares linked the violations that she experienced in the late 1990s, violations which included being beaten, to her involvement with the Resistance. She explained that they occurred as a result of her participation in a 1998 demonstration against the Indonesian regime (Soares noted that she helped cook food for the demonstration) (CAVR 2005:28).

If Amaral and Soares both stressed the direct links between the human rights violations they described in their testimonies and their work with Timor's formal or organized Resistance movement, a third victim in the same hearing, Beatriz Miranda Guterres, made it clear that she experienced her past suffering – which included forced marriage and rape – as being in the service of the Resistance, a kind of informal

resistance if you will. At the hearing Guterres declared: "I stood up and said, 'Alright! I will tear myself in two. The lower half I will give to him, but the upper half is for my land, the land of Timor'" (CAVR 2005:25).

Notably, the testimonies of both Amaral and Soares included stories or information about resistance activity that the women had engaged in that was not directly related to the violations they described in their testimonies. Amaral explained, for example, that she had "joined other young people in getting food for Falintil" beginning in 1981, and that she had continued to do so even after the Indonesian forces found out and it was very dangerous (CAVR 2005:21). Soares spoke of being active in the clandestine movement in the 1980s, helping in the "planning of trade of basic things like food and medicine with Falintil" (CAVR 2005:27). She also spoke of being involved in a 1989 attack on the Indonesian military barracks in Taibessie, and of joining the women's arm of Fretilin, Popular Organisation of Timorese Women (Organização Popular da Mulher Timor or OPMT) in Dili in 1996 (CAVR 2005:28).

Yet while the CAVR didn't exclude narratives of resistance entirely, these narratives were largely subsumed by the CAVR's dominant focus on violations and victimhood. In terms of the larger historical narrative, *Chega!*'s chapter on Timor's Resistance movement is a mere 56 pages out of the 2,500-plus-page report. By contrast, as noted, *Chega!*'s main chapter on human rights violations is 1,421 pages long. Personal narratives of resistance were overshadowed or subsumed through a variety of means. To return to the women's testimonies above, the title of the public hearing at which these three women (and ten other women) presented their testimonies – "Women and the Conflict" – is relatively neutral. Yet the main purpose of this hearing, as with all of the

CAVR's national public hearings, was to fulfill two main parts of the CAVR's mandate: to establish the truth about past human rights *violations*, and to help *victims* of violations restore their dignity. For those unfamiliar with the CAVR's mandate before listening to the women's testimonies at the hearing (or on the radio or on TV), these goals were emphasized in the hearing's opening speech by Chairperson Guterres.[113] Guterres thanked the women testifying at the hearing for sharing their "experience of human rights violations"; he spoke of the "need to understand better the terrible suffering of women in Timor during the occupation" (CAVR 2005:8). He noted that a goal of the testimonies was to "help our sisters, and other who have suffered human rights violations" and "to clean these wounds of the past" (CAVR 2005:9).

This kind of priming of the hearing and its testimonies was even more pronounced in the published book on the hearing. The book's preface discusses how "women suffered specific human rights violations" during the occupation (CAVR 2005:6), and includes a blurb about human rights and international law. It also summarizes several violations, including the "right to life" and the "right to freedom from torture," and suggests that the reader keep these violations in mind when reading the upcoming testimonies (CAVR 2005:6). The preface further explains that the 13 women at the center of the hearing – whom it terms "victims of human rights violations" – were chosen to represent a range of violations suffered by women (CAVR 2005:4-5).

The violations experienced by the women who testified at the hearing – as opposed to the acts of resistance that resulted in this violence – were further emphasized in the public hearing book via highlighted quotes from each testimony, quotes that were

[113] An edited copy of the opening statement is included in the public hearing book.

laid out on the side of each testimony. These quotes tended to highlight the most horrific descriptions of violence included in each testimony. The highlighted quote from Fernanda Soares's testimony for example, reads: "I watched with my own eyes how [BMP militia] beat my son together with other youths . . . until they were bleeding and their faces were a bloody mess. Some of them were stabbed" (see CAVR 2005:27). The highlighted quote from Olga da Silva Amaral's testimony is: "I was given electric shocks to my ears, hands and feet . . . I was jumped all over until I felt my blood no longer flowed and I had no more strength left in me . . . Then they started raping me" (see CAVR 2005:21).

Of course, truth commissions not only frame how stories are to be interpreted, they also "wield an important influence on which stories are told" in the first place (Andrews 2003:46). If the CAVR worked to marginalize personal narratives of resistance through its framing of the testimonies in which these narratives were contained, the CAVR also marginalized – and indeed excluded – these narratives much earlier in this process. The CAVR's process of finding volunteers to give statements to the CAVR began with a socialization process during which CAVR staff explained the CAVR's mandate to potential interviewees. Staff spoke of the CAVR's desire to establish the truth about the *human rights violations* which occurred, as well as its desire to help *victims.* This shaped who gave information to the CAVR and what kinds of information they gave from the get-go. The statement-taking process itself was relatively open-ended – statement-takers allowed deponents to narrate their stories at length "in whatever manner they wished" (Roosa 2007:571). Yet statement-takers collected testimonies with the knowledge that each statement would be read afterwards by coders, who would have a

main task of matching each instance of violence detailed in the statement, to the correct violation in the human rights database, with the ultimate goal of producing national-level statistical data on violations. Indeed, the one main "rule" that statement-takers had to follow was to make sure that there was enough information about each violation described (Roosa 2007:571). It goes without saying that the statement-takers' knowledge about the future uses to which the statements they collected would be put, served to shape the statements that were collected.

Self-Determination as a Human Right

Another way that the CAVR's narrative of human rights violations and suffering victimhood worked to subsume an alternative narrative of Timorese resistance to Indonesian rule involved the CAVR's treatment of the right to self-determination. As made clear in Chapters 2 and 3, Timor's quest for independence preceded the violence of the Indonesian occupation that was at the center of the CAVR's work. Even in the 1980s, when Timor's Resistance movement increasingly began to embrace the language and practices of human rights, anticolonial rhetoric and practices did not disappear from Timor's independence struggle. The main goal of Timor's Resistance movement was always independence. For at least some Timorese, human rights was primarily a strategic tool to help attain this larger end goal. The right to self-determination was thus substantially different from the other eight human rights or groups of human rights at the center of the CAVR's work.

The CAVR did point out the special nature of the right to self-determination as compared to these other eight rights or group of rights. The CAVR notes in *Chega!* that

"The people of Timor-Leste made extraordinary sacrifices to realise [the right to self-determination] . . . it was essential to the survival, identity, and destiny of Timor-Leste" (2006,7.1:3). *Chega!* also notes that "The struggle to enjoy this right above all others . . . was the central defining issue of the Commission mandate period" (2006,7.1:3). Yet despite these assertions, the CAVR mostly treated this right the same as it treated the other human rights at the center of its work. Specifically, the CAVR mostly treated the right to self-determination as just one in a list of nine rights or groups of rights belonging to Timorese that had been violated during the Indonesian period. The violation of the right to self-determination formed one of the nine subsections in *Chega!*'s main chapter on violations; likewise, the violation of the right to self-determination was the topic of one of the CAVR's eight public hearings, all but two of which, as noted above, centered around the violations of the (other) human rights that were at the center of the CAVR's work.

TRANSITIONAL JUSTICE, MEMORY, AND RESISTANCE

How can we make sense of the CAVR's marginalization of Timorese histories of resistance? Was this marginalization unique among transitional justice mechanisms or truth commissions? What is the relationship between transitional justice and resistance more broadly? In line with the presentist conception of memory that guides this dissertation, anthropologists and other social scientists who have conducted research on truth commissions have argued that truth commissions render "some histories, narratives, subjectivities and experiences visible, and others invisible" (Wilson 2003:378).

Several scholars have pointed out that transitional justice mechanisms' focus on

extreme, visible acts of physical violence (often linked to violations of civil and political rights) serves to obscure less visible types of structural violence (often linked to violations of social, cultural, and economic rights) (Ross 2001:252). An exclusive focus on "harm as the violation of bodily integrity" has a particularly negative impact on women, serving to reduce women's experiences of violence to rape and sexual abuse. (Theidon 2007:474; see also Franke 2016:822). An obscuring of structural violence that takes place during wartime is also problematic because it is this kind of violence that is often ongoing in the post-conflict context.

While some scholars have taken issue with the kinds of violence and suffering victimhood that truth commissions illuminate – and the kinds of violence and suffering victimhood that truth commissions obscure – others scholars have taken issue with truth commissions' category of victim itself, a category in which the victim is classified as a "powerless, helpless innocent" (Mutua 2001:203; see also Bernath 2015; Moffett 2016). This category of innocent and suffering victim can be seen, on the one hand, as an inevitable result of the legal, criminal victim-perpetrator binary which underlies transitional justice, as well as human rights more broadly, in which the victim is contrasted with the guilty perpetrator. However, it also emerges from the specific "therapeutic ethic" linked with truth commissions (Colvin 2005; Robins 2012): while scholars have theorized that in the post-Cold War period, human rights writ large has increasingly focused on the suffering of innocent victims, truth commissions have arguably been driven by an "apolitical" humanitarian or therapeutic ethic focused on suffering and healing since their inception in the 1980s (Moon 2009; Shaw 2005).

A main criticism of a conception of innocent victimhood is that it obscures the

collaboration or complicity that inevitably occurs during situation of mass political violence, when people tend to operate within Levi's moral "grey zone" (1989). Yet there has been very little examination of the equally problematic, albeit related phenomenon that we have seen in this chapter, namely the obscuring of histories of resistance to violence, both formal (organized) and otherwise.[114] This phenomenon isn't specific to the Timor case. As Leebaw, one of the few scholars who has examined this phenomenon has pointed out, "stories of those who took action to resist abuses," whether through violence or non-violence, "remain at the margins of [most] human rights reports, truth commission hearings, and war crimes trials" (2015:1).

Why do truth commissions marginalize the theme of past resistance? The marginalization of stories of resistance (and collaboration) by truth commissions is not accidental. Most broadly, the rise of the modern human rights regime within which transitional justice emerged, is part of a larger turn, discussed in the Introduction, toward embracing victims and the oppressed, rather than the traditionally dominant victors and heroes of history (Neiman 2010:75). Indeed, the CAVR explicitly noted that it emphasized the voices of victims and suffering to insist that "victory is not a simple matter of heroes and villains" and that "history is more than the listing of major events or the biographies of those who are called leaders" (2006,1:9).

Military regimes – including the Indonesian regime that occupied Timor – use resistance as an excuse to commit violations. Transitional justice mechanisms limit discussion of past resistance in order to stress the irrelevancy of civilian victims' past

[114] Resistance and collaboration are typically not either-or phenomenon: in militarized societies individuals often move back and forth between collaboration and resistance. This was certainly the case in Timor, where "individuals operated between the [Indonesian] state and the resistance" (Drexler 2013:74).

political activity to the question of perpetrator guilt (Leebaw 2013:241).[82] In the case at hand, the Indonesian regime had as much of a responsibility to protect the human rights of unarmed Timorese civilians who were part of Timor's Resistance movement as it did to protect the human rights of unarmed Timorese civilians who were not engaged in any political activity.

Finally, to the extent that transitional justice mechanisms examine past resistance, revelations of a lack of resistance, or of collaboration or complicity, could be used to justify the abuse of victims or the silencing of victims (Leebaw 2013:248). Examining resistance could lead to victim blaming, with the implication being that victims who did not resist the perpetrator regime, or who were even at times complicit with the perpetrator regime, gave their tacit consent to, or even deserved, the crimes committed against them (whether these crimes were committed by the perpetrator regime or by those opposing that regime). Blaming victims for the crimes committed against them – or even just revealing victims' past political activity or lack thereof – not only works against the goal of helping victims, it also works against another main goal of most truth commissions, which is to promote national reconciliation by bringing together those on different sides of the conflict (or conflicts).

CONCLUSION: NEW STORY?

The CAVR produced a narrative of Timor's past centered around the human rights violations experienced by Timorese and the suffering victims of these violations. Why is this relevant? One way to answer this question is to ask whether or not this was a "new" story or narrative. Several Timorese and internationals have argued that the

CAVR's narrative was not new. Jose Luis Guterres, a prominent member of the diplomatic front who served as the first ambassador to the US after Timor's independence, explained that *Chega!*'s narrative was "well known . . . it was already used by resistance leaders to explain about the situation in East Timor and so it's nothing for the entire population . . . it is not new" (cited in Rimmer 2010:118). David Webster has likewise noted that "*Chega!* is not so much writing a new story, as crystallizing stories already out there" (2007:582).

I largely agree with the assertions of Guterres and Webster – as applied to an audience of the international community (or to Timorese who were living outside of Timor during the occupation). The narrative of violations and suffering victimhood that was produced by the CAVR was broader than the narrative of Timorese victimization that was broadcast to the international community during the Indonesian occupation. Perhaps most importantly, the CAVR investigated crimes committed by Timor's Resistance (and by Timorese during the civil war preceding the Indonesian occupation), in addition to crimes committed by the Indonesian regime. The CAVR thus portrayed Timorese as perpetrators as well as victims. However, the statistically greater degree of Timorese victimhood at the hands of Indonesians forces during the Indonesian occupation as compared to at the hands of other Timorese, combined with the CAVR's assertions that all Timorese were in some ways victims (an emphasis that could be said to encompass even Timorese perpetrators), meant that the fundamentals of the victimization narrative promoted during the occupation – of Timorese victimhood at the hands of the

Indonesian regime – remained. [115]

Yet I argue that the CAVR's narration of the Indonesian past in an overarching framework of violations and victimhood was unfamiliar in some significant ways to many Timorese who lived inside of Timor during the occupation. Every Timorese person, at least above a certain age, was aware of the general nature of the Indonesian regime (if not of the extent of the violence the regime perpetrated). Yet the narrative of suffering Timorese victimhood that circulated during the occupation beginning in the 1980s largely did so outside of Timor. The specific, technical language of human rights was not widespread inside of Timor, even in the 1980s and 1990s. More importantly, as detailed in Chapter 3, to the extent that human rights discourse circulated inside of Timor during the occupation, or, more commonly, amongst Timorese in Indonesia, it was inextricably connected to Timor's Resistance and the Resistance's struggle for independence. Human rights was a tool of resistance. To the extent that the CAVR framed Timor's past in a language of human rights that was largely disconnected from considerations of resistance, the CAVR's telling of the past *was* at least partially new for most Timorese.

This chapter laid out several reasons why truth commissions intentionally marginalize the theme of past resistance. Yet even as transitional justice mechanisms marginalize narratives of resistance so as not to hurt victims, this marginalization itself can negatively affect victims in the long-run (or at least the longer-run). I explore this argument in Chapter 8. The next four chapters of this dissertation jump ahead in time to

[115] Another significant way in which the CAVR's victimization narrative was broader than the occupation-era victimization narrative, is that whereas the occupation-era narrative focused primarily on violations of civil and political rights, or acts of visible physical violence (among other reasons, this was in order to best motivate the sympathies of the international community), the CAVR's narrative of victimization also included a focus on violations of social, economic, and cultural rights.

examine how the Indonesian past has been remembered in Timor's post-transitional justice era, with a focus on my main period of fieldwork from 2011-2012.

Chapter 5

From Victims to Veterans: "It wasn't that the Indonesians just went and shot them"

Three months after I arrived in Timor for my fieldwork, I woke up early and headed to Motael Church, the oldest Roman Catholic Church in Timor. It was only seven o'clock when I arrived, but an enormous crowd was already gathered, spilling well outside of the Church's open doors. The date was November 12, 2011. Twenty years and two weeks earlier, a young Timorese independence supporter named Sebastião Gomes had been killed by Indonesian agents inside the same Church while helping to prepare for a pro-independence demonstration that was to take place during an upcoming visit by a delegation from the Portuguese Parliament. The anticipated visit and demonstration never happened. Instead, two weeks after Gomes's death – on November 12, 1991 – a different demonstration, consisting of a march to Dili's Santa Cruz graveyard to lay flowers on Gomes's grave, ended when Indonesian troops opened fire on the marchers at the graveyard. An estimated 80 to 270 Timorese were killed, in an event that became known internationally as the "Santa Cruz massacre," and that is commonly referred to inside of Timor as the "Dili massacre," "the massacre of 12 November," or simply "12 November."[116]

The morning mass completed, I joined the crowd and we set off on a procession. For several hours, we walked in parade-formation across Dili to the Santa Cruz graveyard, reproducing the exact same winding four-kilometer path that demonstrators

[116] I alternate between these terms in this chapter. As noted in Chapter 2, there is debate surrounding the number of Timorese killed in the Santa Cruz massacre. The highest estimates are 270 (Robinson 2010:7). The CAVR notes that 200 is "not an unreasonable estimate" (2006,7.2:204). Gregorio Saldhana, the leader of the demonstration, told me that he has only been able to confirm approximately 80 deaths.

had taken 20 years earlier before being met with bullets at the graveyard (the 1991 demonstration had also begun with a mass for Gomes at the Motael Church). The procession was filled with groups representing all segments of Timorese society: schools, neighborhoods, youth groups, training centers, government institutions, church groups, and NGOs. Group members marched together, dressed in their institutions' uniforms. Along the route, marchers held up flowered wreaths or banners that announced their group affiliations, and that praised the "heroes" or "youth warriors" of "12 November" for their "spirit," "struggle," and "nationalism." Marchers pumped their fists and shouted out slogans that had been used at the original demonstration in 1991, such as "Viva Timor-Leste" and "Viva Xanana Gusmão." The streets were lined with onlookers; by the time the march reached the Santa Cruz graveyard, the number of participants had ballooned to thousands.

The march culminated in a large ceremony near the entrance of the Santa Cruz graveyard where the 1991 massacre had taken place. A large crowd stood in front of a stage; the major "Heads of State," both past and present, including Gusmão, Ramos-Horta, and Alkatiri, sat next to the stage, in plastic chairs under a green tarp.[117] Speeches by these men and other figures linked with the massacre emphasized the historical significance of the event in helping to secure Timor's independence. Speakers made calls to "harness the spirit of the youth" who took part in the events of 12 November, for the "new generation of youth to develop the country." The day was hot and the walk had been long and tiring, but as I noted in my fieldnotes at the time, the atmosphere was largely celebratory and joyous.

[117] In 2011, these three men were Prime Minister, President, and former Prime Minister, respectively.

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In this chapter I move on to analyze the dominant narrative of the past in Timor in the post-transitional justice or present-day era, relying primarily on data from my main period of fieldwork from 2011-2012. I argue that there has been a shift from the CAVR-sponsored human rights narrative focused on violations and victims, to a State-promoted narrative focused on Timor's struggle for independence from Indonesia and the veterans or heroes of that struggle. Accompanying this shift in focus from past violations to past resistance, and from victims to veterans, has been a shift in emphasis from past experiences of suffering to past experiences of struggling. Indeed, I argue that the main element that sets the present-day resistance narrative apart from the previously dominant human rights narrative, is a focus on past Timorese action and agency.

While other scholars of Timor have similarly written about a post-independence narrative of past resistance in Timor (Kent 2011; Leach 2006), this chapter is different in that it systematically fleshes out the particular components of this narrative, and directly compares the narrative to the previously dominant human rights narrative of the past centered around violations and victims. The analysis in this chapter is additionally important because the resistance narrative in Timor, has, in the way of all historical narratives, evolved over time. As it has evolved, it has also become increasingly hegemonic. This is partially a result of the beginning of the distribution of pensions to veterans beginning in 2008, something made possible by the transfer of royalties from Timor's Petroleum Fund to Timor's government around the same time.[118]

[118] Timor's Petroleum Fund was established in September 2005 with a transfer of petroleum royalties which had been collected in preceding years. Timor's government only began withdrawing from the fund in 2007 and 2008 (La'o Hamutuk 2005:1).

This chapter is divided into three main sections. In the first two sections, I describe the main features of the dominant State-promoted resistance narrative that I encountered during my fieldwork, and I compare this narrative to the CAVR-promoted narrative that I described in the previous chapter. In the third section, I elaborate on remembrance of the Santa Cruz massacre in the post-transitional justice era. During the occupation and in the immediate post-independence era, the events of 12 November were heavily framed in international discourses of human rights, with a focus on the horrific massacre of innocent civilians, including "women and children."[119] As the opening anecdote of this chapter illustrates, in the post-transitional justice era the events of 12 November are framed instead within a narrative of past resistance. There is a focus on the demonstration that preceded the massacre, as opposed to the massacre itself; and those who were involved in the event are presented and present themselves as agentive struggling veterans or heroes, rather than as suffering victims. Remembrance of the Santa Cruz massacre thus serves to symbolize the shift in post-independence Timor from a dominant human rights narrative centered around suffering victims, to a present-day resistance narrative centered around struggling veterans.

This chapter concentrates on two main sources of data from my fieldwork. The first source comes from my ethnographic observations of Timor's 2012 presidential and parliamentary elections. The 2012 election cycle lasted approximately four months, from early March to early July 2012 (the first round of the presidential election took place on

[119] As noted in the previous chapter, the CAVR purposely held its first public hearing, the Victims' Hearing, on November 12, 2002, the anniversary of the Santa Cruz massacre. After the hearing, CAVR staff and participants took a solemn walk to the Santa Cruz cemetery to lay down flowers and light candles. The 2002 commemoration of the Santa Cruz massacre was thus literally framed within the CAVR's work, with its narrative focus on violations and victims.

March 17; the second round of the presidential election took place on April 16; the parliamentary election took place on July 7). Over this four-month period I attended numerous campaign events, including over a dozen campaign rallies in different parts of the country, as well as press conferences, "peace pacts," and debates.

A second main source of data comes from participant observation that I conducted with the Committee of 12 November. Officially formed in 2008, the Committee of 12 November gathers and represents "survivors" of the 1991 Santa Cruz massacre.[120] Headed by Gregorio Saldhana, the leader of the 12 November demonstration, the Committee of 12 November has a permanent office in one of the rooms on the grounds of the former prison at the ex-CAVR, and consists of 15 or 16 mostly volunteer staff (all survivors).[121] One of the Committee's main tasks is assembling a list or registry of everyone who participated in the events of 12 November. All of these persons are considered official Committee members. Among the many activities that I participated in with members of the Committee of 12 November were meetings and conferences; annual commemoration ceremonies of the Santa Cruz massacre; a trip outside of Dili to commemorate the 100th anniversary of the 1912 Boaventura Uprising; and a series of ceremonial *juramentos* (oaths) conducted by survivors in neighborhoods around Dili, which aimed to weed out "false survivors."

[120] Debate over the terms and categories applied to those affected by violence during the Indonesian occupation, or those involved in resistance to this violence, is a topic of this dissertation. In official contexts, those involved in the massacre of 12 November typically use the term *sobrevivente* (survivor) to refer to themselves; throughout this dissertation, I employ this term as well.

[121] There had been prior organization of this group since 2002, however, with the office moving multiple times. At one point, the Committee worked out of Gregorio Saldhana's house (Saldhana, who was the leader of the demonstration on November 12, 1991, is the Director of the Committee).

The Indonesian Period as a "24-Year Struggle"

The CAVR narrative focused on past human rights violations committed during its mandate period. Collective remembrance in Timor's post-transitional justice era focuses instead on Timorese resistance to Indonesian rule. During my fieldwork period, Timorese used numerous terms to refer to the Indonesian period, including *ocupação* (occupation),[122] *konflictu* (conflict), and *perang* or *funu* (war).[123] Yet by far the most frequently used expressions, in public discourse and interviews alike, were *tempu resistencia* (resistance time or the time of the resistance*)*, *tempu luta* (the time of the struggle) or simply *luta* (the struggle). Notably *luta* (the struggle) was often qualified or specified as *luta ba independencia* (the struggle for independence), *luta ba ukun-an* (the struggle for self-rule), or *luta ba liberasaun* (the struggle for liberation), as opposed to *luta ba direitos humanos* (the struggle for human rights).

The official beginning of the CAVR's narrative of violations, in line with the CAVR's mandate, was April 25, 1974. This was the date of the fall of the Portuguese Marcelo Caetano regime, and the beginning of Timor's process of decolonization. The most common "start date" of the resistance narrative, on the other hand, is December 7, 1975. This is the date of the Indonesian invasion, the anniversary of which is an official State holiday in Timor, the "Day of Heroes."[124] As a November 2012 editorial published

[122] Sometimes the occupation was qualified as an *ocupação illegal* (illegal occupation) or *ocupação militaire* (military occupation).
[123] Other terms used more infrequently to refer to the Indonesian past included *tempu malae* (time of the foreigners) (sometimes this phrase was also used to refer to the period of Portuguese rule); *tempu bapak nia* (time of the fathers; time of the Indonesians); and *tempu guerilla nia laran* (time of the guerrillas).
[124] There are three popular, alternative "start dates" to the resistance narrative. When resistance to Indonesian rule is linked with a history of colonial rebellion against the Portuguese regime, the starting date of the resistance narrative becomes 1912 (the date of the Boaventura uprising). Other alternatives dates are August 20, 1975 and November 28, 1975. On August 20, 1975, Falintil was formed as the armed wing of

in the popular local newspaper, *Suara Timor Lorosae* (*STL*), noted: "We need to tell [Timor's history] from the beginning until the end . . . accumulate all the history in Timor . . . from December 7, 1975 . . . history's roots begin in 1975."

The CAVR was mandated to examine violations committed during all of the "political conflicts" in Timor during its 25-year mandate period, a period which began in 1974, the year before the Indonesian invasion. This included violations committed by Timorese against other Timorese in the brief civil war preceding the Indonesian invasion, in addition to violations committed by the Indonesian military against Timorese during the Indonesian occupation (and violations committed by members of Timor's Resistance against other Timorese during the Indonesian occupation). The resistance narrative, beginning in 1975, centers instead on a singular *24-year* struggle with Indonesia. A focus on the 24-year Indonesian occupation (and the resistance to this occupation) necessarily excludes the civil war between Timorese which occurred before or outside of this event.

The number "24," in fact, was frequently employed by Timorese during my fieldwork as a shorthand for the recent past (framed as beginning with the Indonesian invasion on December 7, 1975). A former member of the clandestine front complained to me that Timorese were not being properly recognized by the State for their "24 years of struggle and sacrifice." At a small ceremony commemorating the anniversary of the

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Fretilin (in the context of the Timorese civil war preceding the Indonesian occupation). This particular date has been promoted by Timor's veterans' law (discussed below in the main text). One receives benefits if one resisted the Indonesian occupation for at least three years beginning on August 20, 1975 (Statute of the National Liberation Combatants 2006). On November 28, 1975, Fretilin unilaterally declared independence, weeks before the Indonesian invasion. November 28 is an official public holiday in Timor, celebrated as the "Proclamation of Independence Day" (May 20, the date of Timor's independence according to the international community, is celebrated as the "Restoration of Independence Day.") For obvious reasons, Fretilin has a stake in promoting the latter two end dates. Indeed, Fretilin was responsible for drafting the veterans' law, and for declaring November 28 an official holiday in Timor's Constitution.

Indonesian invasion, a speaker commented on "the beginning of 24 years of struggle." During the 2012 presidential election cycle, the candidate and ex-guerilla Francisco Guterres ("Lu'olo") was quoted in *STL* declaring that there was no difference between him and the other candidate, Taur Matan Ruak (TMR), also an ex-guerilla, because "we were both together in the jungle for 24 years."[125] Finally, an editorial in the same paper during the same election period urged the candidates to be careful with their language because "during 24 years . . . people lived with pressure inside."[126]

The Protagonist: The Heroic Veteran

In line with the CAVR's focus on past violations, the central figure in the CAVR narrative was the victim who suffered or experienced violations. The key protagonist in the resistance narrative is instead the *veteranu* (veteran) or *heroi* (hero) who resisted Indonesian rule.[127] While the category of hero is sometimes considered broader than the category of veteran, for the most part these two terms or categories are used interchangeably.

While I argue in this chapter that a narrative of past resistance has become dominant or even hegemonic in the present-day, post-transitional justice era, the

[125] *STL*, January 17, 2012. Many of the quotes from this and the following chapters were recorded in my fieldnotes from a mixture of newspapers, documents, social media, and live events. I give as much information as I included in my fieldnotes, and fully cite the documents that I have in hard copy.
[126] *STL*, March 27, 2012.
[127] Other general terms for veterans or for those who supported Timor's independence struggle include the following (with loose translations): *funu nain* or *funador* (war maker), *perjuangan* (struggler), *ema resistencia* (resistance person or person of the resistance); *luta nain* or *lutador* (struggler); *auswain* or *manu auswain* (warrior); *manu funu* (fighter); and *ema pro-independencia* (pro-independence person). Former members of Falintil are often referred to as *antigus kombatentes* (former combatants) or *veteranus kombatentes* (veteran combatants). Former members of the clandestine front are often referred to as *ema clandestina* or *ema activista* (clandestine person or activist person). Heroes are often referred to with the Indonesian word *pahlawan*.

development of the veteran category and the valorization of this category began much earlier. The basis for the development of the veteran category in Timor – and indeed for the resistance narrative as a whole – is Article 11 of Timor's Constitution. Entitled "Valorisation of Resistance," Article 11 asserts that Timor's State "acknowledges and values the historical resistance of the [Timorese] People against foreign domination and the contribution of all those who fought for national independence." It guarantees that the State will "ensure special protection to the war-disabled, orphans and other dependents who dedicated their lives to the struggle for independence and national sovereignty, and shall protect all those who participated in the resistance against the foreign occupation" (Constituent Assembly 2002).

In September 2002, Timor's government established two veterans' commissions to identify and register living and deceased members of Falintil; in 2004, it established a separate commission to identify and register clandestine members involved in the civilian Resistance.[128] By 2007 these commissions had recognized a total of 75,143 persons. This included 38,337 ex-combatants (39 percent deceased) and 36,806 civilians (10 percent deceased) (The World Bank 2008:17-18). On March 13, 2006, Timor's Parliament passed a bill termed the Statute of National Liberation Combatants. Popularly referred to during the time of my fieldwork as the "veterans' law," this bill or law formally defines veteranhood and lays out the terms of recognition for veterans in the form of payments, medals, and other benefits. Significantly, the law's definition of veteran includes Timorese who were involved in the "three fronts" of Timor's Resistance: the armed,

[128] The three commissions were the Commission for Matters of Former Combatants (Comissão para os Assuntos dos Antigos Combatentes or CAAC), the Commission for Matters of Veterans of Falintil (Comissão para os Assuntos dos Veteranos das Falintil or CAVF), and the Commission for Matters of Cadres of Resistance (Comissão para os Assuntos dos Quadros da Resistencia or CAQR).

clandestine, and diplomatic fronts. Recognition is declared to be based on the cumulative amount of time served in any of the fronts (with a minimum time requirement of at least three years, unless one died or became disabled due to the war and thus can no longer support oneself) (Statute of the National Liberation Combatants 2006:preamble).

In 2006, Timor's government began handing out medals to those it recognized as veterans. In July 2008, it began handing out payments (The World Bank 2008:i).[129] From 2008-2012, 37,707 Timorese received some sort of veterans' payment, totally $199 million (Kent and Wallis 2014:1).[130] During Timor's 2012 election campaign, the government announced that pensions would be paid to an additional 27,000 veterans (Kent and Wallis 2014:1). Compared with other post-conflict countries, payments to veterans in Timor are high in both absolute terms and as a percentage of the national budget and GDP (The World Bank 2008:27). In 2013, veterans' pensions totaled $96 million out of Timor's $1.6 billion national budget (Kent and Wallis, Joanne 2014:1).

In addition to medals and pensions, Timor's State has recognized and celebrated veterans in numerous other ways. In 2005, on the anniversary of the Indonesian invasion, the State opened the Timorese Resistance Archive & Museum in the renovated Portuguese Court of Justice.[131] Referred to by many of my interviewees as Timor's "national museum" – despite the fact that the museum and archive that now exist on the site of the former CAVR are also under the purview of Timor's State – the Resistance

[129] At the time of my fieldwork (after the 2009 and 2011 revisions to the veterans' law), the rules regarding payments to veterans were as followed: those who served from four to seven years receive one-off payments and no pension; those who served at least eight years or became incapacitated receive from $276-$575 per month. Family members of those killed fighting receive a "survivor pension" of $230-$287.50 per month. Leading figures of the Resistance receive $750 per month (Kent and Wallis 2014:1).
[130] Timor uses US currency.
[131] During my fieldwork, the Resistance Museum fell under the direct purview of the Prime Minister. The ex-CAVR was under the control of the President.

Museum tells the story of Timor's history through a lens of resistance, replete with displays of Falintil guns, communication devices, and films of Falintil ambushes. During my fieldwork, Timor's State made a huge upgrade to the Resistance Museum, which was re-inaugurated on May 20, 2012, on the 10th anniversary of Timor's official independence, in a massive ceremony which I attended, along with all of Timor's Heads of State, as well as many foreign dignitaries.

In addition to the Resistance Museum, Timor's State has built an elaborate cemetery for deceased veterans, located not far outside of Dili (the cemetery is alternately referred to as the "Martyrs' Cemetery" or the "National Heroes Cemetery"). During my fieldwork, the State was in the process of building monuments to veterans in each of Timor's 65 subdistricts, as well as ossuaries for veterans in each of Timor's 13 districts. In early 2014, soon after the end of my fieldwork, the State inaugurated a statue of the Resistance hero, Nicolau Lobato, near the international airport that is also named after Lobato (Lobato was killed in combat by Indonesian forces on December 31, 1978). The State has also held numerous "demobilization ceremonies" for former members of Falintil. The first of these ceremonies, which occurred on August 20, 2011, was an elaborate event involving 70 Indonesian delegates and many Indonesian generals. Former members of Falintil in attendance were given special uniforms and a book issued by Timor's Department of Veteran Affairs, with pictures of over 100 of the longest-serving Falintil members. A second demobilization ceremony took place on August 20, 2013.[132]

Other benefits given to veterans have been more informal (or even sublegal). The State has awarded significant business contracts to senior veterans and veteran-owned

[132] La'o Hamutuk has estimated that between 2008 and 2012, the Government spent $14 million for veterans' ceremonies, cemeteries, and the Resistance Museum (La'o Hamutuk 2013:4).

companies (Fundasaun Mahein 2011:13). These contracts, most of which are linked to infrastructure projects, such as the building of roads and Timor's national electrification scheme, have often been awarded without a legal tender process and despite veterans' lack of knowledge in the relevant area (Scambary 2015:295). La'o Hamutuk estimates that from 2010-2012, Timor's government awarded a total of $78 million in contracts to veterans (La'o Hamutuk 2013). As many veterans sell their contracts to third parties for a percentage, these contracts can be seen as cash giveaways (Scambary 2015:295).[133] Additionally, veterans are frequently appointed by State officials to government positions, or at the very least, are granted direct access to government officials (Scambary 2015:295-296). Finally, the State has often failed to prosecute veterans when veterans have engaged in illegal (often commercial) activity.[134]

THE RESISTANCE NARRATIVE CONTINUED: VETERANHOOD AND POLITICAL POWER

Political parties and leaders linked with Timor's Resistance struggle have dominated Timor's political sphere since Timor's independence, with Fretilin leading the first post-independence government, and Gusmão serving as the first president.[135] These parties and leaders have dominated Timor's political sphere, moreover, by trading on

[133] La'o Hamutuk has estimated that between 2008 and 2012, veterans also received $24 million for "emergency projects" from the government (La'o Hamutuk 2013:4).
[134] There have been some fairly well-known incidents in Timor of veterans illegally extracting magnesium, exporting tires, and bringing boats into Timor. The veterans involved in most of these incidents have gone unpunished (ICG 2011:11).
[135] Through the time of my fieldwork, the other two presidents were Ramos-Horta, the most prominent member of Timor's diplomatic front, and TMR, the last commander of Falintil. The other party that had run Timor's government (after Fretilin) was the National Council for Timorese Reconstruction (Conselho Nacional de Reconstrução de Timor or CNRT), a symbolic reconstruction of the CNRT umbrella organization that headed Timor's Resistance beginning in 1998 (the CNRT party was created by Gusmão in 2007 and is headed by Gusmão). Since independence, veterans have also held leading roles in Timor's Parliament and in all of Timor's major parties (ICG 2011:11). Of course, the initial political power of veterans has helped lead to the increased dominance of a narrative of resistance over time, a main theme of the next chapter.

their pasts in the Resistance. In other words, the primary way that high-ranking veterans and veteran-dominated parties have laid claim to political power or authority in Timor's post-independence era has been to emphasize what they did during the war.[136]

This was evidenced clearly during the 2012 elections. The final round of the 2012 presidential election was a contest between two former members of Falintil: TMR and Lu'olo. While both men ran on their pasts as veterans, TMR, the former Commander-in-Chief of Falintil, and the eventual winner of the 2012 election, did so most blatantly. TMR's campaign posters and tee-shirts included old photos of him in his Falintil uniform in the jungle, often holding a gun and surrounded by other members of Falintil. TMR opened his campaign at the grave of Konis Santana, the Falintil commander who TMR succeeded in 1998 (after Santana was killed).

The first statement in TMR's main campaign pamphlet declared that TMR received his education "in the struggle for liberation." TMR's various campaign slogans, emblazoned on banners and tee-shirts, directly linked TMR's activities in the Resistance with his ability to be an effective post-independence leader. These slogans declared: "Before with you, we spilled blood for independence; again, with you, we will sweat for a good life"; "The history of resistance is . . . like the root of the nation. Together one more time we can develop the nation!"; and "In the past, I swore to die for Timor, now I swear only to serve you." Along these same lines, a handwritten sign posted at TMR's headquarters – headquarters which, not coincidently, were situated at the offices of

[136] For an analysis of the uses of veteranhood in the 2001 election for the Constituent Assembly, see Hohe (2001). For a similar analysis of the 2007 elections, see McWilliam and Bexley (2008) and Silva (2008).

Timor's "Veterans' Association" – listed seven reasons to vote for TMR.[137] Four of these reasons, including the top three, referenced TMR's Resistance credentials. According to the sign, TMR deserved to be president because he was "commander of Falintil," he "led the war until the end," he "respects the youth Resistance organizations," and he has the ability to "gather the veteran combatants of liberation."

Timor's 2012 parliamentary election, which took place several months after the presidential election, included a similar emphasis on past Resistance activity. Fretilin promoted itself through declarations that it was the party that "worked to liberate the country and its people," and the party "who won self-rule." At a Fretilin rally that I attended on June 30 in Lalerek Mutin (outside of Kraras), a Fretilin coordinator asserted that "there are veterans because of Fretilin." The National Council for Timorese Reconstruction (Conselho Nacional de Reconstrução de Timor or CNRT) was created in 2007. Yet its main 2012 campaign slogan – "Together with CNRT we liberated the country; today we come together to liberate the people" – directly equated it with the Resistance-era umbrella organization CNRT. One way it emphasized these links was by highlighting the role of Gusmão, its founder and leader. Gusmão's face was superimposed on the CNRT flag, and CNRT's campaign banners featured photos of Gusmão in Falintil uniform. Campaign speeches likewise focused on Gusmão. At a CNRT rally in Dili that I attended on July 1, 2012, a man who declared that he was a former political prisoner asserted: "Before when we struggled, we resisted in the jungle, the city, in prison and out of prison, we held the name Xanana Gusmão. I am following

[137] Also called the Association of Resistance Veterans (AVR), the Veterans' Association was formed in July 2001 by Gusmão, and claims over 18,000 members, including former guerrillas and members of Timor's clandestine front (Wallis 2013:154).

history, Xanana . . . he is who taught us politics, independence . . . he is the father of independence."

Candidates and parties emphasized their veteran credentials by soliciting and calling attention to the endorsements they received from other (usually prominent) veterans, as well as from veteran groups. In the first round of the presidential election, Fernando de Araújo ("La Sama"), a former clandestine leader and head of the People's Democratic Party (PD) (now-deceased), entered one of his Dili rallies side-by-side with the former Falintil commander, Antonio Manuel Gomes da Costa ("Mau Hunu"), one of La Sama's most prominent supporters. La Sama suggested an implicit endorsement from Gusmão through his use of a large campaign sign that included a post-independence photo of Gusmão in Falintil uniform decorating La Sama with a red cap for La Sama's resistance activities (this was despite the fact that Gusmão officially endorsed TMR for president). A host of prominent veterans endorsed TMR in the second round of the 2012 presidential election. These figures often appeared at and spoke at TMR's campaign rallies, sometimes in Falintil uniform. TMR's campaign team emphasized Gusmão's endorsement, distributing tee-shirts with a photo of TMR and Gusmão together in Falintil uniform. During the parliamentary election, Gusmão proudly noted that the family of then-recently deceased Xavier do Amaral had declared its support for Gusmão and CNRT.[138]

Various veterans' groups and Resistance organizations also endorsed candidates,

[138] In June 2012, Amaral's family had proclaimed that while "Xavier was the *proclamador* of independence, Xanana was the restorer." Amaral had been listed as a candidate in the first round of the 2012 presidential election. Amaral had been the only candidate who ran against Gusmão in Timor's first presidential election in 2002, and he also ran for President in 2007. Amaral died on March 6, 2012, before the first round of the presidential election.

often attending rallies carrying their organizations' flags or banners, or wearing tee-shirts or stickers bearing their organizations' names. TMR's campaigns in Dili were attended by a large number of Timorese representing the group Always United Front of Timor (Frente Iha Timor Unidos Nafatin or Fitun), a clandestine organization that had been formed by a group of junior high schoolers in the mid-1980s. In the second round of the presidential election TMR was endorsed by at least fifteen Resistance organizations, something frequently pointed out to me with pride by his supporters. At one CNRT rally, after a prayer, the national anthem ("patria patria"), and a moment of silence for those who died during the occupation, Gusmão presented a list of Resistance organizations which supported him and his party. While some endorsements from veteran groups were informal, others took place in elaborate ceremonies attended by the candidates. For example, one of Timor's largest clandestine groups of the 1990s, The Popular Organization of Timorese Youth Lorikeet Warriors (The Organização Popular da Juventude de Loriko Assuwain de Timor Leste or OPJLATIL), endorsed TMR in the massive auditorium behind TMR's headquarters at the Veterans' Association. Hundreds of former members of Falintil, most with long-hair and in full uniform, came to a TMR rally that I attended in Quelicai, Baucau in March 2012, to show their support for their former commander.

Finally, almost all candidates and parties emphasized their veteranhood, and of course also appealed to veterans for votes, by aiming various campaign promises at veterans. Some of these were pledges were general or vague. For example, of the 10 priorities listed by TMR's main campaign pamphlet, the first was simply: "*veteranus no antigu kombatentes*" (veterans and former combatants). In the parliamentary election, the

Front for National Reconstruction of Timor-Leste (Frente de Reconstrução Nacional de Timor-Leste or Frenti-Mudança) declared that its main campaign goal was to "*valoriza Resistensia"* (valorize the Resistance). One of Fretilin's main campaign slogans in the parliamentary election was "Vote for Fretilin to give veterans a dignified life."

Other pledges or promises aimed at veterans were more specific. Some candidates and parties promised to construct monuments to prominent Resistance figures, such as Boaventura, or the then-recently deceased Xavier do Amaral.[139] In the same campaign pamphlet where TMR issued a general pledge to prioritize veterans, TMR also promised to "give a lot of attention to the deceased and organize ceremonies they deserve"; "write about veterans' memories and experiences, and collect Resistance documents that are still scattered all over Timor"; and "work on veterans' insertion into society with a plan that includes education." Most candidates and parties promised to fix perceived problems with the veterans' law and the distribution of veterans' pensions. In the presidential election TMR promised to "clarify veterans' rights according to the veterans' law" and "build a rigorous database [of veterans]." In the parliamentary election, Gusmão, campaigning for CNRT, vowed to "fix the veterans' law so that people's dedication to the Resistance falls in line with what they receive." Alkatiri, campaigning for Fretilin, promised to broaden the scope of those who can receive pensions to include veterans who served less than 3 years. In a debate that took place in Dili's main convention center on the final day of campaigning for the parliamentary election, a representative from the National Development Party (Partido Desenvolvimento Nacional or PDN) responded to a question about how the party would build Timor's economy. The representative noted

[139] A statue of Amaral was inaugurated in Dili on May 20, 2017, the "Restoration of Independence Day."

that PDN would help veterans who have not yet received their pensions.

On the flip side of candidates and parties running on their Resistance credentials in both sets of elections, the primary method used during the elections to discredit candidates or parties was to throw doubt on these credentials. In the parliamentary election, the CNRT party was heavily criticized for including Timorese who supported integration with Indonesia.[140] For example, at a parliamentary campaign rally in Lacluta, Viqueque in June, La Sama proclaimed that "a vote for CNRT was a vote for *pro-autonomistas* [those who supported integration with Indonesia in 1999]." On social media on June 25, an anonymous poster criticized La Sama for his attack on CNRT using the same logic. The poster noted: "La Sama shouldn't point fingers because before his family and *suco* (village) in Ainaro supported integration." In the second round of the presidential election, TMR supporters whispered accusations that Lu'olo had joined the pro-Indonesian Apodeti party in 1974. From Lu'olo's side there were accusations that TMR had not been briefly captured in 1979 by Indonesian troops, as the official story goes, but had surrendered. At a Lu'olo campaign rally in Liquica district, an hour or so outside of Dili (the site of the infamous 1999 Church massacre), a boy who appeared to be only about 10, sidled over to me and whispered: "Lu'olo is more of a veteran then TMR, because in the past TMR ate 'supermi' and surrendered."[141]

Struggle and Agency (versus Suffering)

[140] Indeed, Gusmão had appointed many former pro-autonomy leaders to high positions in his government. Throughout my fieldwork period, Timorese delighted in listing these persons for me. Gusmão's appointment of pro-autonomy leaders to high positions in his government has been attributed to his embrace of the politics of reconciliation, as well as to the fact that those who supported the Indonesian regime often received better education, some attending school in Indonesia.
[141] Supermi is an Indonesian brand of instant noodle; the implication of the quote is that TMR was a traitor.

A dominant component of the CAVR's immediate post-independence narrative of the past was a focus on victims' past *terus* or *susar* (suffering or difficulties). Remembrance of the past in the present-day or post-transitional justice era has focused instead on past experiences of *luta* (struggle or struggling). Indeed, I argue that an emphasis on past struggle or struggling, as opposed to past suffering, is the primary element that differentiates the present-day dominant resistance narrative from the previously dominant human rights narrative.

"Suffering" and "struggle" are of course interrelated, overlapping concepts. One who struggles typically also suffers; one who suffers often also struggles. Yet the concept of struggle is more obviously agentive than the concept of suffering: part of the common definition of "to struggle" is "to make efforts"; part of the common definition of "to suffer," on other hand, is "to undergo or to be subjected to" (see definition of "suffer" n.d.; definition of "struggle" n.d.). As noted above, the dominant question during the elections was what the candidates or parties *did* during the war. The candidates and parties went to lengths not to emphasize past hardships, but to emphasize past agency or intentional action. In the campaign rhetoric laid out above, not only do we see frequent use of the actual words "struggle" and "resist," we also see various other explicitly action-oriented verbs or phrases, such as "led the war," "liberated," "won," and "taught." Beyond words, the images highlighted most frequently in the various campaigns, including most obviously guns and the Falintil uniform, were not meant to convey suffering (or at least not only suffering), but rather, agentive struggle or action.

When Timorese did refer to suffering during my fieldwork, it was typically a suffering *for*. This is where the terms or concepts "sacrifice" and "martyrdom" come into

play. Timorese commonly used these terms – terms which in some sense bridge the suffering-struggling divide – in reference to the Indonesian past. In the context of Timorese nationalist discourse – as in the context of most nationalisms – suffering is deemed as being *for* the nation, independence, freedom, liberty, or liberation. Through the use of terms such as sacrifice and martyrdom, or even through an explicit framing of suffering as being for the nation (for example through nationalist slogans such as "he died for independence"), past suffering is made agentive. Indeed, it is this kind of agentive suffering that Elizabeth Traube – one of the few anthropologists who has conducted fieldwork in Timor both before and after Timor's independence – wrote about in her 2007 discussion of suffering as a basis of Timorese nationalism. Traube argued that there is a widespread belief in Timor (at least among the Mambai people who she writes about) that the nation was won through suffering, that it was "purchased . . . not with silver or gold but with the blood of the people" (2007:10). Traube explained that her informants felt that they suffered *for* the nation to "bring something forth" (2007:10).

As detailed in the previous chapter, an agentive framing of suffering – in other words, a framing of suffering as being in the service of Timor's struggle for independence – was not absent from the CAVR's work. Many of those who testified to the CAVR narrated their past experiences of suffering in this way. Yet, as I argued in Chapter 4, the primary way that the CAVR worked to frame past experiences of violence and suffering was within a therapeutic framework of trauma and healing. This depoliticizing framework worked to deemphasize past agency. Had the concept of suffering at the center of the CAVR's work been conceived of as more agentive, there might have been more of a conflation of the terms suffering and struggling in *Chega!* (as

there often is in discourse in present-day Timor). This was not the case. For example, Chapter 10 of *Chega!*, "*Alcohimento* and Victim Support," contains 78 references to "suffering" but only one reference to the act of "struggling."[142]

A focus on the differences between suffering and struggle helps to highlight another main difference between the CAVR-promoted human rights narrative and the resistance narrative. This difference concerns the emotions, affect, or tones linked with the two narratives. Simply put: the human rights narrative, with its focus on victimhood and pain, is tragic and mournful, whereas the resistance narrative, with its focus on past agency, is instead celebratory, joyous, or "triumphal" (Kent 2011:440).

CASE STUDY: REMEMBERING THE SANTA CRUZ MASSACRE

In the first part of this chapter I laid out the general parameters of the dominant national narrative of the past in Timor's present-day or post-transitional justice era. Analysis of the 2012 elections served to highlight some elements of the resistance narrative; it also served to illustrate how politicians and political parties in present-day Timor both draw on and reproduce a dominant narrative of past resistance in order to lay claim to political power (or hold on to political power). In this section I turn my focus to remembrance of a particular event that occurred under Indonesian rule – the Santa Cruz massacre that took place on November 12, 1991. I argue that in the post-transitional justice era, this event is largely framed in a narrative of past resistance, with an emphasis on the demonstration or act of resistance that preceded the massacre, and a focus on past participants as agentive veterans, rather than as suffering victims.

[142] "Alcohimento" means "reception." There were five separate references in this chapter to struggle in the context of Timor's "struggle for independence."

Commemorating the Massacre

I return here to the 2011 commemoration ceremony of the massacre, which I described at the beginning of the chapter. How exactly did this commemoration work to frame the 12 November events within the narrative of past resistance to Indonesian rule defined in this chapter? Most obviously, the demonstration on 12 November – as opposed to the resulting massacre – was highlighted via the commemoration's central activity: the procession or march that reproduced the route of the original demonstration in 1991. This reproduction came complete with a preceding mass (as noted, not only had Gomes been killed in the Motael Church; there had been a mass for him on November 12, 1991, before the demonstration), as well as cries of "Viva" and other slogans that had been used in 1991. Another symbolic gesture that worked to conjure the past involved Max Stahl, the foreign journalist who had secretly filmed the massacre in 1991, and then worked to spirit the videotape out of Timor. During the 2011 commemoration ceremony, Stahl, who at the time of my fieldwork was living in Timor, sat atop a white Toyota pickup truck that preceded the procession, and filmed the entire commemorative parade.

In official contexts, former participants in the demonstration of 12 November refer to themselves as "survivors," a term that Saldhana told me was partially adopted as an attempt to steer clear of the politics of victimhood and veteranhood. Despite this, during my fieldwork I found that survivors were primarily framed and framed themselves within a dominant paradigm of heroic veteranhood. Indeed, veterans and heroes were front and center in the 2011 commemoration ceremony (as opposed to survivors or victims) – the banners and wreaths held by those who marched from the Motael Church

to the Santa Cruz graveyard literally referred to past participants as "heroes" or "warriors" (not victims).

If past agency was implicitly attributed to past participants or survivors through a focus on the past demonstration (and was explicitly attributed to participants via the use of terms such as "struggle" and "spirit"), it was also emphasized through other means. The commemoration's central activity – the long, hot march to the Santa Cruz graveyard – essentially forced those taking part to embody the agency of the past participants. The former agency of survivors was also emphasized through the active role that survivors played in organizing and leading the commemorative march. While Max Stahl sat atop the white Toyota pickup truck that led the procession, a 12 November survivor sat inside the truck. Throughout the march, the survivor stuck his head out of the truck's open window and shouted orders out of a megaphone, essentially serving as the event's "conductor."

The commemoration of 12 November worked to frame the events of 12 November within a dominant narrative of past resistance, by emphasizing the demonstration as opposed to the massacre, and by painting past participants, including survivors, as heroic, agentive veterans, rather than passive victims. This did not mean that references to the massacre and to suffering victimhood (most obviously embodied by those killed in the event) were absent from the commemoration, just as references to the experiences of violence and the suffering victims of violence were not missing from the resistance narrative at large. This is an inevitable result of the fact that violence and resistance to violence were so inextricably bound up during the occupation.

Thus, in the 2011 commemoration ceremony, the relatives of those killed in the

Santa Cruz massacre headed the procession from the Church to the graveyard. Before and during the procession, these relatives solemnly held up framed pictures or banners (or wore tee-shirts) with the faces and names of their deceased loved ones. When onlookers, including journalists and at least one American anthropologist, photographed the procession, these relatives with their photos were the first subjects. The march of course ended at the Santa Cruz graveyard, the site of the massacre. The relatives of the deceased were accorded front row seats at the ceremony that took place at the graveyard.[143] At the ceremony's conclusion Timorese mournfully lit candles and laid out flowers for the deceased.[144]

Yet to the extent that there were explicit references to the suffering of the deceased in the 2011 commemoration ceremony – or in the 2012 commemoration ceremony, which I also attended, and which was essentially the same as the 2011 commemoration (albeit a bit smaller, as it didn't fall on a major anniversary) – this suffering was always made agentive, and framed within the context of Timor's independence or liberation. The banners, tee-shirts, and framed photos that bore the faces and names of the deceased referred to the deceased as "martyrs." Slogans next to these faces and names used the word "sacrifice," or were otherwise explicit about the suffering and death of those named or pictured as being for the nation. Slogans from the 2011 commemoration ceremony noted, for example: "He died, he sacrificed, for our independence"; and "Your body and bones were lost in the war and your blood spilt for

[143] Family members of the deceased sat in a separate section from the Heads of State and other political "VIPs."

[144] The evening of November 12, in both 2011 and 2012, people throughout Dili also lit candles in a show of mourning in front of their homes and on streets throughout Dili, as well as in front of the Santa Cruz cemetery, and on the cemetery walls where Timorese had stood on the original November 12, 1991 and unveiled banners before the Indonesian troops began firing.

the beloved land." Attributing or projecting even further agency onto the deceased, these slogans or quotes were sometimes framed as first-person declarations, coming from the deceased themselves. For instance, one quote at the 2011 commemoration, printed on a banner next to a picture of the deceased read: "My whole life I gave to the people and beloved land of Timor." Another slogan, printed on a tee-shirt next to a picture of the deceased read: "Our death, your lives, our sacrifice, your independence."

Survivors as Resisters: Taking Oaths

The 2011 and 2012 Santa Cruz commemoration ceremonies were organized and financed by Timor's State in conjunction with the Committee of 12 November.[145] Below, I turn to a series of activities conducted solely by the non-State Committee of 12 November during my fieldwork, activities which further serve to illustrate the ways in which the Santa Cruz massacre has come to be framed within a dominant narrative of past resistance.

From October 2012 until early 2013, members of the Committee of 12 November conducted a series of ceremonies or *juramentos* (oaths) in different *suku-suku* (neighborhoods) around Dili. I attended seven of these *juramentos*. The primary goal of these ceremonies was to weed out "false survivors" – those thought to be mispresenting their involvement in the events of 12 November. Members of the Committee told me that over 2,000 persons had registered with the Committee of 12 November as having

[145] The 12 November commemoration events, which will be discussed at more length in the following chapter, are coordinated by an Organizing Commission of the Committee of 12 November. This Commission consists of government officials as well as non-State members of the Committee of 12 November. I was told that the 2012 commemoration ceremony cost $100,000, with $60,000 coming from the government.

participated in the events of 12 November. This was despite the Committee's estimates of only about 1,500 having participated.[146] Each *juramento*, of which there were ultimately several dozen, lasted from two to six hours and consisted of from 50-350 participants. Survivors took their oaths in the neighborhoods where they had lived when the massacre occurred in 1991. The ceremonies took place in different communal outdoor areas in the neighborhoods, such as schoolyards. Most events cost several thousand dollars. These were the central events organized by members of the Committee of 12 November during my fieldwork period (apart from the anniversary commemorations) and survivors spent a considerable amount of time and energy planning them.[147] The events were considered so important that many survivors who now live outside of Timor flew in to the country just to participate.

While every ceremony was slightly different, most followed a general pattern. A mass was followed by the singing of the national anthem, and a moment of silence for "those who died in the struggle." Next came various "animist" or "supernatural" rituals (described further in the next chapter). These rituals were followed by speeches by various relevant actors. Saldhana, the leader of the demonstration on 12 November and the president of the Committee of 12 November, spoke at every ceremony. After the speeches came the centerpiece of each ceremony: the oath-taking. At each ceremony participants attested to their official survivor status by swearing out loud in Tetum (usually with two fingers raised) to *maromak*, *matebian*, and *rai lulik* (god, the ancestors,

[146] The exact numbers are under dispute. The Committee of 12 November estimates that there were 1,500 participants; Nicholson has estimated the ultimate crowd at the graveyard to be between 3,000-5,000 (2001:22); the CAVR notes that there were approximately 3,500 at the mass for Gomes that preceded the procession, and 500 more waiting at the graveyard.

[147] Each neighborhood ceremony was conducted by its own commission, composed of the survivors who had lived in that neighborhood in 1991. Commissions typically raised $1,500 per ceremony, although some ceremonies had budgets of up to $3,000 (the Committee of 12 November gave $150 to each Commission).

and the sacred land of Timor, respectively), that they had indeed "participated in the peaceful demonstration of 12 November 1991 in the Santa Cruz Cemetery with the objective to struggle for Timor Leste's independence" (Saldhana 2012).

The wording of the oath, designed by the Committee of 12 November, is significant. It makes clear that the qualification for being labeled an official survivor of the Santa Cruz massacre or member of the Committee of 12 November (those who were killed are also considered members) is not having being hurt or killed in the massacre. Rather, the qualification is having participated in the demonstration (the act of resistance) that preceded the massacre – with the intention, moreover, of aiding the Resistance. In regards to intention, Rogerio Castro da Cruz, the vice-president of the Committee of 12 November, told me in an interview in September 2012 that: "one doesn't qualify to be a member of the Committee of 12 November if they were near the Santa Cruz cemetery but only stood and watched, and didn't have the intention of participating . . . weren't joining the demonstration with the thought that I don't like the Indonesians and I want freedom for our country."[148]

The wording of the oaths makes clear that the framing of the 12 November event in a narrative of resistance, with emphasis placed on the demonstration as opposed to the massacre, and past participants presented (and presenting) as veterans, not victims, is not merely informal or discursive. Rather, this framing is part of the official determination of "survivorship" – it shapes who is considered an official survivor and member of the Committee of 12 November. Being declared an official survivor has concrete consequences. Official survivors or members receive formal and informal benefits. The

[148] As the survivors pointed out, some of those who demonstrated or otherwise ended up at the massacre site could have been working with the Indonesians.

State gives special medals to survivors, termed the "order of Loriku Auswain." The Committee awards financial assistance to survivors, among other things. Key nonmaterial benefits from society include status and social capital. Significantly, those deemed official survivors and members of the Committee of 12 November are also able to engage in and shape future remembrance of the event.

As noted, the stated goal of the *juramentos* was to weed out "false survivors." Yet the *juramentos* were also acts of remembrance in and of themselves. There were multiple ways, beyond the wording of the oaths, that the *juramentos* worked to frame the events of 12 November within the resistance narrative described in this chapter, via an emphasis on the past act of resistance (rather than the massacre), and a framing of past participants as veterans as opposed to victims. The demonstration was evoked, on the one hand, via the employment in each ceremony of the six flags that participants had carried in the original demonstration. These included the flags of Timor-Leste, Portugal, Fretilin, and the Organization of Catholic Youth (Organizacao de Juventude Catolica de Timor-Leste or OJECTIL) (the latter was the Resistance organization that planned the demonstration).[149] At each ceremony these six flags were placed in prominent positions on the main platforms where the oaths were conducted.

Banners that adorned the entrances to the ceremonial spaces or the walls behind the speakers' podiums included slogans referring to the "youth uprising" and the "movement of youth warriors for national liberation" (as opposed to the massacre). At

[149] OJECTIL was the youth wing of Fretilin. It was founded in 1986 by student activists, including Gregorio Saldhana, who were based out of Externato de Sao Jose in Balide (known as the "Portuguese school"). After 1991 OJECTIL changed its name to OJETIL, dropping the "C" for "Catholic" in an attempt to be more broadly representative. The fifth flag used in 1991 was the UDT flag. I have been unable to confirm the identity of the final flag.

some ceremonies, participants had designed special tee-shirts to wear at the events. Several of these tee-shirts included a picture of a particularly defiant moment during the original demonstration that had been captured on film, when a group of protesters stood on the wall of the Santa Cruz graveyard, holding flags and unveiling banners calling for independence (one tee-shirt included a reproduction of the actual photo of this moment; another included a painting of the scene).

In the numerous speeches that he gave during the oaths, Saldhana typically referred to the events on 12 November as a *manifestasaun politica* (political protest), *demonstrasaun* (demonstration), or *asaun/ação* (action). In his speeches, Saldhana positioned the 12 November demonstration in a larger context of clandestine resistance, emphasizing that the demonstration was not "an isolated act of resistance," but a "culmination of years of *organizing and actions* by the clandestine front" (my emphasis). Finally, those invited to speak at the events were not victims of other massacres, but former Resistance leaders. For example, Constancio Pinto, the former President of the Executive Committee of the Clandestine Front that was formed in 1990 spoke at an oath in his former *suku*; José Manuel Fernandes ("Nakfilak"), the former Vice President of the same Executive Committee, was a frequent speaker at the events; Jose Luis Guterres ("Lugu"), a member of Timor's diplomatic front whom I mentioned in the previous chapter, spoke at a hearing in his *suku*. Secretary of State for Veterans' Affairs, Marito Reis, also attended and spoke at one event.

As with the commemoration ceremonies discussed above, references to the massacre and to suffering victimhood – including to the deceased – were not absent from the events. Terms such as "bodies," "blood," "tears," and "death" were included on

participants' tee-shirts and on the various banners that decorated the *juramentos*. When oaths were made individually (as opposed to the participants as a group), the first oaths were always made on behalf of those who died on 12 November (these were made by witnesses or by family members).[150] Yet again, as with the anniversary commemorations, to the extent that references to the massacre and to suffering victimhood or death were incorporated into these ceremonial oaths – oaths which not only had a celebratory feel, but typically ended with a formal celebration involving food, cake, and even dancing – suffering and death were always framed as being agentive, as in the service of independence, liberation, or the nation.[151]

Narrating Agency and Violence

Gregorio Saldhana was the leader of the demonstration on 12 November and is the current president of the Committee of 12 November. In 1986, Saldhana founded OJECTIL, the clandestine organization which organized the 12 November demonstration. After the demonstration, during which Saldhana participated and was shot, Saldhana was imprisoned in Java for life for his role in the demonstration (he served eight years). Saldhana is tall for a Timorese man – or at least seemed tall to me – and is shyer and

[150] The second round of oaths were typically made by family members of survivors who died after the event (in circumstances unrelated to the massacre).

[151] The incorporation of the Santa Cruz massacre in a nationalist framework of past resistance was perhaps highlighted most blatantly by the employment of several of the flags mentioned above in the oath-taking portion of the ceremonies. When these oaths were made individually, participants did so either flanked from behind by particular flags, wrapped completely in particular flags, or with their hands under particular flags. The most frequently employed flags were Timor's national flag and the OJECTIL flag. In one *juramento*, for example, two Timorese stood behind each oath-taker as the participant took the oath; one held Timor's national flag and one held the OJECTIL flag. In another ceremony, participants took their oaths while leaning over a table covered with the Portuguese and OJECTIL flags (the OJECTIL flag lay folded on top of the Portuguese flag, which was spread out over the table). Participants placed their upturned hands on the OJECTIL flag covering the table, while holding onto a smaller, folded up national flag.

more soft-spoken than most other Resistance leaders who I know or have interviewed. He is modest, friendly, open, and highly respected.

Over the course of my fieldwork I conducted a series of conversations with Saldhana in a mix of Tetum and English in Saldhana's small, air-conditioned office in the larger offices of the Committee of 12 November. I also had more informal conversations with him at various events. These conversations cemented for me the role that agency plays in present-day remembrance of the past in Timor, in general and in specific relation to 12 November. Speaking of the Santa Cruz massacre, Saldhana noted:

> People went with a specific struggle, the youth went there with a specific struggle, with good preparation, good organization, they went with sincerity and with seriousness for the struggle, with their courage, and they were shot dead. It is important that it wasn't a sudden struggle, it wasn't that the Indonesians just went and shot them, but they took concrete action and many people died.

In addition to emphasizing particular actions like "prepare" and "organize" in this quote (actions which members of Falintil also engaged in, but which were central to the work of members of the clandestine front), Saldhana emphasized the past agency of 12 November demonstrators more directly. Indeed, Saldhana cut to the heart of the concept of agency itself with his use of the expression "took concrete action."

I have argued that to the extent that the resistance narrative focuses on past suffering and death, this is a suffering *for*, specifically for independence. I have made clear how this sentiment was often expressed during my fieldwork in abstract, generic nationalist phrases or slogans such as "He died for independence." In the above quote, Saldhana made these abstractions concrete. Saldhana explicitly linked the deaths that occurred in the Santa Cruz massacre with the agency of those who died. As Saldhana noted, people, "went there with a specific struggle . . . they took concrete action and

many people died." Saldhana's explicit and pointed linking of the Santa Cruz massacre to the demonstrators' past resistance or agency is significant. It suggests that the resistance narrative that I encountered during my fieldwork had not merely displaced the previously dominant human rights narrative. Rather, it was – or is – in conversation with the human rights narrative. In his statement, Saldhana seemed to be offering a clear rebuke or corrective to the human rights, victim narrative, with its primary and dominant focus on past experiences of violence. I will return to the topic of the dynamic relationship between the victim and resistance narratives in Chapters 7 and 8.

Here I shift gears slightly. To what extent does Saldhana's statement ring true in light of what we know of the events of 12 November? Indeed, "many people died" on 12 November because of the "concrete action" of many Timorese. As Saldhana accurately noted, and as I explained in Chapter 3, the Santa Cruz massacre was not random, but rather was in response to a well-organized demonstration and act of resistance by Timorese.[152] Yet at the same time, while many of the Timorese who were hurt or killed in the Santa Cruz massacre were members of the clandestine front and had a previous history of participating in the Resistance, this was not true for everyone. Some Timorese had joined the procession spontaneously on the winding four-kilometer route from the Motael Church to the graveyard. This included many schoolchildren who had been on their way to classes, most of whom likely had no prior history of involvement in Timor's Resistance movement. Upon reaching the graveyard approximately 500 more Timorese who had not marched at all joined the group at the graveyard (Fernandes 2011:89).

The situation was such in Timor at the time of the Santa Cruz massacre that even

[152] Members of a mixture of clandestine groups participated in the march on 12 November.

the youngest Timorese children would have known that there was danger in joining any large, public gathering, much less one protesting the murder of a Timorese person by Indonesian security forces (assuming that all of those who ended up at the graveyard knew about Gomes's death or the purpose of the march). As one informant noted of the Indonesians during the occupation: "they were known as killers, as criminals, so they could do anything to us." Arguably, by 1991, most Timorese, even young children, supported Timorese independence. Still, it is definitely a stretch to say that *all* Timorese caught up in the killings on 12 November had gone to the graveyard with a "specific struggle" and with good "preparation."

In a separate interview Saldhana went even one step further in emphasizing past Timorese agency in relation to the Santa Cruz massacre. Specifically, Saldhana seemed to claim personal responsibility (along with other organizers of the demonstration) for the massacre itself (and thus it would seem, for the massacre's ultimately positive effects on the independence movement). Saldhana explained to me that the 12 November massacre differed from other massacres, including the massacres at Marabia and Kraras (massacres that took place in 1980 and 1983 respectively), because the world didn't know about those events and thus could continue to *taka matan* (close its eyes) to the situation in Timor. The main reason that the world didn't know about those events was that the events' leaders' (presumably Saldhana meant of the respective armed uprisings that preceded both of those massacres) didn't organize well. In contrast, Saldhana explained, the leaders of 12 November coordinated with foreign journalists to come to the demonstration to make a film to send abroad. Saldhana stated:

> So we did what? Prepared, organized, showed to the world that it is true that in Timor there are massacres . . . Things happened in Kraras, the

> world didn't say anything. Things happened in Jakarta Dua, in Ainaro,[153] and other places, the world didn't say anything. So we saw that . . . we needed to do something that the world knew about. So what could we do? Coordinate with foreign journalists so they would come, film it, and send it back overseas . . . Prepare well, organize it, and send it out to the world so the world can see that it's true, in Timor there are massacres. Then the world would stand up.

This quote is striking. As described in Chapter 3, provoking an event on November 12, 1991, in which Timorese would be killed may have been the intention of some Resistance leaders and leaders of the Santa Cruz demonstration. This quote seems to confirm this intention. Yet despite these intentions, despite the organization of which Saldhana speaks, and despite the reality that based on Indonesia's history in Timor up to 1991, there was a very good chance that the demonstration would provoke a violent Indonesian response, as Saldhana himself pointed out to me, no one could have predicted the scale of the Santa Cruz killings.[154] Much less could anyone have predicted the ultimate impact of the resulting massacre. The ultimate impact was dependent of course not only on the scale of the killings and on the presence of foreign journalists at the massacre, but also on the journalists' successful documentation of the violence, and the successful smuggling of this documentation out of Timor. It was then dependent on this documentation striking a chord amongst viewers and prompting calls to action, and actual

[153] "Jakarta Dua" was used to refer a cliff in Ainaro District, over which the Indonesians frequently threw Timorese bodies.

[154] Any pro-independence demonstration could be predicted to provoke Indonesian violence. The 12 November protest had a particularly good chance. The demonstration was already enmeshed in violence, as it was in response to the killing of an independence supporter who had been involved in planning another demonstration to take place upon a visit by the Portuguese delegation. With the original planned protest, the Indonesian military had aimed to deter the kind of demonstrations that had occurred with the Pope's 1989 visit. The military rounded up independence advocates who they suspected might talk to the delegation. Meetings were held all over Timor warning people that if they spoke to the delegation, they would be killed. According to Bishop Belo, the army had said that anyone who spoke up or demonstrated in front of the Portuguese delegation would be hunted down and killed to the seventh generation. Notably, it has been found that the Santa Cruz massacre was intentional and premeditated – it was not a panicked reaction to crowd violence (Braithwaite, Charlesworth, and Soares 2012:79).

action being taken. The list goes on. Despite all of this, in our interview, Saldhana seemed to assume this kind of agentive, predictive power.

CONCLUSION

This chapter discussed the dominant narrative of the past in Timor's post-transitional justice era, a narrative focused on past resistance to Indonesian rule, and the agentive struggle of those engaged in this resistance. This chapter focused primarily on explaining the main elements of this resistance narrative (and comparing the narrative to the previously dominant narrative of victims and violations). It also provided several examples of how this narrative was employed and reproduced during my fieldwork, by individual politicians, by political parties, and by a non-State group of survivors of the Santa Cruz massacre. The next chapter turns to the question of why a resistance narrative that involves the valorization of veterans has come to be so dominant in Timor's post-transitional justice period. I focus on interrogating the role of Timor's State in promoting this narrative.

Chapter 6

The Resistance Narrative and the Patronage State: Memory and Money

On February 7, 2012, a little more than a month before the first round of Timor's 2012 presidential election, I invited my Timorese friend Jose to accompany me to the opening day of the first national congress (conference) of an organization called Widows and Orphans of Falintil (Faluk-Oan Kiak or Fok-Falintil). The congress, which was to take place over three days, presented itself as a chance to bring together widows and orphans of "all those whose family had died because of the struggle for liberation" (Fok-Falintil 2012). Although Fok-Falintil had apparently been formed soon after Timor's independence, I had never heard of it; neither had Jose or most other Timorese to whom I spoke before the event. Still, I was very much looking forward to turning my attention away from electoral politics and the upcoming election toward an event explicitly focused on the Indonesian past.

As Jose and I approached the location of the congress, in an auditorium behind the assembly of buildings housing the Veterans' Association, buildings which were serving as the headquarters for TMR's presidential campaign, Jose recoiled and refused to enter. I knew Jose was a Fretilin supporter and I could certainly understand why, in such a small country, he would not want to be seen at a political event for TMR (TMR was running as an independent candidate but was aligned with the CNRT party, Fretilin's main competitor). Yet I didn't see the problem here. Sure, the event was being held on the same general grounds as TMR's headquarters, and sure, when asking around about the event I learned that TMR had been one of Fok-Falintil's original founders and was one of the upcoming congress's main sponsors, yet TMR had apparently founded Fok-

Falintil after independence alongside many other Resistance leaders, leaders who represented a range of the political spectrum in post-independence Timor.[155] These other founders were also slated to participate in the congress. A document about the event even explicitly asserted that Fok-Falintil "[stood] neutral to the political parties." The period of formal campaigning for president wasn't even to begin for several more weeks.

Of course, it turned out that Jose's instincts were correct. The Fok-Falintil congress may not have been *solely* a vehicle to get TMR elected president, as Jose eventually asserted, giving voice to his previously unspoken concerns. Yet, it was clearly more than a mere coincidence that the main organizers of the congress all turned out to be prominent TMR supporters, among other things. Needless to say, I did not get my much-needed respite from Timorese electoral politics over this three-day affair.

***

In the last chapter I discussed the content of the dominant narrative of the past in Timor that I encountered during my fieldwork – a narrative centered around resistance to Indonesian rule and struggling veterans. In the first section of this chapter I ask why Timor's leaders have worked to promote a narrative of resistance centered around the valorization of the veteran. I argue that one main reason is a desire to win or hold on to political power. In other words, leaders have engaged in valorizing veterans in exchange for political support. The Fok-Falintil congress, which I will elaborate on further below, can be viewed in this context. In the second section of this chapter I interrogate some conditions that have allowed for the promotion of a dominant resistance narrative based around the valorization of veterans. In the third and final section I analyze some of the

[155] Other founders included Francisco Xavier do Amaral, Abilio Araujo, Ramos-Horta, Rogerio Lobato, Gusmão, Mau Hunu, and Lu'olo.

consequences of this narrative. This chapter relies on the same mix of data used in the previous chapter, including my participant observation of the 2012 presidential and parliamentary elections, and my work with the Committee of 12 November.

TIMOR'S STATE AND THE PROMOTION OF THE RESISTANCE NARRATIVE

Valorization for Votes

As detailed in the previous chapter, Timor's State has played a major role in promoting the present-day dominant narrative of resistance to Indonesian rule. Most significantly, Timor's government began handing out generous payments to veterans in July 2008. Why has Timor's State and its leaders worked to produce or promote a narrative of past resistance centered around the valorization of the heroic veteran?

I argue that a main reason that Timor's leaders have promoted a narrative of past resistance to Indonesian rule has been to strengthen their own power and authority. A valorization of past resistance to Indonesian rule justifies elite veterans' rule by contributing to the belief that veterans are worthy of receiving benefits and recognition, including the assumption of political power.[156] More concretely, Timor's political leaders and political parties have promoted a narrative of past resistance that involves granting or promising to grant material and nonmaterial benefits to non-State veterans, in exchange for political support. Since independence, Timor's veterans have been well-organized in numerous local and national-level groups and associations. Non-State veterans can not

[156] Of course, there is also the reality that veterans in power have been able to vote to directly benefit themselves. Veterans in Timor's Parliament have operated as a voting bloc, passing measures that directly benefit veterans, such as veterans' pensions. They have also attempted to maintain their special status by voting against benefits for those they perceive as competing groups, including victims (this latter topic will be discussed in Chapter 8) (ICG 2011:9).

only offer their direct support to specific politicians and parties, but because of their high status and their organization in various veterans' groups, they can also act as "middle men" between candidates or parties and local constituencies, working to influence and mobilize a wide range of voters.

Here I return to the example of the Fok-Falintil congress. Despite Fok-Falintil's assertion that it was a politically neutral group, and despite the fact that leaders from several different political parties attended and spoke at the Fok-Falintil congress alongside TMR, direct links between the congress (and the FOK-Falintil organization as a whole) and TMR's presidential campaign soon became apparent.[157] These were links that some participants in the congress, as well as TMR himself, didn't go to great lengths to hide. Most significantly, it turned out that the congress's three main organizers were all prominent TMR supporters. One of these organizers was the son of David Alex, the deceased Falintil commander.[158] Alex's son's role in endorsing TMR for President was particularly notable as Alex's family is from a traditional Fretilin stronghold, and the remainder of Alex's family openly supported TMR's main rival, Lu'olo, for president in 2012. The two other congress organizers were the former heads of the clandestine groups OPJLATIL and Fitun. Several weeks after the congress, when the period of official campaigning for president began, both of these groups formally endorsed TMR for president.[159] All three organizers not only supported or endorsed TMR for president, but were consistent presences at TMR's campaign rallies. The three men often spoke on stage

[157] Speakers included Alkatiri, the Secretary-General of Fretilin. Fretilin's candidate for President, Lu'olo, was predicted to be TMR's greatest competitor in the upcoming election. Indeed, the second round of the election was a contest between TMR and Lu'olo.
[158] Alex was killed by Indonesian forces in 1997.
[159] In the previous chapter I described my attendance at OPJLATIL's endorsement of TMR, in the exact same auditorium where the Fok-Falintil congress was held. I also noted the presence of members of Fitun at TMR's campaign events, often adorned in Fitun paraphernalia.

in support of TMR; at several rallies, I even witnessed congress organizers raising Fok-Falintil signs from the stage. If there was a need for further evidence of the links between Fok-Falintil and TMR's campaign, this came from TMR himself. In a "Victory Declaration" released by TMR on April 18 after TMR was elected president, TMR officially thanked Fok-Falintil, along with several other groups, for its help during his campaign (Ruak 2012).

I am arguing in this chapter that Timor's leaders valorize *veterans* in exchange for political support. While Fok-Falintil, a group consisting of orphans and widows of deceased members of Falintil, could have framed itself as a victims' organization or a veterans' organization, in line with the dominant narrative of resistance in Timor, I found that the group framed itself in a narrative of heroic veteranhood, emphasizing members' familial links with Falintil. To return here to my main argument, while it is clear that members of Fok-Falintil were at least partially mobilized via the Fok-Falintil congress to help elect TMR president, what did members of Fok-Falintil and Fok-Falintil congress delegates have to gain in return for their support? On the one hand, the congress, which was attended by most of Timor's main leaders, as well as by multiple foreign UN representatives and scores of Timorese journalists, could be seen as a benefit in and of itself for the hundreds of delegates from all 13 districts of Timor, who were given funds to attend the event. On the other hand, concrete demands were drawn up at the congress. These included a request for the Timorese State to give certificates to members "as a symbol to give dignity," and a request for the State to "give attention [to members of the group], especially in regards to conditions of education, health, economy and social security." If TMR were to be elected president, he would certainly be in a much stronger

position to fulfill these demands.

The example of the Fok-Falintil congress is significant in that it goes beyond merely illustrating the principle of exchange between Timor's veteran leaders and non-State veterans, or the involvement of Timor's "veterans" (however defined) in Timor's political and electoral process. Some Resistance or veteran organizations that were active during my fieldwork period, such as Fitun and OPJLATIL, were formed during the Indonesian occupation. These organizations reemerged or reorganized themselves in the post-independence era, employing their original names (and with their original members). Yet others organizations, such as Fok-Falintil, were formed in the post-independence era (albeit often with links to historical Resistance organizations such as Falintil). As noted, Fok-Falintil was not very well known in Timor at the time of its first congress; it was certainly not a major player on Timor's national political stage. The organization and gathering of this group so close to the first round of the 2012 presidential election via the group's first national-level congress, serves to illustrate not only how already-existing veterans or veteran groups become involved in electoral politics in Timor, but how many of these groups are in fact produced or constructed in political contexts, at least partly to serve as vehicles for political support.

Relationships of exchange between Timor's veteran leaders and non-State veterans were evidenced in many other ways during the 2012 presidential and parliamentary elections. Most blatantly, as we saw in the previous chapter, explicit promises to veterans were central to nearly every campaign. These included general pledges to prioritize veterans or the Resistance, as well as more specific pledges, including pledges to fix perceived problems with the distribution of veterans' pensions or

to expand said pensions. It was most likely not a coincidence that CNRT, the ruling party in 2012, chose to announce its plans to pay pensions to an additional 27,000 veterans during the 2012 election period (Kent and Wallis, Joanne 2014:2).[160]

Here I return to TMR. Whilst campaigning for president, TMR not only directly promised various benefits to veterans if he won the election (as seen in the previous chapter), he also valorized specific groups of veterans who supported him. While I have argued that the organization of the Fok-Falintil congress could itself be viewed as a kind of valorization, TMR also valorized Resistance groups more directly. For example, during the official campaign period TMR gave certificates of recognition to members of the former clandestine group Sagrada Familia, a group that was officially part of TMR's campaign team, "Team Success." Apparently TMR's name was on these certificates of valorization.

Valorization for Peace

I turn here to another reason that Timor's leaders have promoted a narrative of past resistance to Indonesian rule in the post-independence era. If veterans are an asset or an importance source of political support for Timor's leaders and political parties, they are also a potential threat to State security. Promoting a narrative of resistance and valorizing veterans, particularly with material benefits, has been a way of "buying the

[160] Apparently this announcement, made by then-Secretary of State for Veterans Affairs Marito Reis, occurred the day after the official beginning of the parliamentary election campaign period (La'o Hamutuk 2013:6). A European Union Observer Mission in Timor critiqued the government's decision to make this announcement the day after the campaign began. It noted that "the decision suggests that the government may have been using the advantages of incumbency to win over to CNRT a constituency which had been identified as crucial to the success of the party's campaign. Although legal in Timor-Leste, this is not in line with international best practices for democratic elections" (cited in La'o Hamutuk 2013:6).

peace." As one informant put it: "which [veteran] groups get remembered are a function of whether they get disruptive or not." The potential threat posed to Timor's State by those trained in warfare or other kinds of resistance are obvious. These dangers are enhanced by the destabilizing experiences of wartime trauma.[161] Timorese themselves often talk (and sometimes laugh) about the existence of "trauma" in Timor, pointing out the absurdity and danger of traumatized veterans serving in Timor's military. Dangers posed by ex-combatants are obviously enhanced in post-conflict contexts if ex-combatants feel that their "sacrifices" have not been properly rewarded.

Indeed, veterans of Timor's independence struggle have posed threats to Timor's stability as early as 1999. Most significantly, veterans were involved in different sides of the 2006 crisis in Timor, during which fighting between those from the east of Timor and those from the west of Timor resulted in 1,000 homes being burned and around 100,000 Timorese from Dili becoming "internally displaced." Vocal dissidents and dissident groups of veterans remain through the present day.[162] In October 2013, less than a year after I returned from my fieldwork, Paulino Gama ("Mauk Moruk"), a former guerilla who in 1984 had attempted a coup against Gusmão and gone into exile in the Netherlands, returned to Timor. Moruk formed a paramilitary group to counter the government, before being killed by a joint police and military operation on August 8, 2015.

While there were no major incidents of political violence during my fieldwork

[161] Timorese talk about trauma using the English word "trauma," which is also commonly used in Bahasa Indonesia.

[162] Timor's main dissident group is the Popular Committee for Defence of the Democratic Republic of Timor-Leste (Conselho Popular pela Defesa da República Democrática de Timor-Leste or CPD-RDTL), which supposedly has 50,000 members. The group consists mostly of ex-Falintil. The group's original stance included a rejection of Timor's new State and the UN presence; it also wanted a return to the original 1975 Fretilin Constitution (ICG 2011:15).

period, fear of such violence was widespread and acute.[163] This was particularly so in the months surrounding the 2012 elections, an obvious result of Timor's history of violence surrounding elections (particularly the 1999 referendum).[164] Some informants told me that they planned to stay out of Dili during the voting, as they predicted violence would be worse in the capital; others, both inside and outside of Dili, told me that they planned to put off rebuilding their homes until after the elections, for fear their homes would be burned. Several Timorese echoed an assertion that I had heard from Timorese on many of my previous trips to Timor: that Timor would never be peaceful because Timorese were prone to violence, have "*fatuk toos"* (hard or stone heads; are hardheaded), and were quick to "explode."

The potential for political violence in Timor during the 2012 elections is attested to by the inordinate amount of 2012 campaign rhetoric and activity that focused on issues of peace and violence. An *STL* editorial published on March 27, before the first round of the 2012 presidential election, warned the candidates to "be careful with language that could divide people because during 24 years of occupation people lived with pressure inside." Another article published on the same day in the same paper included a warning by Timor's police force not to believe rumors surrounding the election, as this could lead

[163] While there were no "major" events of violence during my fieldwork period, there was violence. Soon after I arrived for my fieldwork in 2011, there was an incident in Zumulai, Suai. A policeman (who was also a former veteran) was stabbed to death and over 100 houses in the area were burned in retaliation. There was also violence in the weeks surrounding the 2012 presidential and parliamentary elections. Among other things, at the end of February 2012, three Molotov cocktails were thrown at the office of the Technical Secretariat for Electoral Administration (Ekipa Sekretariadu Tekniku Administrasaun Eleitoral or STAE); in March, a group burned down Fretilin's Baucau headquarters; in June, cars and homes were burned and a Timorese man was killed after Fretilin was "insulted" during a televised press conference.

[164] There were some rumors that Timorese would purposely create violence in the 2012 elections so that the UN wouldn't end its peacekeeping mission at the end of 2012. Peaceful elections were one of the UN's main criteria for its departure; one of the reasons people wanted the UN to stay was because the UN presence was good for Timor's economy.

to violence. A Timorese friend took to Facebook to urge other Timorese not to engage in political debate with individuals thought to have "non-nationalist motives."

On February 21, less than a month before the first round of the presidential election, the Bishop of Dili led a "peace parade" through Dili, calling on the "faithful" to "pray and work for the success of the elections." A week after this parade, Timor's National Election Commission (CNE) organized a national peace pact in Dili's largest convention hall. Of only three questions asked to all of the 13 presidential candidates during the event, one was what the candidate would do if he or she lost (the point being to stress to the public that losers would not provoke violence or cause their followers to do so).[165] Anti-violence and pro-peace rhetoric extended to campaign rallies. At a PDN campaign that I attended in Dili during the parliamentary election campaign period, a speaker told supporters: "if people make violence, you should just receive it." At a rally for the Fretilin presidential candidate, Lu'olo, that I attended in Baucau before the second round of the presidential election, Alkatiri asserted: "there are no enemies during democracy time, just adversaries." Alkatiri urged his followers not to make violence.

If veterans are seen to have the ability to cause violence (and to motivate their followers to cause violence), they are also seen to have the power to dissuade their followers from violence. This lent particular import to statements by prominent veterans discouraging violence. I was told that the power of veterans to motivate their followers to desist from violence was the motivation behind a gathering on March 29, in between the two rounds of the presidential election. Former clandestine groups, including the Committee of 12 November, gathered at the ex-CAVR and issued a plea for peace in the

[165] During the presidential election, one of the main local newspapers, *Timor Post* (*Timor Pos*), similarly included a section in which candidates described what they would do if they lost the election.

upcoming campaign, under the heading "Appeal to the National Conscience." The groups aimed their appeal specifically at the security forces, the media, and "political forces," including the various teams of candidates.

CONDITIONS OF THE PATRONAGE STATE

I will turn to the question of the effects of the relationships between Timor's veteran leaders and non-State veterans, below. Here I want to analyze some of the conditions that have contributed to the establishment of these relationships. Relationships of exchange or patronage between states and ex-combatants are common features of post-conflict contexts, observed in locales as varied as Aceh, Zimbabwe, and Sierra Leone (see Aspinall 2009; Kriger 2003; Themnér 2011). These relationships are often established to serve functions similar to what I argue they serve in Timor: to ensure security and to provide political support for political leaders or ruling parties. Several additional context-specific factors help to explain the development of these relationships in Timor, relationships which, by all accounts, have strengthened since 2008.

One key factor is the government's access to oil money, access which began in 2007 and 2008.[166] Centralized in the federal government, this money allowed Timor's State to begin handing out pensions (and other State spoils) to veterans beginning in 2008. At the time of my fieldwork, this oil money, which is held in Timor's Petroleum Fund, amounted to $26 billion (La'o Hamutuk 2013). The importance of oil money to the valorization of veterans in Timor via veterans' pensions cannot be overestimated. Timor

[166] As noted in the previous chapter, Timor's Petroleum Fund was started in September 2005 with a transfer of petroleum royalties which had been collected in preceding years. Timor's government only began withdrawing from the fund in 2007 and 2008 (La'o Hamutuk 2005:1).

is poor and its economy is severely underdeveloped. During the time of my fieldwork, Timor was ranked 147th out of 181 countries on the UNDP's Human Development Index (in 2009, it was ranked 162nd) (UNDP 2011, 2009). In 2010, there was electricity in less than 40 percent of Timorese homes (NSD 2010:xix). In 2015, oil (and gas) revenues paid for more than 95 percent of Timor's State revenues and nearly four-fifths of the country's GDP (La'o Hamutuk 2015). Simply put, without money from its petroleum revenues, Timor's government would have been unable to hand out any pensions (let alone the generous ones it has been handing out); likewise, if Timor's economy wasn't so underdeveloped, these pensions wouldn't serve as such a powerful incentive to those receiving them (or being promised them).

Gusmão's assumption of power as Prime Minister in 2007, closely aligning with the availability of oil revenues, was also key. The relationship between Timor's veteran-led State and non-State veterans is grounded in networks of patronage and loyalty formed during Timor's struggle for independence. As with most liberation movements, Timor's Resistance movement was strictly hierarchical, with Gusmão the (mostly) undisputed leader of the movement from the early 1980s through Timor's referendum for independence in 1999.[167] Reinforcing Gusmão's status in the Resistance is a high value placed on hierarchy in Timorese society at large (the anthropologist David Hicks has

[167] I emphasize "mostly" here. Gusmão's assertion (or reassertion) of ownership over the resistance narrative and over former members of the Resistance, must be understood in the context of a long-term struggle between Gusmão and Fretilin. Gusmão broke off from Fretilin in 1989, when he formed and became president of CNRM, the more inclusive nationalist umbrella organization, which eventually became CNRT, which led Timor to independence. Fretilin's ideology was significantly more leftist than those of the more inclusive nationalist umbrella organizations which followed. Many Fretilin members did not agree with Gusmão's split from Fretilin, and tension between Gusmão and Fretilin and Fretilin's leaders has persisted after independence. As Fernandes has pointed out, Timor's Resistance movement was always presented to the international community as much more cohesive than it actually was at the time (2011:82-83).

termed hierarchy a fundamental or "pervasive feature of [all forms of] Timorese social classification") (2012:59). Gusmão's entry into post-independence politics – he was Timor's first President in 2002 before becoming Prime Minister in 2007 – has lessened his "mythologized" status somewhat (Peake 2008:168). Yet on the whole Gusmão is still widely "revered and feared" in Timor (Scambary 2015:290), viewed as Timor's ultimate *maun boot* (big brother). Even when Timorese complained to me that Gusmão's CNRT party and the Alliance of Change for Progress (Allianca Mudanca ba Progresu or AMP) coalition government that it led, was full of "corruption" and "opportunists," these same people almost always made sure to say that the problem wasn't Gusmão, but rather the people "behind him."[168]

Gusmão's unique "personal prestige and authority" (Scambary 2015:284) enabled Gusmão to use his office as Prime Minister (which he assumed from 2007 until he voluntarily stepped down in February 2015), to funnel benefits to non-State veterans in various informal or sublegal ways. A German friend of mine who worked at the UN's Human Rights Unit during my fieldwork period as part of the United Nations Integrated Mission in East Timor (UNMIT), gave me a good illustration of Gusmão's ability to subvert normal, legal processes.[169] My friend observed a session of Timor's Parliament during which a well-known former guerrilla leader and parliamentarian tried to tack

[168] The anthropologist Nancy Postero has noted a similar phenomenon in relation to criticism of the Bolivian leader Evo Morales and Morales's government (Postero has noted that criticism doesn't target Morales directly, but rather those behind him (Personal communication, October 2017).

[169] UNMIT was established on August 25, 2006 and completed its mission at the end of 2012. UNMIT was the final UN mission in Timor, following 13 years of UN involvement in Timor beginning in 1999. I have already discussed UNAMET, INTERFET, and UNTAET. Between UNTAET handing over power to the Timorese government on May 20, 2002, and the development of UNMIT in 2006, there were two other UN missions. These were the United Nations Mission of Support in East Timor (UNMISET), which operated from May 20, 2002-May 20, 2005, and the United Nations Office in East Timor (UNOTIL), which operated from May 20, 2005-August 20, 2006.

$250,000 onto a random budget that was being discussed, in order to "look for his [deceased] men in the Alas area." Two parliamentarians tried to protest the request, claiming that the amount of funds requested was excessive and that the request was not in line with proper procedure. Gusmão got on the microphone, choked up, and declared: "we must support him as he is going to find our men." According to my friend, after five minutes of awkward silence the parliamentarians who had protested did not just concede to the funding, but also apologized for their lack of initial support. Gusmão's style of leadership was such, that in 2011, the UN criticized Gusmão for engaging in "command-style" rule, asserting that this leadership style was an obstacle to democracy (this criticism was made public in a leaked 2011 UNMIT report, causing a minor national scandal) (see Nygaard-Christensen 2017).

The particular nature of both Timor's State and Timor's occupation-era Resistance networks are also relevant to the relationships described in this chapter. Scholars argue that relationships of patronage thrive where states are weak and demand little loyalty, and where alternative non-state forms of authority and social organization are strong (Blunt 2009:90). On the surface, Timor has all the trapping of a "Western Weberian rational-legal state" (Scambary 2015:284). Yet as noted in this dissertation's Introduction, Timor's State – or at least its main institutions – was largely constructed from the ground-up by the UN, when the UN served as the sovereign power of Timor between the end of 1999 and 2002. I disagree with many commentators who have labeled Timor a "failed state" (see, for example, Narasimhan 2014). Yet, however one defines it, Timor's State is certainly underdeveloped, and just as importantly, it is perceived by Timorese as such, with a widespread sense in Timor that outside of Dili, there is no

State.[170]

Timor's Resistance networks have not only existed for much longer than Timor's post-independence State, but they were (and are) particularly durable and effective as a result of being built around Timor's kinship or descent groups (McWilliam 2005:35). These kinship or descent groups were arguably the main source of social organization in Timor throughout the Portuguese and Indonesian periods. Having evolved in a small, close-knit society, where much of the population knows each other or is related, the kinship groups from which Timor's Resistance networks at least partially emerged, are grounded in values that align more smoothly with the kinds of patronage-based forms of social exchange that this chapter has described than with the legal rationality of the modern Western state (Blunt 2009:94).

A final factor that explains the relationships of exchange described in this chapter is the legacy of Indonesian rule. Scholars have argued that Suharto's New Order regime was characterized by a "comprehensive system of patronage" with "benefits distributed widely so that bureaucrats at all levels of the government had a stake in the system" (Scambary 2015:287). Even civil society engaged in a "search for projects" mentality, waiting for government handouts ("projects" were equated with contracts) (Aspinall 2013:30). While veterans were at the center of the patronage system in Timor during my fieldwork period, Gusmão's AMP government famously gave cash handouts to various other groups as well. These included groups involved in the 2006 crisis, including deserters from the military who had instigated the crisis, and persons internally displaced

[170] As in France, where Paris is contrasted with the "provinces," in post-independence Timor all areas outside of Timor's capital are typically lumped together as "the districts."

by the crisis (Wallis 2013:134).[171] It is not difficult to see the postcolonial irony here in that a narrative of past resistance to Indonesian rule has been strengthened through the use of the same kinds of relationships of patronage that characterized the Indonesian State.

CONSEQUENCES OF THE RESISTANCE NARRATIVE

Short-Term Peace and Power

What are some of the consequences of the resistance narrative, with its central element of exchange? I have argued that Timor's State and its leaders have promoted a resistance narrative centered around valorizing veterans in order to increase or consolidate their political power, and in order to "buy the peace." At least through the time of my fieldwork, both of these goals had been achieved. Gusmão's ruling CNRT party, which was responsible for the beginning of the distribution of pensions to veterans in 2008, and which during the 2012 parliamentary election, promised pensions to an additional 27,000 veterans, handily won the 2012 election. Unlike in the 2007 parliamentary election, when CNRT received fewer seats than Fretilin and needed to form a coalition to assume power, CNRT received more seats in 2012 than any other party, and thus didn't need to rule as part of a coalition. Gusmão was able to serve as Prime Minster for a second term (he stepped down voluntarily in the middle of the term). In addition, TMR, the candidate who Gusmão heavily endorsed for president, and who

[171] If Timor's present-day patronage system mimics that of New Order Indonesia, so too do critiques of the system. During my fieldwork period, informants frequently complained about everything in Timor being a "project." They also employed the New Order anti-corruption slogan, KKN (*korupsi, kolusi dan nepotisme* or corruption, collusion and nepotism), to talk about the perceived problem.

most blatantly exploited his relationships with veterans, won the Presidency.

In terms of "buying the peace," aside from the Mauk Moruk incident which occurred from 2013-2015, Timor has enjoyed a relatively long period of stability since the 2006 crisis. Despite fears and predictions, there were no major security incidents during the 2012 elections; nor was there violence after the UN finally left Timor at the end of 2012 (many had feared that the UN's departure would spark violence). Of course, it is impossible to know to what extent this peace is a result of the relationships between veteran leaders and non-State veterans described in this chapter. Yet many of my informants perceived such a link. Scholars working in other post-conflict contexts have similarly observed that "paying off" veterans has worked to secure peace in the short-term. Edward Aspinall has described, for example, how ex-combatants have "been reintegrated into Aceh's political economy by way of predatory and clientelistic patterns of economic behavior that seek to extract rents from the state" (2009:4).

Memory and Power: A Feedback Loop

What are some other results of the resistance narrative and the valorization of veterans? Henri Myrttinen, a researcher of youth gangs in Timor, has argued that the valorization of veterans in Timor has led to an increased sense of veteran entitlement and demands for greater benefits (2011:240). Indeed, some veterans' specific demands for increased or expanded benefits have already been successful: lobbying by a group of about 200 veterans in 2008 resulted in the expansion of the State's pension's scheme through two amendments to Timor's 2006 veterans' law, in 2009 and 2011 (Wallis

2013:145).[172] The power of veterans' demands in Timor, at least during my fieldwork period, was illustrated by the large amount of 2012 campaign rhetoric that focused on veterans' benefits (as laid out in the previous chapter).

How does this kind of feedback loop, in which benefits beget greater benefits, affect the resistance narrative? The granting of benefits to veterans is part and parcel of the dominant resistance narrative in Timor, sending the message that veterans are worthy of material recognition for their past actions. It stands to reason then, that the greater or more expansive the benefits granted to veterans, the stronger the resistance narrative. Yet granting benefits to veterans (much less ever-increasing benefits), including in exchange for political support, works to strengthen the resistance narrative in more direct or concrete ways as well. We have seen that in addition to honoring individual veterans with pensions and medals, Timor's State has promoted a national narrative of past Timorese resistance through more conventional modes of historical remembrance, such as via the construction of Timor's Resistance Museum, and via the construction of monuments to veterans in all 65 subdistricts of Timor. Veterans' benefits, including power, money, and access to power and money, have allowed non-State veterans to engage in similar kinds of memory projects.

On October 19, 2012, five months after TMR assumed the Presidency, I joined some members of the Committee of 12 November on a roadtrip to a remote area in Baucau District, called Samalari, a full day's drive from Dili. We were attending a

[172] Changes to the original 2006 law included the following: a one-off cash payment provided to veterans who took part in the Resistance from between four and seven years; an expansion of the "Special Subsistence Pension," from veterans 55 years or older who participated in the Resistance for at least eight years, to all veterans who participated for more than eight years; and a one-off payment to cover cases where there was no immediate relative eligible to receive the "Survivor Pension" (Kinsella and Kent 2015:217).

several-day ceremony to inaugurate a new museum dedicated to the Resistance. Samalari was the site where the former Falintil commander David Alex had been based. The new museum was meant to honor David Alex and the group of clandestine members who had worked with Alex (along the way we picked up David Alex's father to bring him to the event). The new museum – a small concrete building painted a bright blue, located in the middle of a dry, vast, and barren field – was modest, to say the least. Apart from several photos of ex-guerillas and former members of the clandestine front attached to the museum walls with masking tape – photos that lacked any description – the inside of the museum was basically bare.[173] Yet the museum was significant, or at least has the potential to be significant, in that it is the first non-Dili based museum devoted to Timor's Resistance, and the first museum explicitly centered around the clandestine front. It is arguably only the second museum dedicated to the Resistance in all of Timor. To the degree that the museum develops and attracts Timorese and foreign visitors, it will obviously serve to promote or strengthen the State's dominant narrative of past resistance to Indonesian rule (with an emphasis on past clandestine resistance).

Several of my informants told me that the museum was a non-governmental project that came from the *kraik* (bottom, ground-up), that had nothing to do with Timor's State or its leaders. Yet one informant at the site of the museum whispered to me that the museum project was a "handout" from TMR to the museum's main organizer, Saturnino da Costa Belo. Belo was a former clandestine leader who had strongly

[173] A highlight of the museum was a series of paintings on the museum's roof. These included depictions of two iconic events of clandestine resistance: the first public mass demonstrations in Timor following the visit of Pope John Paul II to Timor in 1989, and the demonstration and massacre of 12 November 1991. A third painting consisted of a group of guerrillas and Max Stahl (the foreign journalist who filmed the Santa Cruz massacre) huddled around the former commander David Alex. I was told that this scene depicted a three-day meeting that took place in Samalari between Alex, other guerrillas, and Max Stahl, that involved the planning of the 12 November demonstration.

supported TMR in the then-recently completed presidential campaign. According to this informant, Belo had "received" the museum project, because unlike other TMR supporters, Belo hadn't been given a job in TMR's government. Others informants also countered claims that the project had no links to the government, whispering to me that the project "came from TMR" and that TMR had "planned [the project] for a while."

I don't know for certain the extent of the support that TMR gave to the Samalari museum project. Nor do I know for certain that any support TMR did give was a direct result of Belo's campaign support (or campaign support from David Alex's son – as previously noted, the son was also a strong TMR supporter; there was a mural of David Alex on the museum's roof). At the very least, however, TMR endorsed the museum project. He attended and spoke at the museum's inauguration ceremony, and as President, his name was engraved on the memorial plaque at the site of the museum. Whether or not the museum project could be classified as a "handout" from TMR to the project's organizers, at the very least, personal relationships between TMR and the project's organizers helped to facilitate the project.

Veteran Backlash: Profiting from the Past

For all of the reasons just described, there is the theoretical potential for the resistance narrative to be self-perpetuating. Yet there are also several reasons why this could fail to be the case. First, it is simply unsustainable for Timor's State to keep funding veterans' pensions at its current rate. Timor's oil revenues, which pay for most of the pensions – as well as for Timor's State budget as a whole – peaked in 2015 and have been declining since. This money is predicted to run out completely by 2024 (La'o

Hamutuk 2015). It is unclear where government funding for pensions (not to mention all other government functions) will come from after this money runs out. Second, the top-ranking Resistance leaders who have led Timor's State since independence will soon give up their mantle of power, either willingly or through death (indeed, there was a step in this direction when Gusmão voluntarily stepped down from his post as Prime Minister in 2015). They will be replaced by leaders who have less authority based on their historical roles in Timor's Resistance.

There are other reasons too, that the resistance narrative could fail to be self-perpetuating. In the previous chapter I discussed Traube's assertion that there is a widespread belief in Timor that the nation was "purchased . . . with the blood of the people" (2007:10). Traube further explained that the idea of having "purchased" independence is linked with a Timorese "cultural code of reciprocity," which says that those who suffer to "bring something forth" must be repaid or recompensed (2007:10). In other words, assertions of independence having been purchased operate as a claim for redistributive justice (Traube 2007:21). My research largely confirmed this finding: most of my informants believed that particular pasts – especially pasts of struggle – deserved *some* kind of recompense. Yet at the same time, I encountered much debate about what this recompense should entail. Alongside the valorization and indeed fetishization of veterans that I encountered during my fieldwork, there was growing disillusionment about the ways that veterans were being valorized or were using their pasts to seek valorization.[174]

[174] An additional complaint about veterans' pensions is that they have given rise to a new class, and that this has resulted in social jealousy (Fundasaun Mahein 2011:18). A foreign researcher told me that she knew of cases where veterans were robbed and killed immediately after receiving their pensions.

Timorese, including some self-identified veterans, frequently complained that veterans have been profiting from their pasts. A former clandestine member noted that "money is now the dominant factor among veterans. People just use the name veterans to get projects and other things." A younger Timorese who earned his B.A. in Hawaii told me: "When you define veteran for the younger generation, they will just think privilege and access and contracts." Similar complaints extended to veterans' groups. The Committee of 12 November began holding annual fundraisers in 2009. I was told that the one that took place during my fieldwork, on October 26, 2012, raised $66,040 (an amount which Committee members told me was less than average). Several informants not connected to the Committee of 12 November told me that they were disturbed by the amount of money that the Committee raises, which they think the Committee just keeps for itself.

Linked with complaints that veterans have been profiting from their pasts were complaints that veterans have "sold out," or have been "bought out" out by veterans' benefits. Informants contrasted veterans' present-day individualistic quest for material gain with their supposed past concern for the collective (the nation), and the non-materialistic goal of independence. On the roadtrip that I took to the opening of the Samalari clandestine museum, a former clandestine leader with whom I was traveling explained to me that the museum would display documents in order to "explain what we fought for and how we fought, and then to remind people that this is how you make war. We didn't struggle or make war for money; people struggled in common but now just care about themselves." Another informant similarly noted: "[Veterans] feel that now the struggle is over they can just look after themselves, but this is wrong." A November 2012

STL editorial argued against the need for veterans' benefits, asserting: "What do we think about those ancestors of the war? The State needs to distribute medals to them? . . . Before they struggled, they don't have a thought to receive money, to receive medals. They all struggled and gave their whole lives, for one reason: independence."[175]

The mixing of memory and money was deemed suspect in other contexts as well. One of the largest and arguably most expensive memory projects that took place during my fieldwork was a joint Timorese-international film project called *Beatriz's War*, based on the history of the Kraras massacres. Those from Kraras were unhappy with the film for multiple reasons. One of the most frequent complaints directed my way concerned the film's commercial nature. When one of the foreign filmmakers attempted to stop me from observing the shooting of the film in Kraras, some from Kraras unfavorably compared the filmmaker's mission in Timor to my mission. They pointed out that whereas I was "there to learn," the film was just "*untungan*" (for profit) (of course, as I have written in a book chapter on this incident, this comparison was not fully accurate, as I was also profiting, or attempting to profit, from my work in Timor).[176] One of my main informants from

[175] Accompanying a perception of veterans as greedy and as profiting from their pasts was a perception that the pension process was corrupt. Many informants complained that veterans receive benefits more quickly or receive larger benefits than they deserve according to the veterans' law if they have government "connections," whether political or familial. As pensions began under the CNRT government, complaints about the pension process being corrupt often came from supporters of rival parties. A Fretilin-supporting friend from Kraras argued that "if Fretilin were in government everyone in Kraras would have their pensions" (Kraras is in the eastern district of Viqueque and tends to vote Fretilin). Another Fretilin interviewee noted that: "the government says they still provide support to Fretilin but not really, the pensions take a little longer to process." A long-time friend from Baucau District (not a Fretilin or CNRT supporter) told me: "Baucau [villa] [one of Baucau's subdistricts] struggled more than anyone else but people in Quelicai [another of Baucau's subdistricts] get more pensions because their families are in government positions." Finally, some complained of bribery, arguing that "[only] if we help them with money can they quickly fix all our documents [in order to receive the pensions]" (cited in Fundasaun Mahein 2011:15).

[176] As I note in this book chapter, "my research on remembrance of Timor's history of violence and suffering is enmeshed in the same power relations that it critiques. By writing a dissertation that I hope will lead to an academic career I am capitalizing on the tragic and valuable story of human suffering with which I am engaged" (2017:235). Indeed, my research project can be said to take place in the context of an

Kraras, who told me that many members of his family had been killed in the Kraras massacres, combined a complaint regarding the film's accuracy with a complaint about the filmmakers' perceived commercial motives. He asserted: "taking a false history to the movie theatre to make money is not right." Another informant criticized the film project for "privatizing" memory. Finally, a friend from Kraras critiqued another Timorese for "selling out" with his involvement in the first feature-length film about Timor, the Australian-produced, *Balibo* (this film was also criticized by Timorese).[177]

This dissertation has shown that particular pasts from the Indonesian era, specifically pasts of resistance, have value or are "usable" in present-day Timor. The complaints discussed in this section make clear that not only is the Indonesian past a topic of widespread discourse in Timor, but that memory itself is a discourse. In other words, Timorese are aware that particular pasts in Timor are "usable," and the question of how these pasts should or should not be used – how memory should or should not be employed – is a subject of public debate.

The content of my informants' complaints raises an additional point. Thus far, this dissertation has mostly showed how pasts in Timor have been used for instrumental purposes, such as political or material gain. Complaints about veterans profiting from their pasts are complaints about this kind of instrumental use of the past. Yet in these complaints or criticisms, we see another way that the past is being used in Timor. By

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academic memory market (Berliner 2005:199-200). As Klein notes, there is a "market for academic books and articles that invoke *memory* as a key word" (2000:127).

[177] Claims of "selling out" were also applied to former members of the Resistance (by these members themselves, and by others) when these former members took for-profit jobs that weren't seen as aligning with their past "activist values." For example, a friend's uncle who was a former member of the clandestine front but is now a lawyer, apologetically explained his career choice to me, noting: "being an activist doesn't pay the bills."

making an argument that veterans should not use their pasts to profit, *because the struggle for independence was not centered around an individualistic quest for money*, we see Timorese employing the Indonesian past in order to provide a moral critique of the present.

A final point here concerns the content of the argument that veterans shouldn't use their pasts to profit in the post-independence era, because the struggle against Indonesia was for independence, not for material gain. As official histories and my fieldwork both show, Timor's struggle for independence was never divorced from economic motives. Many Timorese struggled for independence (or at the very least voted for independence), because they believed that they would prosper in an independent East Timor. First, the Indonesian regime discriminated against Timorese in favor of Indonesians in all sectors of the Timorese economy, a reality of which Timorese were well aware. Second, one of the main reasons that Indonesia invaded Timor in the first place was to extract natural resources from Timor, particularly the oil in the Timor Sea. During the occupation, Resistance leaders tried to convince Timorese to support independence by speaking about how their lives would improve economically upon independence. Leaders spoke specifically of Timor's natural resources. They told the population that if Timor became independent, they (the people) would become government officials, or would have concrete houses, cars, and full-time electricity.[178]

False Veteranhood

Alongside increasing complaints about veterans' greed, the granting of

[178]As an aside, some Resistance leaders have told me that they now feel guilty about issuing these promises, as they haven't been fulfilled.

(increasing) benefits to veterans has led to an increasing problematization of the veteran category. The number of persons claiming veteranhood in Timor has expanded significantly in recent years. As noted in Chapter 5, in the first phase of veteran registration in Timor from around 2003-2005, approximately 75,000 Timorese registered as veterans (around half of these were deceased). A second phase of veteran registration took place in 2009. During this phase, approximately 125,000 more Timorese registered as veterans (ICG 2011:6). Thus, by the time of my fieldwork in 2011-2012, the country of just over one million people, which had a population of approximately 650,00 at the time of the Indonesian invasion, had almost 200,000 persons registered as veterans (ICG 2011:6). In one town apparently more than a quarter of the 4,000 residents had registered as veterans (ICG 2011:9). During my fieldwork, Timorese remarked sarcastically on the phenomenon of so many Timorese claiming veteranhood, making statements along the lines of: "If all those people had really been resisting we would have been free after a year!"

The unrealistically high number of Timorese who have attempted to register as veterans in post-independence Timor means that some Timorese have been untruthful about their past participation in Timor's Resistance struggle, and have presented false information to the government.[179] Arguably some have been untruthful in order to reap veterans' benefits. This is how most of my informants made sense of the inflated numbers. My informants frequently asserted that Timorese were lying about, or at least exaggerating their past involvement in Timor's Resistance, in order to earn money and status (particularly the former). As one informant told me: "because there is money,

[179] Apparently, some people returned medals they had received from the government for their participation in the events of 12 November, to the Committee of 12 November.

people will just make things up, lie. It's simple." Timorese often softened their accusations about people lying for money by pointing to the lack of jobs in Timor.

I argue here that the relationship between veterans' benefits and the inflated numbers of veterans in Timor is not so direct or simple. Rather, I assert that increased claims of veteranhood in Timor – and a related growing discourse of "false veteranhood" in Timor – are emblematic of larger struggles or contestations in post-independence Timor over who contributed to Timor's independence and who should be worthy of recognition.[180]

As we saw in Chapters 2 and 3, Timor's clandestine front was much larger than Timor's armed front. Beginning in the 1980s, it was more central to Timor's Resistance movement than the armed front. According to most historians, it was ultimately more pivotal to Timor's achievement of independence than Timor's armed front. Despite all of this, the official definition of veteran that has been formed in Timor's post-independence era has excluded most former clandestine members. A much higher percentage of ex-guerrillas are registered as veterans and receive veterans' benefits than former members of the clandestine front (Kinsella and Kent 2015:217). One main reason for this is that to qualify as a veteran one needs to prove past "exclusive dedication" to the Resistance. This means that one could not have been have engaged in study or regular waged labor during the occupation. Due to the very nature of clandestine resistance, most former member of the clandestine front were engaged in such activities (Kinsella and Kent 2015:217).[181] Past clandestine membership is difficult to prove for other reasons inherent

[180] One informant referred to false veterans as "*veteranu fotocopy*" ("photocopied veterans").
[181] "Exclusive dedication" is easiest for former members of the clandestine front to prove if they were imprisoned, something many clandestine members consider problematic. As one former clandestine leader

to the nature of clandestine resistance. Timor's clandestine front was not only secretive, it was decentralized and diffuse. Groups ranged in size and purpose, and links between members were purposely hidden (ICG 2011).[182] Finally, the nature of clandestine resistance, as well as the Indonesian regime's deliberate militarization of Timorese society, meant that Timorese were often "playing both sides," moving between collaboration with Indonesia and resistance (Drexler 2013:75).

Timor's independence struggle extended beyond those involved in the three fronts of Timor's formal Resistance movement – even beyond the diffuse and ill-defined clandestine front – to the entire civilian population. This was most obvious in the early years of the struggle when civilians lived with Falintil in the mountains in liberated zones outside of Indonesia's reach. However, Timor's leaders emphasized the role of civilian involvement in Timor's struggle throughout the occupation (ICG 2011). Practice, moreover, aligned with rhetoric. Timorese civilians unattached to any of the three fronts of Timor's formal Resistance movement resisted Indonesian rule in various ways over the 24-year period. Among other things, most Timorese voted for independence in the 1999 referendum. They did this despite threats of violence, as well as actual violence directed against independence supporters. Yet just as the category of veteran that has been formed in the post-independence era excludes most Timorese who were involved in the clandestine front, it also excludes most of these "regular" civilians.

In sum, during the 24-year Indonesian occupation, Timorese struggled for independence in various ways and contexts, with various links or lack thereof to Timor's

noted: "Why should he get a pension just because he was unlucky and got caught and sat in prison while I was outside continuing to contribute?" (cited in ICG 2011:9).

[182] As Gregorio Saldhana has noted: "sometimes the father did not know his own child" (ICG 2011:4).

"official" Resistance movement – an amorphous, largely civilian-based movement, which itself changed form many times over the occupation. The official, State-sponsored category of "veteran" that has been constructed in Timor's post-independence era does not map well onto the realities of Timor's popular struggle. In light of the gap between the past rhetoric and reality of popular resistance, and the fact that only some have benefited as veterans since independence, it seems clear that many of those attempting to register as veterans or otherwise informally claiming that they are veterans in the post-independence era are not necessarily lying about their past resistance activities. Rather, they are claiming (implicitly or otherwise) that their past contributions, whatever they were, should count.

I should emphasize here that questions of who really resisted or struggled in the conflict with Indonesia – in other words, attempts to determine who is a "true" or "real" veteran or hero – are not new. These questions go back to the early days of Timor's independence, predating the formal allocation of veterans' benefits. Resolving these questions was one of the stated goals of the veterans' commissions that were first established in 2002. What *is* new, at least since 2008, is the granting of veterans' pensions. As the stakes of veteranhood have been raised, questions concerning the "truth" of Timor's past Resistance have become more fraught.

The Truth of Resistance

Here I return briefly to the 12 November *juramentos* discussed in the previous

chapter. As noted, the main goal of these oaths was to weed out "false survivors."[183] These ceremonies epitomized for me the preoccupation that I encountered during my fieldwork with questions of the truth of past resistance. Indeed, the concept of truth was explicitly foregrounded in these ceremonies. Different slogans, emblazoned on the banners that adorned the ceremonies' spaces, and on participants' specially made tee-shirts, proclaimed, for instance that: the "ceremony of oath [is] the road to truth; "we ask that you tell the truth and you can keep the rest"; and "with our witness, we will lay down the truthful history." At least one person referred to the oaths with the language of transitional justice, terming them "truth commissions."

These ceremonies also made clear the difficulty, if not the impossibility, of securing truth in the post-independence era. What does it mean to be a "true survivor" of the Santa Cruz massacre? In the previous chapter, I noted that participants at each oath pledged that they had "participated in the demonstration of 12 November 1991 . . . with the objective to struggle for Timor Leste's independence." In regards to the first part of the oath, how does one define participation? A document circulated by the Committee of 12 November that elaborated on the pledge explained that one could have participated in the demonstration "beginning from Motael Church or from the middle of the road"; one could also "[have gone] directly to Santa Cruz" (Saldhana 2012). Did this definition of participation exclude those persons who helped to plan or organize the demonstration, but didn't join in the march or show up at the graveyard? While most of the demonstration's main organizers, as higher-up members of the clandestine front, have already received

[183] As noted in the previous chapter, members of the Committee of 12 November told me that over 2,000 persons had registered with the Committee of 12 November; members believed that participation in the demonstration was closer to 1,500 persons.

recognition post-independence, what about those who risked their lives creating banners for the demonstration, a task that was extremely important and dangerous? The document is also unclear as to the relationship between official survivorship and the actual massacre. For those who joined the march to the Santa Cruz graveyard from the Church or from the middle of the road, does it matter if one stopped halfway en route to the graveyard and turned around and left for whatever reason? What if one made it to the graveyard but turned around before shots were fired? If one needs to have waited until shots were fired in order to turn, how many shots?

Turning to the question of objectives laid out in the second part of the oath complicates matters further. How were objectives to be deduced, particularly as collaboration or feigned collaboration was a key strategy of clandestine resistance? What if someone went to the graveyard to mourn Gomes's death without realizing the extent to which the march would be openly pro-independence? What if someone joined the march but had previously supported integration? Did it matter if this was the first and last demonstration or act of resistance that one participated in during the entire occupation? There are of course an infinite number of questions and scenarios to parse.

The difficulties of determining the "truth" of survivorship was arguably what led 12 November survivors to rely on "indigenous beliefs" or the "supernatural" in the oaths. The relationship of Timorese to the supernatural has been well-documented (see, for example, Hicks 2003). Beyond a reverence of *matebian* (ancestors), there is a strong belief in *lulik*, alternately defined or translated as "magic," "sacred," or "taboo" (Bovensiepen 2014:125,129; see also Trindade 2011).[184] *Lulik* was relied upon during the

[184] Belief in *lulik* is still very strong in present-day Timor, even among some highly-educated Timorese who have post-graduate degrees from Western universities.

occupation to protect members of the Resistance against bullets and death; it gave them the power of invisibility so that they could escape from the military if caught (Bexley and Rodrigues 2013:415). A good illustration here comes from Naldo Rei, a friend and former member the clandestine front. In his autobiography (one of the few Timorese autobiographies about the Resistance not written by a major Resistance leader), Rei notes: "I crouched down carefully in the undergrowth and, focusing my energy and will, called upon my ancestors, the land and rocks to protect me . . . The land, the rocks and the spirits of my ancestors responded. The enemy walked all around me. My heart was beating fast and I held my breath but stayed focused on the power of the land. I could see the soldiers' boots and the tips of their guns, but they could not see me" (2007:17).

After independence, lulik has operated as forms of transitional justice, if you will. Members of the Committee of 12 November told me that if someone committed an "unjust" killing during the occupation and didn't *taka* (literally, close), by going to a soothsayer, talking to the right people, or doing whatever needed to be done, he would fall sick – he could take medicine that Westerners take, but the sickness wouldn't go away.[185] With regular tuberculosis, only some blood comes out of your orifices; however if you killed someone during the war and were struck with tuberculosis, then you "could fill a bucket with your blood."[186] I was told that many militia members who killed Timorese have already died prematurely.

How was the supernatural or *lulik* employed in the Santa Cruz oaths? As

[185] Informants noted that unjust killings involved the killings of pro-independence Timorese, as well as the killings of persons who had surrendered. Killings on the side of justice were exempt from *malisan* (curses).
[186] I was told that the leader of the 1999 Suai Church massacre died on September 6, 2001, on the two-year anniversary of the attack. I was also told the story of a Timorese militia member living in West Timor who wanted to be buried in East Timor. As his body was being carried to the border with East Timor it expanded until it got so heavy that it could be carried no longer. The man finally had to be buried on the west side of the border.

previously noted, at each ceremony, participants directed their oaths to "god, ancestors and the sacred land." Members of the Committee explained to me that those who had been lying about their past would confess before the oaths because they would be too *tauk* (scared), to give false oaths to these three entities (particularly to the ancestors and to the sacred land).[187] As Saldhana explained, those lying about their pasts "can hide it from people, but lots of *matebian* died, and you can't hide it from *lulik*. Because there is something in this world, in this country, that is stronger than us. It's not the strength of people. It's spirit." If participants were "brave" enough to lie to god, the ancestors, and the sacred land during the oaths, they would suffer consequences: specifically, they would "die, *neneik* (slowly), or find disaster." Indeed, survivors told me that people who had lied in these ceremonies had subsequently fallen off their motorbikes.

The use of the supernatural or *lulik* extended beyond the actual swearing. At each juramento, a *cultura* (cultural) ceremony took place before the actual oaths were taken. These were led by a *lia nain* (traditional leader), who was sometimes brought in from outside of Dili. The main part of each "cultural ceremony" involved the *lia nain* killing

[187] According to Gregorio, swearing to the ancestors and the sacred land was more important than swearing to God. This was because while you can confess to God and God will *perdua* (forgive), *rai lulik* (the sacred land) and *matebian* (the ancestors) are all powerful and *la halimar* (don't play around). It should be noted that oaths were also taken during the Indonesian occupation. They were employed by Timorese in recruitment to clandestine organizations (Bexley and Rodrigues 2013:415); they were also employed by pro-Indonesian elements to seek Timorese loyalty to Indonesia. Gregorio compared the oaths taken at the *juramentos* to oaths taken during Indonesian times. As Gregorio told me and also repeated in his speeches at the *juramentos*: "The Resistance used the oath to defend the country against Indonesia. People used oaths before to survive, so they didn't die, they didn't uncover secrets. Now we are doing the oaths just like back then, in order to *tuir istoria loloos* (do things according to a truthful history). They died for the truth so we need to defend the truth." Saldhana contrasted the oaths made by members of the Committee of 12 November in the present day, with oaths that the Indonesian regime made Timorese take during the occupation so that Timorese wouldn't join the Resistance struggle. Saldhana told me: "Those were oaths to defend something that was wrong. God doesn't want this, the ancestors don't want it, *lulik* doesn't want it. Because of this the Timorese continued the struggle. But now we take an oath to defend what is right and oppose anything that is a lie. God will bless this, the ancestors will bless this, the *lulik* will support it and I believe in it. Now the oath opposes what is wrong and defends what is right. What is right will always win. It's simple."

one or more animal (a pig or a chicken or both) and looking inside the animal for a "signal" that revealed whether the participants were going to being truthful or not when they gave their oaths. At some point during the ceremony the *lia nain* would announce the result: if the sign was good, there would be clapping and cries of "*viva"*; if the sign was not good, there would be silence in the audience and the *lia nain* would announce that someone would soon die.[188]

To return here to my main argument, as difficult as it would be for the Committee of 12 November to develop guidelines to account for all of the contingencies I laid out above (and the thousands of contingencies I didn't mention), the massacre on 12 November was just one specific, time-bound event. The larger struggle for Timor's independence took place 24 hours a day, for over 24 years, both inside and outside of Timor. During this period Timorese engaged in various forms of formal and informal resistance to the Indonesian regime. They also collaborated with this regime in various ways and to various degrees, for various reasons, including for strategic purposes of resistance or simply to stay alive (Drexler 2013). If there is one truth about Timorese resistance to Indonesian rule, it is that this truth isn't simple or clear-cut, or even attainable.

[188] In 2008, the bodies of 16 victims of the Santa Cruz massacre were uncovered by forensic anthropologists at Hera, a site about 40 minutes east of Dili. At that time survivors took soil from each of the 16 graves and put it in a bottle of wine and conducted a ceremony. According to survivors, the wine, which was originally red, changed to white – according to one informant, "as clear as water." Rogerio Castro da Cruz, the Vice-President of the Committee of 12 November showed me the wine while I interviewed him at his office at the Committee of 12 November. He said that the wine was kept at the Committee's office as evidence that "as the traditional elders say, the Committee does their work with a clean heart and spirit, with the right intention." This wine was used in several *juramentos*. At one ceremony, for example, after participants made their oaths, the wine was mixed with the blood of the animals that had been killed during the ceremony. Each participant put their finger into the mixture and placed a drop on their tongue. The traditional, common *lulik* ritual tools of candles and betel nut were also used in almost every ceremony, with participants typically lighting candles and eating betel nut (both often prepared by the *lia nain*), after they took their oaths.

Where does this lead us in terms of the future of the resistance narrative and the relationship of exchange at its center? Despite the fact that the truth of Timorese resistance to Indonesian rule was not and is not simple or clear-cut, Timorese believe that there is one true history of the Resistance, and that this history is being subverted. Indeed, many Timorese believe that "history has been turned on its head" in the post-independence and post-transitional periods. Pasts are being manipulated, and "false veterans" are being lauded and recognized as heroes, while true veterans are going unrecognized (or are being treated poorly).[189] A common saying is "*heroi jadi traidor; traidor jadi heroi*" (the heroes are becoming traitors and the traitors are becoming heroes). A growing belief in Timor that that the wrong people have been benefiting in the post-independence era based on a process of manipulating the "truth" of the past, is potentially extremely disruptive to the dominant resistance narrative and to the relationship of exchange between veteran leaders and non-State veterans that lies at its center.

CONCLUSION

In asking why a particular historical narrative of the past has been promoted by Timor's post-independence State – in this case a narrative of past resistance to Indonesian rule – I have found it useful to turn from abstract questions of national identity to more concrete questions of immediate interests, including leaders' quests for personal political

[189] Of course, a feeling that things have been turned on their head in the post-independence era is partially a reflection of the realities of continued impunity for most of the major perpetrators of crimes committed during the Indonesian era, as well as the fact that some former pro-autonomy leaders who supported integration with Indonesia have held powerful positions in post-independence Timor (including in the Gusmão government).

power and national security. My analysis of the links between Timor's State and processes of remembrance in Timor gives the lie to the generic distinction or contrast that scholars often make between state and non-state memory, in which a binary opposition is posited between "official" and "unofficial" (or popular or vernacular) memory (see Bodnar 1993). This distinction relies on a simplistic and undertheorized understanding of the state, as existing in a sphere apart from "the people." It fails to account for the existence of patronage states that engage in the production of memory through relationships of exchange with non-state actors.

This chapter also illustrates the importance of looking at post-conflict memory through a framework of political economy, particularly in underdeveloped states such as Timor. The relationship between Timor's veteran leaders and non-State veterans that is so integral to the perpetuation of the resistance narrative, hinges on a critical combination of centralized oil money, and widespread poverty and lack of economic opportunity. Importantly, the Timor case also suggests that handouts from governments to non-state veterans can produce short-term positive results, including the maintenance of peace. To date, there has been little research on the political economy of post-conflict contexts, including the role of corruption in peace processes (the literature that is out tends to focus only on the negative effects of corruption) (Aspinall 2009:3-4).

Finally, this chapter points out several negative consequences of granting significant benefits to veterans in Timor. One of these is that the question of "who really resisted in the struggle with Indonesia" or "who is a real veteran," has become even more fraught and problematic. Despite the fact that the truth of who resisted Indonesian rule was never clear-cut, transparent, or singular, Timorese seem increasingly determined to

pursue a singular truth. The following chapter continues with an examination of contests in post-independence Timor over who is a "real" veteran. It looks specifically at disputes between former members of the armed front, Falintil, and former members of the clandestine front.

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Chapter 7

Banners versus Bullets: Remembering Violent and Nonviolent Resistance

Practically every time I told a Timorese person my research topic for the first time – or otherwise mentioned that I was interested in remembrance of the violence of the Indonesian occupation and resistance to that violence – that person sat me down and patiently explained, almost as if reciting a mantra, that Timor's Resistance consisted of three different fronts: the *frente armada* (armed front), the *frente clandestine* (clandestine front), and the *frente diplomatica* (diplomatic front).[190]

The ubiquity and roteness of these assertions piqued my interest. While there may have been an assumption that I, a foreigner, simply didn't know the basics of Timor's Resistance movement, no Timorese person above a certain age could be unaware that Timor's Resistance consisted of these three main branches. Yet recitations of what I call the "three-front mantra" – with its implicit assertion of equality between the three fronts – didn't just occur in private conversations with myself. They also occurred in various contexts in the public sphere. I soon came to realize that the reason the three-front mantra was cited so often and in so many different contexts during my fieldwork, was as a reaction to – either as a denial of or a protest against – the reality that the "three fronts" have not in fact been viewed or treated equally in post-independence Timor. Rather, the fronts have been situated in a hierarchy of perceived past heroism, with their former

[190] At times the three fronts are also referred to by the different locations in which their participants resided during the conflict, with the armed front consisting of *ema ai laran* (people in the jungle), the clandestine front consisting of *ema villa* (people in the city), and the diplomatic front consisting of *ema iha luar* (people outside or abroad). Notably, the international solidarity movement is excluded from the "three-front mantra" (although some Timorese and foreigners refer to the international solidarity movement as part of the diplomatic front).

members treated and valorized accordingly.

As many scholars writing about remembrance in Timor have pointed out, in the post-independence era, former members of Falintil have generally been considered more heroic and have received more recognition than former members of the clandestine front (who in turn have received more recognition than former members of the diplomatic front) (Leach 2009; Kinsella and Kent 2015). Among other things, the guerilla in the jungle with his gun is a more classic symbol of the kind of masculinized "heroic agency" that lies at the heart of Timor's resistance narrative, than is the former clandestine member.[191] However, during my fieldwork I discovered a competing hierarchy of heroism and recognition in post-independence Timor, in which some former members of the clandestine front have been considered more heroic than some past violent resisters, precisely because of their past nonviolent resistance.

Specifically, I found that survivors of the nonviolent Santa Cruz demonstration and massacre of 1991 have been treated as among Timor's greatest official heroes. On the other hand, civilians from Kraras who engaged in an armed revolt against Indonesian soldiers in 1983, and who were subjected to a series of massacres by the Indonesian regime as a result, have not only not been treated as national heroes since independence, but at least according to some from Kraras, have even been viewed as culpable for their past use of violent resistance. I argue that this reverse hierarchy of heroism, in which past nonviolent resistance is valued above past violent resistance, is linked to the discourses and practices of human rights that have circulated in Timor since the later part of Timor's

[191] While guerrilla fighters are often female (in general and in Timor during the Indonesian occupation), I use "his" here. This is because the category of guerilla fighter (in general and in the specific context of Timor), is heavily masculinized. I explore this topic in the next chapter.

independence struggle, discourses and practices which center around a core value of nonviolence.

In addition to relying on data from my work with the Committee of 12 November, this chapter also relies on participant observation and interviews focused on remembrance of the 1983 Kraras uprising and massacres.[192] During my fieldwork, I made approximately half a dozen visits to the rural area of Kraras, in Viqueque District, about a seven-hour drive southeast of Dili. I also traveled several times to the even more remote area of Lalerek Mutin (around 40 minutes by motorbike outside of Kraras). Termed the "widow's village," Lalerek Mutin is where most survivors of the Kraras massacres were relocated by the Indonesian military after the Kraras massacres (most of those killed in the massacres were men).[193] Among the many events I participated in or observed in Kraras and Lalerek Mutin, were the shooting of *Beatriz's War*, a film project based on the history of the Kraras massacres; the 29th anniversary commemoration of the Kraras massacres; a Fretilin campaign rally; and a multi-day visit to Kraras by a youth group from another part of Timor (conducted by the group in order to learn more about Kraras's history).

This chapter is divided into five sections. In the first section I expand on the "three-front mantra" and discuss even more inclusive discourses of past resistance that have circulated in post-independence Timor. In the second section I discuss the dominant hierarchy of heroism in post-independence Timor, in which former members of Falintil have generally been considered more heroic (and have received more recognition) than

[192] People often refer to the "Kraras massacre" in the singular. I use the phrase "Kraras massacres" to emphasize the reality that Indonesian forces committed a series of massacres in and around Kraras, after August 8, 1983.
[193] Lalerek Mutin was referred to during my fieldwork as a *fatin desterado* (a place of exile).

former members of the clandestine front. I then turn to the alternative hierarchy of heroism that I encountered in my fieldwork, in which some former nonviolent resisters have received more valorization than some past violent resisters: in the third section, I focus on the Santa Cruz demonstration and massacre; in the fourth section I focus on the Kraras uprising and massacres. In the fifth and final section, I analyze my findings.

EVERYONE RESISTED AND THE THREE-FRONT MANTRA

The most inclusive discourse of past resistance to Indonesian rule in Timor's post-independence era has been the claim that everyone in Timor contributed to Timor's liberation – that "*ema hotu hotu halo funu*" ("everyone made war"). At its very broadest, this claim can be seen to include not only pro-independence Timorese who weren't involved in Timor's formal Resistance movement, but Timorese on both (or all) sides of Timor's struggle for independence, including Timorese who supported Indonesia.[194]

A discourse that "all Timorese made war" echoes past attempts by Resistance leaders to popularize Timor's struggle for independence, and helps to serve one of the main functions of national historical narratives – to build or strengthen a shared or collective national identity. Among other things, inclusive claims of past resistance serve to paper over the reality of past divisions and violence between Timorese (both during the civil war preceding the Indonesian invasion, and during the occupation itself). The necessity of an inclusive narrative of past resistance to Indonesian rule – and the dangers of a lack of such a narrative – were made clear by Timor's 2006 political crisis. This

[194] After the 1999 referendum, many high-ranking Timorese militia members fled to Indonesia and became Indonesian citizens. As now-Indonesian citizens, living in Indonesia, these former militia members are generally excluded from these claims.

crisis was partially a result of disputes between those from the east of East Timor and those from the west of East Timor, over who had been stronger supporters of Timor's independence.[195] Specifically, "Westerners" engaged in violence against "Easterners," because they felt that Easterners were painting themselves as the true resisters, and stereotyping Westerners as collaborators (Trindade 2007:13).

Despite the existence of this inclusive discourse of past resistance, the dominant narrative of past resistance to Indonesian rule since Timor's independence has centered around Timor's formal Resistance movement. This is where the so-called "three-front mantra" comes into play. During my fieldwork, Timorese in various contexts having to do with remembrance of past resistance to Indonesian rule referenced the formal Resistance's three fronts. They did this by speaking of "three fronts," or by listing each of the three fronts. The three-front mantra is not only espoused post-independence by ordinary Timorese, it has also been espoused or promoted at the State-level. The Preamble to Timor's Constitution not only makes reference to each of the three fronts, it describes the historical role of each front. The Preamble asserts: "The armed front was carried out by the glorious . . . (FALINTIL) whose historical undertaking is to be praised. The actions of the clandestine front, astutely unleashed in hostile territory, involved the sacrifice of thousands of lives of women and men, especially the youth . . . The diplomatic front, harmoniously carried out all over the world, enabled the paving of the way for definitive liberation" (Constituent Assembly 2002). I noted that during my

[195] The 2006 crisis was sparked when 595 members of the military, all from the west of East Timor, were fired by then-Prime Minister Alkatiri, for complaining of discrimination from the military leadership, which was primarily of eastern descent. The military leadership was largely recruited from former Falintil fighters from the east of East Timor (during the occupation, most guerilla bases were in the east, due the east's distance from Indonesian West Timor, as well as its mountainous terrain) (Trindade and Castro 2007:10).

fieldwork, Timor's Office of the Secretary of State for Veterans Affairs had begun building monuments to veterans in each of Timor's 65 subdistricts. Each of these monuments was to have three pillars, in order to represent the three fronts of the Resistance, something pointed out to me multiple times in an interview with then-Secretary of State for Veteran Affairs, Marito Reis, in November 2012.

I have argued that the three-front mantra contains an implicit assertion of equality between the three fronts. During my fieldwork, claims of equality between the three fronts were often more explicit or direct. A typical example, taken from a November 20, 2012 editorial in *STL*, referenced the fish and water metaphor that underlined the "people's war" strategy that guided Timor's conflict from 1976-1978, when civilians lived in the mountains with fighters. The author noted: "Independence appeared because the military veterans in the armed front struggled . . . the veterans of the clandestine front and also the veterans in the diplomatic front held firm. If perhaps it was only the armed front that struggled, then the fish in Falintil would all have died because there would be no water and oxygen." Indeed, Timor's State can be said to have institutionalized formal equality between the three fronts in its 2006 veterans' law. As previously noted, the law recognizes as veterans those who participated in any of the three fronts, as long as the stated qualifications are met. In terms of rankings, the law declares that total time spent in the Resistance is more important than the particular front in which one served.[196]

[196] The Statute's Preamble notes: "any period of time spent in any of the fronts shall be taken into account when calculating the total period of participation in the struggle" (Statute of the National Liberation Combatants 2006).

Yet again, discourses and claims of equality belie the realities of actual recognition since independence. Among those involved in the "three fronts" of Timor's Resistance, former members of Falintil (sometimes referred to as "those who held guns") have generally been considered more heroic and have received more recognition than former members of the clandestine front (who in turn have received more recognition than former members of the diplomatic front).

Timor's veterans' law officially gives equal treatment to former members of the armed and clandestine fronts. However, as pointed out in the previous chapter, in practice the veterans' law's "Exclusive Dedication" clause means that former members of Falintil have been able to register as veterans more easily than former members of the clandestine front. Former members of Falintil have also received additional benefits not afforded to former members of the clandestine front. Among other things, former members of Falintil are recognized every year on Falintil Day (August 20), the anniversary of Falintil's founding in 1975. Former members of Falintil have also been recognized in the special Falintil demobilization ceremonies described in Chapter 5. There is no equivalent "Clandestine Day" in Timor, and certainly no alternative to demobilization ceremonies for former members of the clandestine front. Despite frequent calls to recover civilian bodies, Timor's State has placed priority on finding and burying the remains of former members of Falintil, as opposed to the remains of former members of the clandestine front or other civilians.[197]

[197] Locating the bones of those who were killed during Indonesian times is extremely important to Timorese, as properly burying the dead is a central cultural practice, linked to the role that ancestors play in Timorese social life (see Hicks 2003). During my fieldwork, multiple ceremonies took place in which the bones of former members of Falintil were transported to the Martyrs' Cemetery in Metinaro; as far as I

Most significantly, perhaps, is how the term "veteran" is applied in everyday use. During my fieldwork, former members of the clandestine front sometimes self-consciously self-identified as veterans. Yet very often, in both interviews and public discourse, the veteran label was applied only to former members of Falintil. Thus, Timorese (including former members of the clandestine front) often referred to "veterans *and* members of the clandestine," or "veterans *and* those in the Resistance," separating the two categories. For example, at a campaign rally for TMR in Quelicai, Baucau, that I attended in early April 2012, before the second round of the presidential election, TMR finished his speech by thanking "veterans and the clandestine" (and widows and orphans).

The unstable or tenuous position of former members of the clandestine front in the veteran category is illustrated clearly in the following interview I had with the victims' rights advocate Manuela Leong Pereira (Pereira was the head of the ICTJ branch in Dili during my fieldwork). After Pereira explained that veterans shouldn't be serving in the structures of Timor's national Victims' Association, I asked about one man, Paulo, who was serving in these structures. Paulo was a former member of the clandestine front who is registered as a veteran and receives a veterans' pension. Pereira had specifically identified Paulo as a veteran only minutes earlier and praised him for his work at the Victims' Association. Pereira stumbled through her response, noting: "It's OK because

know there were no such ceremonies involving the bodies of deceased members of the clandestine front (much less the bodies of "ordinary" civilians). As noted in the previous chapter, in 2008, the bodies of 16 victims of the Santa Cruz massacre were uncovered by forensic anthropologists at Hera, a site about 40 minutes east of Dili. Yet a focus on the bodies of those killed in the Santa Cruz massacre fits with the main argument of this chapter, regarding the unique role that the Santa Cruz massacre and its survivors play in national remembrance. The Martyrs' Cemetery itself is primarily reserved for the bones of former members of Falintil and founding members of Fretilin (although some important clandestine leaders, such as La Sama, who died in 2015, are also buried there).

he is not a high-level veteran, he is someone from the Resistance. He was a *tropa* (soldier) in the Resistance who is now receiving a pension for his role in the Resistance, not as a veteran who was armed. Actually, I've said it wrong, he's not a veteran, he's a person who was involved in the Resistance."

Why Bullets over Banners?

Why have former members of Falintil received more valorization in the post-independence era than former members of the clandestine front? This question is particularly salient in light of the reality that Timor's clandestine front was larger than Falintil, that it played a more central role in the Resistance than Falintil (at least beginning in the 1980s), and that, according to historians, it was ultimately more critical to Timor's achievement of independence than Falintil. An additional relevant factor involves the extent to which the clandestine front and Falintil were enmeshed during the occupation. Beyond the fact that for the first three years of the occupation, civilians lived with and supported Falintil in liberated zones outside of the reach of the Indonesians, many clandestine groups in the 1980s worked directly with specific guerillas. They provided the guerrillas with information and materials, such as food, medicine, clothes, and weapons, and they carried out Falintil's "logistical and tactical" commands (Bexley and Rodrigues 2013:408).

Here we return to the topic of agency, discussed in Chapter 5. If Timor's dominant present-day narrative of past resistance to Indonesian rule hinges on assertions of past Timorese struggle and agency, former members of Falintil serve as more traditional or classic symbols of agency, or at least of "heroic agency" – defined as

militarized, masculinized, public, and involving "radical sacrifice" (Leebaw 2013:247,257) – than former members of the clandestine front. One informant, Hugo, illustrated this conception well. Hugo explained: "those in the mountains [the guerrilla fighters] . . . weren't scared of the Indonesians but the Indonesians were scared of them. In Dili, they were always afraid. An Indonesian would come with just a pistol and they would put their hands up."

The warrior-hero is a central symbol of most nationalisms and nationalist historical narratives; this figure – and the violence he embodies – has been particularly integral to anticolonial nationalisms and narratives. As the scholar Laleh Khalili has argued, violence was not just incidental to anticolonial struggles but was a part of their core ideology, viewed as the "only possible path to liberation" (2007:18). Frantz Fanon argued that colonialism "is violence in its natural state, and it will only yield when confronted with greater violence" (2005:61). Fanon and other anticolonial theorists viewed violence as a "cleansing force" (2005:61); violence was not only deemed essential for liberation, it was linked to the idea of developing a "new man" (Fanon 2005:23). As Sartre wrote: "this irrepressible violence is neither sound and fury, nor the resurrection of savage instincts, not even the effect of resentment: it is man recreating himself" (Fanon 2005:Preface).

That Falintil's past engagement with violence has been integral to its position at the top of the heroism hierarchy in post-independence Timor, is evidenced by the fact that those who held purely military roles within Falintil have received greater valorization than those who held primarily political roles. The second round of the 2012 presidential election between TMR and Lu'olo illustrates this point. During the election, Lu'olo, who

served in a political capacity in Falintil, argued that there was no difference between him and TMR, the last military commander of Falintil, because "we were both together in the jungle for 24 years." As we saw in Chapter 5, TMR's campaign rebutted this argument. TMR's campaign materials explicitly noted that TMR should win the election because he was Commander of Falintil and "led the war." TMR's campaign also emphasized TMR's specific role as former *military* commander through the widespread employment of military symbols such as the Falintil uniform and the gun. Notably, the employment of symbols of military might by TMR's campaign was successful in spite of arguments by Lu'olo's campaign that it was wrong to mix military symbols with contemporary politics. At a March 2012 rally in Baucau that I attended, Alkatiri argued that Lu'olo was superior to TMR because Lu'olo "returned his weapons and bullets and returned to the *villa* (city) and engaged in politics 100 percent." Alkatiri also argued that "making politics with the uniform is not politics," and asserted that TMR's use of military symbols "scared the population." Finally, he argued that "weapons should be put in a museum."[198]

The generally greater recognition afforded to former members of Falintil than to former members of the clandestine front also reflects two particular historical institutional realities. First, Falintil was formed as the armed front of Fretilin in August 1975, months before the Indonesian invasion. As such, Falintil was one of the very first institutions of Timor's Resistance movement and is viewed by many as the originator or *hun* (root) of the Resistance. Second, while the Resistance's focus in the 1980s and 1990s shifted toward the nonviolent actions of the clandestine and diplomatic fronts, Falintil was (still) the leader of the Resistance during these decades, in charge of both the

[198] The latter statement was made by Alkatiri at a Fretilin press conference that I attended in between the two rounds of the presidential election.

political and military aspects of the struggle. Falintil's role as leader of the Resistance was confirmed in 1987.[199] The aforementioned value afforded to hierarchy in liberation movements (as well as in Timorese society at large) is significant here. Of course, Falintil's role as the originator and leader of the Resistance serve to bolster perceptions of Falintil's past agency, and the agency of its members.

In keeping with one of the main theoretical frameworks of this dissertation – the idea that remembrance takes place in the present day and is shaped by present-day interests – the greater recognition afforded to former members of Falintil than former members of the clandestine front is also a reflection of several post-independence realities. If Timor's State has valorized veterans because they are a potential danger to the State (as discussed in the previous chapter), former members of Falintil have arguably received greater valorization than former members of the clandestine front because they are a more obvious threat to the State, due to their past military training.[200]

Falintil, which emerged from Fretilin, has also benefited from Fretilin's power in the immediate post-independence period. Fretilin headed Timor's first government and was responsible for crafting the veterans' law that we have seen advantages former members of Falintil, and disadvantages former members of the clandestine front. Fretilin was also responsible for declaring Portuguese one of Timor's two official languages in

[199] Falintil's role as the political and military leader of Timor's struggle for independence became official with the detachment of Falintil from Fretilin, an event which occurred with the "structural adjustment" of the Resistance, beginning in 1987 (CAVR 2006,5: 38). Yet the CAVR notes that Falintil became the de facto leader of the Resistance earlier. The CAVR notes that despite the establishment of CRRN in 1981 as the formal leader of the Resistance, in practice Falintil led the Resistance at this time, as it represented the only functioning leadership of the Resistance and was the most active branch of the Resistance (2006,5:3).
[200] Indeed, this was borne out by ex-guerillas' specific role in the 2006 crisis and in other post-independence crises. Many of the 595 soldiers who were fired from the military for protesting were former guerillas. Mauk Moruk, who returned to Timor in 2013 and formed a paramilitary group to counter the government before being killed by a joint police and military operation in 2015, was also a former guerrilla.

Timor's Constitution.[201] This decision has benefitted former guerrillas and the former armed front as a whole, as Portuguese was the main language of the armed front. There are strong links, for example, between Timor's Resistance Museum and Portugal (and Portuguese).[202] The decision to make Portuguese an official language has likewise disadvantaged former members of the clandestine front, as most of this younger generation can't speak Portuguese (Indonesian was the primary language of the mostly younger clandestine front).

A NEW HIERARCHY: THE PEACEFUL WARRIOR

While, since independence, former members of Falintil have generally been afforded more recognition than former members of the clandestine front, during my fieldwork period I encountered an alternative, opposite hierarchy of heroism in Timor. I found that some former members of the clandestine front or nonviolent resisters have received greater valorization and have been viewed as more heroic than some former armed resisters. I argue that this new hierarchy of heroism is due to the circulation of human rights discourses in Timor beginning during the later years of the occupation, discourses that center around a core value of nonviolence. The remainder of this section focuses on survivors of the Santa Cruz massacre. The following section turns to the Kraras massacres.

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[201] Fretilin headed the Constitutional Assembly that drafted Timor's Constitution.

[202] The Resistance Museum works in close association with Portugal's Marito Soares Foundation. At least in the early years of the Resistance Museum, all of the original versions of the documents that were exhibited in the Resistance Museum were kept in Portugal; only copies were exhibited in Timor. Portuguese is the dominant language of the Museum. While the Museum's exhibits are in English, Tetum, and Portuguese, as one observer to the Museum noted, "you can stand up tall to read the Portuguese but you have to practically kneel on the floor to read all of the Tetun and English" (Anonymous 2012).

Santa Cruz Survivors as Biggest Heroes

In Chapter 5, I argued that in the post-transitional justice period the Santa Cruz massacre is framed within Timor's dominant, official narrative of past resistance, as opposed to the previously dominant narrative of victims and violations. Emphasis is on the act of past resistance to Indonesian rule (the demonstration), as opposed to the resulting suffering and violence (the massacre); those who took part in the demonstration are primarily viewed, and view themselves, as heroic and agentive struggling veterans, rather than tragic suffering victims. In this chapter, I make a related but different point. I argue that 12 November is considered one of the most heroic events in present-day Timor, with the self-named survivors of the massacre considered Timor's greatest official heroes.

To begin with, every 12 November is a national public holiday, National Youth Day. The Santa Cruz event is the only specific massacre or act of resistance that occurred during the Indonesian occupation that is commemorated with its own official, national holiday.[203] In Chapter 5 I described the annual commemoration day parades that take place in Dili each November 12, during which thousands of Timorese march in parade-formation for hours across the city, reproducing the path of the original demonstration to the Santa Cruz cemetery. The yearly commemorations of 12 November, organized and funded by a commission consisting of State officials and survivors, with a typical budget of around $120,000, expand well beyond these parades (and beyond Dili).[204]

[203] While massacres did occur on December 7, 1975, the date of Indonesia's invasion of Timor, the anniversary of which is also a national holiday, this holiday is granted not because of the massacres, but because of the historical date. In any event, Timor's State makes no gesture to celebrate December 7, beyond granting the day off.

[204] I was told that the 2012 commemoration cost $100,000 (with $60,000 coming from the government).

In the weeks leading up to 12 November, various sports competitions are held throughout Timor in honor of the holiday.[205] On November 12, 2012, Timor's Resistance Museum launched a three-month exhibit of photos of the Santa Cruz events; on the night of November 12, 2012, an elaborate play about the Santa Cruz massacre and the events leading up to it was performed in one of Timor's biggest auditoriums, to a packed audience; from November 10-13, 2012, an "international conference" was held in Dili to commemorate the 20th anniversary of a solidarity event that had taken place in honor of the massacre in 1992 (while the conference, which took place in Dili's new, lavish Ministry of Foreign Affairs building, was marketed as focusing on the solidarity event, it ended up exploring the Santa Cruz massacre more generally, serving, essentially, as a celebration of the events of 12 November and its former participants).[206]

Years before my fieldwork, Timor's Parliament had pledged the enormous sum of $8 million for an official memorial to the Santa Cruz massacre to be placed at the Santa Cruz graveyard; in 2012, Timor's State installed a separate memorial to the event in front of the Motael Church, the site where the original demonstration began (and the site where Sebastião Gomes had been murdered). Unlike many other groups of self-identified victims or veterans, the Committee of 12 November has a permanent office. From November 8-11, 2011, the Committee held its first national congress in Timor's Central

[205] For example, on November 9, 2012, a soccer game was held between members of the Committee of 12 November and the government; and on November 10, 2012, a 12 mile "mini-marathon" was held in Dili. Money for these events apparently came from the State's Department of Sports.

[206] On the one-year anniversary of the Santa Cruz massacre, in 1992, 150 activists from more than 20 countries had boarded the Portuguese ship "Lusitania Express," with the intention of reaching Timor and placing flowers on the graves of the victims of the Santa Cruz massacre (they were turned back en route by the Indonesian military). The 2012 conference was attended by many of the foreigners who had boarded the ship. In a nod to discourses of reconciliation, I was told that those planning the conference had issued an invitation to the Indonesian Navy commander who had stopped the Lusitania ship from entering Dili (the former commander did not attend).

Convention Hall. The congress was attended by hundreds of delegates (members) of the Committee of 12 November from all of Timor's districts and subdistricts.[207]

As previously noted, the Committee's annual fundraisers, begun in 2009, raise tens of thousands of dollars; also as previously noted, so many have registered as survivors of the 12 November massacre that the Committee of 12 November spent many months in 2012 and 2013 (and not a small amount of money) holding a series of ceremonial *juramentos* (oaths) around Dili so that "false survivors" could be weeded out. Many survivors who live outside of Timor flew in to Timor just to attend these events. Since independence, several survivors, including Gregorio Saldhana, have served in Timor's Parliament.[208] Other survivors have become prominent businessmen. Timor's State gives special medals to survivors, termed the "order of Loriku Auswain." These are the only medals given to Timorese for participating in a particular act of resistance (or for having been being involved in a particular massacre) (these medals were handed out at the aforementioned congress). There is a school in Dili named "12 November," and those who were involved in the events of 12 November are referred to by the special names *ema 12 November* (people of 12 November), *gerasaun 12 November* (generation of 12 November), or *loriku auswain* (literally, parrot warrior).[209]

The Santa Cruz event looms so large in Timor's collective memory that it dwarfs memories of other, larger massacres in Timor's history. One day in Timor's Resistance Museum I overheard a tour guide explain to a group of Timorese students that there were

[207] The Committee held its second congress in 2017.
[208] By the time of my fieldwork in 2011-2012, at least four people associated with the Santa Cruz massacre had served as members of Timor's Parliament (so I was told).
[209] Other historical dates that are included in the names of schools in Dili include: December 10 (international "Human Rights Day," and the date the Nobel Peace Prize was awarded to Ramos-Horta and Bishop Belo in 1996); November 4 (the date of the announcement of the 1999 referendum result); and November 28 (the date that Fretilin proclaimed independence in 1975).

many other massacres in Timor during the Indonesian occupation apart from the Santa Cruz massacre (the guide was specifically telling the group about the killings in Kraras). In 2011, on the 20th anniversary of the Santa Cruz massacre, Ramos-Horta made a point to remind the public at the Santa Cruz commemoration ceremony that 12 November was not the biggest massacre in Timor's history. He asserted that other massacres shouldn't be forgotten.[210]

The extremely large amount of attention afforded the Santa Cruz massacre, combined with its framing in a celebratory resistance narrative focused on veteranhood, has resulted in the 12 November holiday being a prime occasion for human rights advocates who don't agree with the State's promotion of a resistance narrative, to organize and voice their concerns. Among other things, human rights and victims' rights advocates hold protests at the annual commemoration ceremonies of 12 November. In the days surrounding the event's anniversary they also organize seminars on the need for punitive justice for crimes from the Indonesian era.

Santa Cruz Survivors as *Nonviolent* Heroes

Why does 12 November play such a central role in Timor's national imagination? Why have its survivors been so valorized? One obvious answer is the pivotal role that the event played in Timor's independence struggle. In this chapter I lay out a different (albeit related) argument. I argue that the circulation of human rights discourses in Timor

[210] In a speech at the 12 November congress that took place from November 8-11, 2011, Ramos-Horta noted that the massacres which took place in Dili on December 7, the date of the Indonesian invasion, dwarfed the massacre of 12 November. Ramos-Horta's statement on this topic was the headline in the *Timor Post* the following day. At the commemoration ceremony on November 12, 2011 at the Santa Cruz graveyard, Ramos-Horta pointed out that the massacre on 12 November paled in comparison to the massacres that took place on Matebian mountain in the late 1970s. Ramos-Horta specifically pointed out that the Indonesians had used napalm in those massacres.

beginning during the later years of the Indonesian occupation, has allowed for the promotion of a new kind of nonviolent agency or heroism in Timor's post-independence era, an agency symbolized by the 12 November survivors. I have previously made clear that 12 November is framed within Timor's dominant resistance narrative, with a focus on the demonstration on 12 November, as opposed to the resulting massacre, and a presentation of past participants as protesting veterans, as opposed to victims. In this section I argue that remembrance of the Santa Cruz massacre, especially amongst survivors, involves a particular emphasis on the nonviolent or peaceful nature of the past demonstration, and on the nonviolent or peaceful nature of the protestors.

Most obviously, during my fieldwork, survivors referred to the past event not just as a demonstration, but as a *demonstrasuan pacifico* (peaceful demonstration) (the pledges made during the *juramentos* invoked this phrase, for example). In interviews and public discourse alike, survivors boasted of how the only weapons they used during the Indonesian occupation were "words," "empty hands," and "banners – not bullets." I asked one survivor about the fact that some have criticized the amount of attention afforded survivors of 12 November due to the fact that 12 November was only one event, that took place on only one day of the occupation. The survivor replied that the recognition was deserved because "survivors did not have guns but faced those with guns."

I noted above that the 12 November commemorations were often the target of protests by victims' rights groups or justice rights advocates. At the 2011 commemoration ceremony, a dispute took place between victims' rights advocates and survivors at the Santa Cruz graveyard. As advocates held up mock empty coffins and

yelled out demands for justice for crimes from the Indonesian era, survivors publicly chastened the group for being "disruptive." Days later I asked Gregorio Saldhana what had happened. Saldhana explained:

> If they make demands, if they are violent, then it's a problem . . . suddenly the young guys turned up, there was the President, the Prime Minister, and they suddenly turned up. They did it with violence, went in with their banners, shouting. [12 November] young people don't agree with this. They don't like violence. In the past, we held nonviolent demonstrations. We did them peacefully, peaceful demonstrations. Who perpetrated the violence? Indonesia did. Because in the past when we were struggling, we never used violence. Until now we want to do it peacefully.

Finally, survivors were upset when their past actions were depicted as less peaceful than they perceived these actions had been. On the night of November 12, 2012, I watched the aforementioned play reenacting the events of 12 November alongside a group of survivors. Afterwards, one survivor, Fidelis, told me that he thought the play was great, except for one thing. Fidelis referenced a scene depicting the demonstration. In this scene, the demonstrators were depicted as rowdy; the scene showed them pointing fingers at the Indonesia military, shouting to them: "Who are you?" Fidelis stressed to me that that never happened: "Shouting *viva*, yes, pushing each other yes, but not *hatudu liman* (showing hands/pointing fingers)."

The victim-perpetrator binary that underlies human rights discourse implies that one can either be a victim or a perpetrator (one can either experience violence or commit violence). A post-1989 human rights regime increasingly centered around suffering victimhood has arguably only strengthened this binary. Throughout the occupation Indonesia tried to take advantage of this binary by promoting an international perception of Timorese as perpetrators. The Indonesian regime tried, and often succeeded, in provoking Timorese violence, particularly intra-Timorese violence. The regime aimed to

frame the violence in Timor as a civil conflict (there was particular emphasis on this narrative surrounding the 1999 referendum). This was the context in which Timor's Resistance movement made a strategic decision to lessen its reliance on armed resistance and increase its reliance on forms of nonviolent resistance such as demonstrations, including the one that led to the Santa Cruz massacre. The goal was to prevent a false equivalence of Timorese and Indonesian violence in the international sphere.

While scholars such as Robert Meister have argued that the post-1989 human rights regime is increasingly concerned with preventing mass atrocity, another way to frame the theorized post-Cold War shift in human rights is to argue that human rights is increasingly centered around a core value of nonviolence (defined narrowly, as physical violence). If this value of nonviolence was strategically embraced and acted upon by Timor's Resistance during the occupation, it was also promoted in Timor post-independence era by Timor's transitional justice mechanisms, including the CAVR. The CAVR's overall focus on Timorese victimhood and suffering involved an obvious condemnation of the violence that caused this suffering (and thus an obvious endorsement of nonviolence). Yet the CAVR also endorsed nonviolence more explicitly. To the extent that the CAVR focused on Timor's Resistance movement, it presented an historical narrative that emphasized the Resistance's nonviolent aspects (Webster 2007:583). It praised the role of "civil society" in Timor's independence struggle, particularly "international civil society," and argued that diplomacy was "the most important factor in achieving self-determination" (2006,11:8). Even more directly, the CAVR argued that the "Resistance, the Church and international civil society earned respect and support for their creative use of dialogue and *non-violent strategies*" (my

italics), and recommended that Timorese reflect on their "positive experience of non-violence to achieve their political goals" (2006,11:8). Moving beyond nonviolence in the context of the occupation, the CAVR declared its intention to promote a "culture of . . . non-violence" in post-independence Timor; it also asserted a "national commitment to [future] non-violence" (2006,11:8,9).

The human rights regime clearly frames or conceives of nonviolence as a moral good. As such, one could surmise that 12 November survivors emphasized the nonviolent nature of their past resistance in order to emphasize their moral superiority. Survivors could be seen as arguing not only that they were better or more moral than the Indonesian occupiers, but also that they were better or more moral than Timorese who used violent resistance. After all, remembrance of the past was taking place in a context of struggles for recognition among those involved in the Resistance. Was this the case?

At the same time that survivors consistently emphasized the peaceful or nonviolent nature of their past resistance, I never heard anyone who participated in 12 November (or any other Timorese for that matter) state that past nonviolent resistance was superior to past violent resistance, or put down past violent resistance to Indonesian rule in any other way. When I tried to gauge Saldhana's views on the differences between past violent and nonviolent resistance by having Saldhana compare the armed uprising in Kraras with the peaceful 12 November demonstration, Saldhana asserted that nonviolence was "just a strategy." He continued:

> The place for shooting each other was not in Dili, not in the *villa* (city), it was in the bush where there was an armed force . . . In Kraras they fought with weapons because they were linked with the bush. If they didn't use weapons they would've been killed. That's what it's like in war. If I don't shoot him, the enemy will shoot me. War for independence with weapons or without weapons is legal, it's right, because it is defending . . . it's

> looking for our rights that another person with a weapon has taken away. It's impossible to chase people away and make them give me back my rights, when they have weapons and I don't have any weapons. You have to resist with weapons. There was a difference [between the clandestine front and Falintil] but only in the way we fought. We had the same objectives.

I do believe that survivors were claiming a kind of moral superiority (and thus heightened heroism) by emphasizing their past nonviolent resistance. Yet I found that survivors' framing of nonviolence as moral or superior was not based on claims of nonviolence's inherent morality (claims that seem to be made by the universal human rights regime). Rather, survivors deemed or framed their past nonviolent resistance as moral or heroic (if not more moral or heroic than past violent resistance) because of (perhaps ironically) the kind of militant, agentive discipline that it demanded. This argument reflects the actual context in which nonviolence was employed during the Resistance, a context in which "principled resistance to provocation on the part of Indonesia became an important element of the ethos of the struggle" (The World Bank 2008:5).

Survivors emphasized their equation of nonviolence and discipline, and conversely, their equation of violence and a lack of discipline, in comparisons between themselves and present-day youth (the generation which was too young to have participated in the Resistance). Specifically, survivors criticized present-day youth for their violence and lack of discipline, negatively comparing this group to survivors' past and present selves. We could see this kind of critique and comparison in Saldhana's explanation of why he was disturbed by the victims' rights advocates who protested at the 2011 Santa Cruz commemoration ceremony. Similar critiques took place in various other contexts. From November 25-29, 2012, I joined around 10 members of the Committee of

12 November and a group of students from different universities in Dili on a multi-day trip to Same, about 80 kilometers south of Dili, to celebrate the 100-year commemoration of the Boaventura uprising against the Portuguese. In a nod to survivors' status as "official heroes," the 12 November members had been invited by Timor's State – they were supposed to mentor the younger university students who accompanied them. The first night, our group sat in a circle on the patio of the concrete schoolroom where we were sleeping on mats on the ground, and engaged in what was termed a "sharing experience." This "sharing" mostly involved the 12 November members talking *to* the younger students. The conversation centered on disappointment with today's younger generation (as represented by the students). One survivor told the group of university students, essentially summing up his talk: "We lived under pressure, you don't – we have disappointment when you fuck up and cause violence. Youth [of today] make my heart sick."[211]

A final story illustrates the value placed by former members of the clandestine front on past nonviolent resistance not as an inherent good in and of itself, but due to its perceived links with discipline in the context of Timor's independence struggle. Just as members of the clandestine front were ordered by Timor's leaders not to be provoked into committing violence at various points during the occupation, particularly in the period leading up to the 1999 referendum, they were also ordered not to take revenge on former militia or "pro-autonomy" Timorese after the Indonesian military had finally left

[211] This echoed a talk given by a survivor to a group of high schoolers at the end of an ICTJ-sponsored school visit to the ex-CAVR that I had participated in only a month earlier. The survivor chastised the students, noting: "In the past, youth were unified and disciplined, whereas today youth simply make trouble and "join [violent] martial arts groups."

Timor. A former clandestine member who I got to know well told me that he was so upset and disturbed when he saw a fellow pro-independence supporter beating up a pro-autonomy supporter in late 1999, that he beat up the pro-independence supporter. My friend was not apologetic about using violence to punish nonviolence, nor did he see any irony in using violence to punish nonviolence, because he perceived of the two contexts in which the violence had been used as completely different.

Timor's State and Santa Cruz Survivors

It is obvious what survivors of 12 November have to gain by wanting to celebrate past nonviolent resistance. Yet, the valorization of survivors has also been endorsed at an official, State level. What does Timor's State have to gain by celebrating nonviolent heroes? I have argued that one reason that Timor's State has valorized former members of Falintil is in exchange for peace; it is due to the threat posed by former members of Falintil. Yet while paying off or valorizing former members of Falintil might help to maintain peace in the short-term, it is also potentially dangerous. Among other things, the State's valorization of past violent resistance and past violent resisters could be seen as an endorsement of present-day violence, including violence directed at the State (whether by former members of Falintil or by any other non-State actor or group of actors). Celebrating past nonviolent resistance and past nonviolent resisters (as symbolized by the 12 November survivors) is safer for Timor's State: it sends a message more in line the values or tenets of modern, liberal democracy, values which include a state monopoly on violence and an eschewing of superficial presentations of militarism.

In the 1980s, Timor's Resistance adopted the practices and discourses of human rights, including an increased reliance on nonviolent forms of resistance, in order to

market Timor's struggle to a larger, international audience. A related reason why Timor's State might be motivated to remember and celebrate past nonviolent resistance and past nonviolent resisters, is to continue to appeal to this audience. Many of my foreign informants in Timor were critical of the displacement of the CAVR-linked human rights narrative focused on victims, by the State-sponsored resistance narrative focused on veterans. Many were also critical of the generally greater valorization afforded to former members of Falintil than to former members of the clandestine front.

These attitudes were evident during the 2012 presidential election, when several foreigners who were living in Timor told me that they disapproved of TMR's candidacy because of his guerrilla past and post-independence military career (as well as the way that his campaign exploited these links). They made clear that they supported TMR's opponent, Lu'olo. While Lu'olo was also in Falintil for 24 years, he served in the political wing, and during the election explicitly framed himself as a civilian political operative. Foreigners' attitudes toward remembrance of past armed resistance were also evident in more direct discussions of remembrance. Among other things, several foreigners complained to me about Timor's Resistance Museum, noting that "it is really just about a small group of men with arms." I return to a discussion of the links in Timor between remembrance of the Indonesian past and an international audience in this chapter's conclusion.

THE KRARAS MASSACRE AND UPRISING: THE HERO-PERPETRATOR

Here I turn to my second case study. On August 8, 1983, villagers from the rural area of Kraras, including members of the Indonesian-controlled Timorese civilian

defense force, Pasukan Rakyat Terlatih (Ratih), killed from 14 to 16 Indonesian combat engineers.[212] In response, Indonesian troops and their proxies murdered hundreds of Timorese in and around Kraras throughout the month of September 1983 (and for months afterwards). The most infamous massacre, known as the massacre at Tahu Bein, took place on September 17, 1983. Estimates of the number of Timorese killed in the massacres range from several hundreds to thousands. [213]

The Santa Cruz massacre looms so large in Timor's collective memory that during my fieldwork, leaders felt the need to remind the population that other, larger massacres also took place during the Indonesian occupation. Despite the fact that the massacres in Kraras were actually amongst the largest that took place during the occupation – and despite the dramatic nature of the uprising that preceded the massacres – "Kraras" makes barely a blip on Timor's national memorial landscape. Neither the date of the Kraras uprising nor the date of any of the Kraras massacres is a national holiday. There have been commemorations of the Kraras events on and off since Timor's independence. Yet at least through the time of my fieldwork, these were typically small, low-budget, local affairs, with only one or two insignificant State representatives in attendance (if any at all).[214] At the 2012 commemoration ceremony in Kraras that I attended, the only national-level leaders in attendance were the Vice Minister of

[212] The CAVR notes that 14 were killed (7.2:168).
[213] The CAVR lists the names of 141 persons, all male, who died in the Tahu Bein massacre (2006,7.2:171-172). In an interview that I conducted in Kraras in December 2011, the Kraras village chief estimated that thousands of Timorese from in and around Kraras were killed in the months following the uprising.
[214] There have been two notable exceptions. The 25th anniversary commemoration of the Kraras massacre in 2008 was larger than average, attended by then-President Ramos-Horta and other national figures (although apparently this ceremony was still largely locally organized). Also, on November 18, 2013, Timor's national Independence Day ceremonies were celebrated in Kraras; the 30th anniversary of the Kraras massacres was also commemorated at this time in a large, national-level ceremony.

Agriculture and a representative of the President. As those from Kraras pointed out to me, even many district leaders failed to attend this event.[215] While, in 2002, local leaders from Kraras established a memorial cross in Kraras dedicated to the deceased, at the time of my fieldwork there was no nationally-funded monument or memorial to the Kraras event, either inside or outside of Kraras; nor were there explicit plans for one's construction.[216]

People from Kraras were aware of this lack of attention and were disappointed by it. My informants from Kraras often compared remembrance of Kraras with remembrance of 12 November, complaining for example, that "twelve November is national . . . but '83 is *nakukun* (dark)." In the previous chapter I discussed *Beatriz's War*, the film project based on the history of the Kraras massacres. While many from Kraras complained about the film's commercial nature – and also complained about the film's historical (in)accuracy, and what they perceived as a lack of community-level ownership over the film – ultimately those from Kraras didn't block the film from being made. As one informant noted: "it might help the leaders recognize what happened in Kraras and that it wasn't only 12 November that was a massacre." [217]

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[215] I was told that a typical Santa Cruz commemoration ceremony costs $120,000; in 2012, $6,300 was raised for the Kraras ceremony.

[216] There is a locally-funded and constructed memorial to some of those who were murdered in 1983. I was told that Ular's family helped to fund this memorial (and that the memorial honors those from Ular's specific village or neighborhood).

[217] While *Beatriz's War* is grounded in the historical events of the Kraras uprising and massacres, it moves on to tell a fictional love story based on a French film, *The Return of Martin Guerre*, which itself is based on a story from 16th century rural France. One scholar theorized that the Kraras film's move away from "a more closely historical narrative" might help to turn discussion about the film from "issues of mimesis and archiving" to "ongoing social issues in the present (Callahan 2016:2). This was not the case as I perceived it at the community level, at least during the time of the filming. While some seemed to understand that the film was not meant to be a strictly historical narrative of Kraras, most who watched the filming alongside me were upset or confused by what they perceived as factual inaccuracies. They protested that the film was *la dun los* (incorrect) or false, and noted their desire for what they termed "real history" or a "complete" film (Rothschild 2017:240-241).

Some of my informants from Kraras explained the discrepancy in national attention afforded "Santa Cruz" and "Kraras" as a result of the fact that Santa Cruz was captured on film while Kraras was not. As one former participant in the Kraras uprising told me: "Kraras is a national event, not just local, it's only that people were confused because there was no camera in Kraras unlike in Santa Cruz." Theresa dos Anjos, the older sister of Vírgilio dos Anjos ("Ular"), the leader of the Kraras uprising, explained to me in an interview at her house in Viqueque in September 2012 that: "Indonesians didn't think of people, they just killed them . . . they were not scared to kill people, and make us suffer, to commit the massacre at Tahu Bein. The world heard, the world came to know Santa Cruz, 12 November, but that was the last [massacre]. That is what people saw but Kraras had passed already. Because no one could take pictures [of the Kraras massacre]. They could only pass letters through the priests."

The greater impact of the events of Santa Cruz than the events of Kraras on the independence struggle, due to the events of Santa Cruz being recorded (and the events of Kraras not being recorded), is certainly a legitimate explanation for the post-independence difference in attention afforded the two events.[218] Yet several Timorese from Kraras, including my main informant from Kraras, Manuel, had a different explanation for the lack of attention afforded the two events. Manuel pointed to the different methods of resistance that preceded the two massacres. Manuel explained: "The reason the Kraras massacre is not so famous is because it resulted from the killing of

[218] Additional factors that facilitated a spread of information about the Santa Cruz events, both inside and outside of Timor (and conversely that worked to hinder a spread of information about the Kraras events), were the different locations of the two events (urban versus rural respectively) and the different timings of the two events (the Santa Cruz events occurred after Timor was opened to foreigners in 1989, while the Kraras events occurred while Timor was still closed to the outside world).

Indonesians."

In this chapter I have argued that human rights values that circulated in Timor during the Indonesian occupation and in the immediate post-independence era have helped make those who participated in the 12 November demonstration among the greatest heroes in Timor, due to their sacrifice without weapons. Here I argue, along with Manuel, that these same values have resulted in a situation whereby those who initiated the Kraras uprising are not considered heroes in Timor, or at least are not only considered heroes, but are also considered perpetrators, culpable for the suffering they inflicted on Indonesians in their act of resistance (they are potentially also considered partially responsible for their own suffering).

The CAVR never questioned the legality of Timor's armed resistance to Indonesian rule (CAVR 2006,mandate:12). Nor did the CAVR examine violations committed by members of Timor's Resistance against the Indonesians. Even if it had, the Kraras uprising would still most likely not have not been labeled a war crime, as it was directed against combatants and avoided unnecessary civilian loss (Personal communication with Pat Walsh, April 2014). Yet taken to its extreme, the general message of the CAVR, which was sympathy for Timorese suffering at the hands of both Timorese and Indonesian perpetrators, and a corresponding disapprobation of those who caused this suffering, could be said to have implicated those involved in the Kraras uprising and other acts of armed resistance against Indonesia. An extension of sympathy to Indonesian victims of Timorese armed violence, and a correlating critique of the armed violence that produced these victims, could be assumed as a logical next step.

In the case of Kraras, this next step was at least partially spelled out in 2008 by

then-president Ramos-Horta. Speaking in Kraras on the 25th anniversary of the Kraras massacres, Ramos-Horta personally delivered a message of sympathy to Indonesian victims of the Timorese occupation (if not of the Kraras uprising itself). Framing his message in the language of reconciliation linked with transitional justice, Ramos-Horta stated:

> I also feel your suffering, but I would like to appeal that the best way for the Timorese is forgiveness and reconciliation, including to forgive Indonesians because during this fight Timorese also killed each other and many Indonesians also died in this land . . . Therefore, as I have appealed many times before that even though the biggest responsibility of the Kraras massacre is coming from the Indonesians, however, they also suffer like us. There is no reason to hate each other. As the President, as well as your *maun bo'ot* (big brother) I would like to appeal to all Timorese to avoid violence (2008).

A similar sentiment, more clearly expressing sympathy for the specific Indonesian victims of the Kraras uprising, had been put forth by Ular, the leader of the uprising, before his death in 2010. A Timorese historian told me that Ular had planned to hold a reconciliation meeting in Kraras in honor of Timorese *and* Indonesian victims of the Kraras uprising. The reconciliation was to take place under the tree in Kraras where an Indonesian army engineer who had avoided being killed in the uprising had hidden for a night, before escaping the following day to inform his superiors of the revolt.

Why does the past violence of former members of Falintil serve as a basis for their valorization, while the past violence of those from Kraras only serves to demonize them (or so I argue)? Above, I noted the potential danger to Timor's State of engaging in remembrance of past violent resistance and valorizing former violent resisters, as this could be seen as an endorsement of present-day violence. Yet there is a difference between Timor's State valorizing former members of Falintil, and Timor's State

valorizing those involved in the Kraras uprising. Falintil is one of the oldest and most central institutions of Timor's Resistance movement. Timor's post-independence State paints itself as the successor of this movement. Indeed, the links between Falintil and Timor's State were concretized post-independence in the morphing of Falintil into Timor's post-independence military forces, FALINTIL – Defense Forces of Timor-Leste (the Falintil-Forsa Defesa de Timor-Leste or F-FDTL). Falintil is not only incorporated into the name of Timor's post-independence military forces, but 650 members of Falintil became part of F-FDTL when it first formed (ICG 2011:4). In valorizing former members of Falintil, the State is in some ways valorizing itself and its own military might.

On the other hand, the past links between the Kraras uprising and Timor's formal Resistance movement (including Falintil) are still unclear, and were arguably tenuous. After independence, Gusmão has admitted to ordering an uprising against the Indonesian military for August 17, 1983, the anniversary of Indonesia's Independence Day. Apparently all of the eastern districts of Timor were supposed to revolt at the same time (Niner 2009:100). It is still unclear why other districts didn't revolt at the appointed date; it is also not clear why the uprising in Kraras occurred on August 8, as opposed to on August 17. Had there been a misunderstanding or a failure of communication, or did the Kraras uprising ultimately occur prematurely, in response to particular crimes committed by Indonesian forces (Waddingham 2013)?

There has also been debate about the extent to which members of Falintil were ultimately involved in the Kraras uprising, as opposed to only villagers from Kraras, including Timorese defecting from Ratih (Waddingham 2013).[219] Regardless of the

[219] Of course, the line between villagers who were Ratih and Falintil was not clear-cut. Many members of Ratih had been former members of Falintil who had "surrendered" to the Indonesians. In addition, most

extent of Falintil involvement in the Kraras uprising, "ordinary villagers" from Kraras played a central role in the revolt. Among other things, I was told that when a few Indonesian soldiers didn't die immediately, the villagers stabbed them to death. A foreign researcher who had been friendly with Ular told me that Ular thought the reprisals against those from Kraras were particularly horrendous because of ordinary villagers' involvement in the uprising.

A similar kind of reasoning can account for why Timor's State has failed to properly valorize those involved in the Kraras uprising. If remembering and valorizing past violent resistance (and past violent resisters) could be seen as an endorsement of present-day violence, Timor's State might be particularly fearful of valorizing past violent resistance that took place at the village or community-level, and that was only loosely linked with Timor's Resistance and with Falintil. In addition, if Timor's post-independence State wants to promote the value of nonviolence so as to assert its monopoly over present-day violence, it is easier for the State to sideline (or even to subtly demonize) those from Kraras, than it is to sideline former members of Falintil. Most from Kraras are poor, powerless, and already on the margins of the State,

Local Remembrance of "Kraras"

This chapter has argued that in the post-independence era, "Kraras" has failed to receive much national attention. I have argued that this is because of the unspoken critique of the violent nature of the act of resistance in Kraras, a critique linked to the circulation of human rights discourses both during and after the occupation, discourses

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Ratih who participated in the uprising (including Ular), joined Falintil after the uprising (CAVR 2006,7.2:168).

which center around a core value of nonviolence (as well as the value of reconciliation). In this context, how is the past being remembered at the local level in Kraras? I argue that the failure of those from Kraras to be viewed as heroes at the national level in Timor has made the adoption of a heroic framework at the local level more difficult. The Kraras event has therefore been remembered at the local level, at least in the annual ceremonies commemorating the event, via a default framework of victimhood.

While the annual commemorations of the Santa Cruz massacre that I attended during my fieldwork were celebratory events focused on the "heroic" act of resistance that preceded the massacre, and the "heroic" persons who took part in the act of resistance, the commemoration of the Kraras event that I attended in 2012 was much more clearly a time of mourning. Focus was on the massacres (specifically, the infamous massacre at Tahu Bein), as opposed to on the preceding uprising. Focus was likewise on those who were killed (and their families), not on those who took part in the uprising. Most blatantly, since independence, commemorations of the Kraras events have been held on September 17, the date of the massacre at Tahu Bein, as opposed to on August 8, the date of the uprising preceding the massacres.[220] Moreover, until 2012, commemorations were held in Lalerek Mutin, the "widow's village," rather than in Kraras, the site of the uprising. As informants told me, this was done because Lalerek Mutin is where victims and victims' family members live.

At the Santa Cruz commemorations that I attended during my fieldwork, survivors (along with the public) reenacted the demonstration that preceded the Santa Cruz massacre by reproducing the walk from the Motael Church to the Santa Cruz

[220] However, at least one informant told me that in previous years a celebration in Kraras went on for one and one-half months, beginning on August 8.

graveyard. One of the key moments of the 2012 Kraras commemoration ceremony was a drama performed by schoolchildren that reenacted the Tahu Bein massacre. This drama, in which the children played the parts of both the victims and the perpetrators, came complete with fake weapons and the supposed true-to-life detail of the perpetrators callously smoking cigarettes after the massacre. There was no depiction of the preceding uprising. The two other central events of the 2012 ceremony also focused explicitly on the Tahu Bein massacre and its victims (as opposed to the preceding uprising). The first event was the giving of testimony by Antonio, the Tahu Bein's massacre's only living eyewitness.[221] The second event involved a 30-minute walk to the site of the Tahu Bein massacre. At the massacre site, family members of the deceased, including the widows of the deceased, spread out flowers, lit candles, laid down stones, and wailed loudly.

Indeed, the widows of those killed in the Kraras massacres figured prominently in the 2012 commemoration. The day before the commemoration, a group of these widows had journeyed from Lalerek Mutin to Kraras. That night, the group gathered together in one of the rooms of Kraras's primary school (the only concrete building in Kraras), where the women tied together flowers and leaves with string to use as decorations for the following day's ceremony. During the commemoration ceremony, this group of women sat together dressed in black mourning clothes. After the ceremony was completed, one of the ceremony's organizers made a point to snap a picture of this group of women together, surrounding the memorial cross to the massacres' victims (the picture appeared in the one of Timor's local papers the following day). Significantly, widows have been labeled as the ultimate symbol of victimhood in the gendered division of war

[221] Antonio is his real name (not a pseudonym).

between female victims and male warriors (see Elshtain 1987:4).

The framing of Kraras in a default narrative of victimhood was further evidenced by, and reinforced through, links between Kraras and Timor's victims' rights movement (a movement discussed further in the next chapter). These links primarily occurred primarily via the person of João, a former resident of Kraras and, as of 2012, the president of Timor's national Victims' Association, the organization at the center of Timor's victims' rights movement.[222] João was one of the three main organizers of the 2012 Kraras commemoration ceremony and the moderator of the ceremony. João strongly identifies a human rights activist: when I asked João about the years in which there were no commemorations of the Kraras event, he said that if he does not organize the commemorations, no one will, as it is "only people who care about human rights."

João not only framed the very act of commemorating Kraras's past as a human rights practice, he brought a national-level human rights framework of victimhood to bear on the 2012 commemoration. During the ceremony, João gave a speech in which he called for justice for crimes from the Indonesian era, specifically mentioning the two main pieces of legislation that members of the victims' rights movement were trying to push through Timor's Parliament – bills for reparations for victims and for a Memory Institute for victims. João was also the person responsible for arranging the testimony of Antonio, the sole living eyewitness to the Tahu Bein massacre. Recording victim testimony is a central human rights practice, and one that João had been specifically trained in a year and a half before by the Victims' Association. Indeed, João explicitly linked his decision to have Antonio give testimony at the ceremony to his work with the

[222] The Association also contributes a small amount of money to the yearly commemorations in Kraras.

Victims' Association. He told me: "In past years we didn't really present witnesses, but this year, because I'm also currently doing research on victims of the conflict – including on Antonio – I wanted to present the victims, people who suffered because of the massacre."

I argue that the links between Kraras and Timor's victims' rights or human rights movement via the active involvement of João is not random. Simply put, a self-proclaimed human rights advocate such as João wouldn't have found themselves in a position to organize the commemoration of an event that was being remembered via a framework of past resistance. If Kraras was being remembered in line with Timor's dominant narrative of resistance, those involved in the uprising would play more central roles in its remembrance (João had not been involved in the uprising).

I found that those from Kraras engaged with the past differently than survivors of the Santa Cruz massacre in a number of other ways (apart from their commemorations), something that seemed to reflect at least an unconscious realization that the Kraras uprising was not unequivocally viewed as heroic in Timor (as well as a desire to change this view). While 12 November survivors were eager to discuss the past with me, those from Kraras were much more reticent. Moreover, when those from Kraras did engage in talk of the past in conversations with me – or in public – discussion tended to focus on relating the "true facts" of the uprising. While of course this was partly a response to the fact that there are still so many unanswered questions about the event, the main goal seemed to be to justify the uprising.

Informants often stressed, for example, that the uprising was not random or self-initiated, but was carried out on behalf of Resistance leaders. They specifically

emphasized that the attack had been ordered by the Falintil leader, Gusmão. For example, at the 2012 commemoration ceremony, the current *chefe de suco* (village chief) gave a speech in which he noted the "plan to make a national uprising *[that came] from the commander of the struggle*…" (my italics). This was in contrast to survivors of the Santa Cruz massacre, who often stressed to me the independence of their actions from Resistance leaders, as if they wanted to claim maximum credit for the "heroic" demonstration.

As noted above, there is a question about why the Kraras uprising occurred on August 8, as opposed to on August 17, when it had originally been ordered to occur. The CAVR had implied that the uprising was at least partially in response to acts of sexual harassment by the Indonesian military committed against several women from Kraras (2006,7.2:168). Many from Kraras stressed to me that this wasn't true. They argued that it was the Indonesian regime's murder of several persons from Kraras that provoked the community, causing the people to rise up locally on August 8, not sexual violence. My interpretation of the passion with which many asserted that it was murder, not sexual abuse, that provoked the uprising, was that murder was a much more serious and justifiable excuse for a violent uprising – an uprising that is not viewed as unquestionably heroic in the post-independence period – than sexual abuse.

ANALYSIS

Human Rights, Transitional Justice, and Heroism

Just as resistance is largely left out of the practices of transitional justice and human rights, as well as the scholarship on these themes, so too is the closely linked

language of heroes and heroism. This is despite an increasing awareness of the links between transitional justice and nationalism or state legitimation (see Wilson 2003:382). As Susan Neiman notes, people are "not just unwilling but embarrassed to talk about heroes" (2010:74). There is a belief that the "Enlightenment opened a postheroic age" (2010:65). Among other things, heroes are considered dangerous and elitist, or antidemocratic (Neiman 2010:71). Scholars argue that heroes are mostly used to maintain hierarchies, or validate political or gendered domination (see Lorber 2002). The very rise of human rights, in fact, can be said to be part and parcel of a larger turn away from embracing the traditionally dominant victors and heroes of history (Neiman 2010, 75).

One main concept of heroism linked to present-day human rights discourse involves the idea of human rights as a contest between victims on one side, and savages and heroes or saviors on the other, whereby the savior frees the victim from tyranny and delivers him to freedom. Makau Mutua writes: "In the human rights story, the savior is the [Eurocentric] human rights corpus . . . with the United Nations, Western governments, INGOs [international nongovernmental organizations] and Western charities as the actual rescuers" (2001:204); both the victim and the savage on the other hand, are non-European, or at least non-white (2001:230). A narrative of the heroic West, the international community, the UN, or Australia, rescuing helpless Timorese victims from savage Indonesian perpetrators via a doctrine of human rights is certainly the way that Timor's independence has been viewed by some in the West.

Scholars' distaste for discourses of heroism, and the concrete failure of human rights and transitional justice to adequately address the theme of resistance to violence, has inhibited discussion of other ways in which heroism and human rights might

converge. In Timor, a displacement of an official narrative of victimhood and human rights by a heroic narrative of veteranhood, belies the fact that certain values of human rights and transitional justice have been incorporated into attempts to define veteranhood and determine who are the most heroic Timorese (and thus, who deserves the most recognition, power, and status). An avowedly apolitical human rights regime focused on suffering and victimhood fails to adequately address resistance to violence. Yet this chapter has shown that values of human rights, including an emphasis on nonviolence, still shape certain memories of resistance. In the particular cases of Santa Cruz and Kraras, they have helped to privilege a certain type of past resistance and past resister over others.

The "Forgetting" of Violence

A foreigner (non-Timorese) who I met during my fieldwork told me a story about an election training that she and other foreigners (and one Timorese man) had participated in before Timor's 2007 elections. The training, which took place in Dili, was run by a former international solidarity worker and peace activist, who at that time lived in Timor. It was many of the foreigners' first time in Timor and the election trainer gave the group a brief "history" of Timor's Resistance movement. According to my friend, the foreigner explained to the group that Timor's Resistance had been nonviolent. This led the Timorese man in the group to pull the trainer aside and correct her. The election trainer, appearing flustered, responded defensively. She told the man that what she had said wasn't wrong – that the Resistance had been primarily nonviolent. She didn't correct herself to the group (the exchange was conducted in Tetum and my friend was the only

one in the group apart from the trainer and the Timorese man who spoke it). Ramos-Horta has at times similarly promoted a narrative of past Timorese resistance that exaggerates the role of nonviolent resistance to the point where past violence on the part of Timorese is essentially erased. For example, Ramos-Horta has stated that during the occupation not a single Indonesian civilian was harmed (Ramos-Horta 2001).[223]

The historian Annie Coombes has described a similar de-emphasis or forgetting of past violent resistance in post-apartheid South Africa. Coombes notes that narratives of the liberation struggle on South Africa's Robben Island focus only on the island prison as a place of learning, completely leaving out mention of the ANC's armed wing. This is despite the fact that the "necessity of the armed struggle is precisely what kept Mandela . . . on the island" (2003:83). Coombes argues that a focus on nonviolence is in order to "soften . . . the taint of either sabotage or political assassinations, which might otherwise mar the 'heroism' of their struggle for a more liberal audience and particularly for the international tourist in need of a glorious and righteous struggle, whose outcome is not muddied by the mess and ambiguities of war, the armed struggle, and the inevitability of botched operations" (Coombes 2003:83).

A heightened focus on the nonviolent actions of Timor's clandestine front not only distorts history in its forgetting of the armed violence that was the main form of Timorese resistance before the early to middle 1980s, it also distorts history in its forgetting of the role that violence played in the clandestine front itself. Many, if not most clandestine groups, had in fact started out as small vigilante-type groups (Bexley and

[223] While I do not know for certain if any Indonesian civilians were killed in Timor during the occupation, Indonesian civilians in Timor did experience violence. Among other things, in January 1995, tensions in Baucau between East Timorese and Indonesians, led to the burning of the market stalls of Sulawesi migrants (Agencies in Dili 1995).

Rodrigues 2013:408). These groups were controlled by Falintil, carried out the "logistical and tactical" commands of Falintil, and engaged in violent acts against the Indonesian military and civilians, often ordered by Gusmão himself (Bexley and Rodrigues 2013:408,412).[224] As Angie Bexley and Nuno Rodrigues have pointed out, during the occupation, Timor's Resistance leaders worked to construct a category of danger-seeking, courageous, masculinized, and militarized youth, and intentionally recruited youth into the Resistance to serve a "foot soldier role" (Bexley and Rodrigues 2013:413). As the independence struggle advanced, leaders increasingly ordered youth to engage in nonviolent as opposed to violent resistance. Yet as this chapter has discussed, this nonviolence was very much conceived of, by those who ordered it and those who engaged in it, in militant terms.

While a post-independence emphasis on the value of nonviolence has helped some former members of the clandestine front gain recognition in the post-independence era (specifically survivors of 12 November), a forgetting of the ways in which violence was part of the clandestine front (in addition to nonviolence) has hurt other former clandestine members. Since independence, Timor's State and NGOs have promoted a discourse of youth as problematic, "defective," and "violent" (Bexley and Rodrigues 2013:407). This discourse became stronger after the 2006 crisis, in response to the fact that during the crisis, members of several former clandestine groups had played a destabilizing role (Bexley and Rodrigues 2013:420). A post-independence discourse of

[224] For example, on December 31, 1988, members of the clandestine front blew up the Indonesian military arsenal in Taibesse (Pinto, Jardine, and Nairn 1999:119); in the 1990s, a plan was developed to arm squads of Timorese civilians in Java to carry out a bombing campaign inside of East Timor (the campaign was accidently aborted when there was an explosion in a complex in Semarang, Java on September 13, 1997, due to inappropriate storage) (Fernandes 2011:143).

youth as "defective" obviously exaggerates the violence of youth since independence, using youth as a scapegoat for Timor's post-independence social ills. Yet to the extent that former members of the clandestine front have engaged in violence or other socially problematic behaviors since independence, the myth of a purely nonviolent clandestine front has worked to obscure a main source of this violence, and alleviate the responsibility of former Resistance leaders (Bexley and Rodrigues 2013:414).

Taking this line of inquiry further, even the seemingly "nonviolent" actions of the clandestine front need to be interrogated for their relationship with violence. As detailed in Chapters 3 and 5, there is fairly good evidence that the nonviolent Santa Cruz protest was meant to provoke violence from the Indonesian regime. Organizing a march with the hope or even intention that enemy forces will open fire and create "innocent victims" in an attempt to provoke international intervention in a desperate situation, is clearly not equivalent to directly employing violence. Yet it needs to be noted that strategic nonviolent resistance in the age of global human rights is not completely nonviolent, but rather employs violence in its own way – albeit indirectly – using the enemy's weapons against one's own people.

Parts of Chapter 7 have been published in altered form in 2015. Democratization of Perpetration: Human rights, Transitional Justice and Memories of Resistance in Post-Conflict Timor-Leste. Conflict and Society 1(1): 92-108. I am the sole author of this article.

Chapter 8

Victims' Rights and the Victim-Veteran Binary

About a month after I arrived in Timor in August 2011 to begin my fieldwork, I heard that a group of Timorese were writing a book about female victims from the Indonesian occupation. The book project was operating out of the front offices of the former CAVR. One day I stopped by the project's office and ran into Dewi, a former "solidarity worker" from Indonesia, who had worked at the CAVR while I was there from 2002-2003, and who was now employed at the project. I asked Dewi about her research on victims and was immediately rebuked. Dewi exclaimed (in Indonesian) that she was *not* researching victims – she was researching *perjuangan* (strugglers)! This encounter made two things clear. First, the category of victim is devalued in present-day, post-transitional justice era Timor. As I wrote in my fieldnotes that night, it felt like Dewi had responded to my mention of victimhood as if I had said a dirty word. Second, the categories of victim and veteran are viewed as mutually exclusive in present-day Timor. Dewi's strong and immediate rebuke to my mention of victimhood made it clear that she did not believe that one could be both victim and veteran at the same time in Timor; one was either one or the other.

This chapter turns away from a direct focus on the dominant narrative of resistance in Timor's present-day, post-transitional justice era, to look at the legacy of the previously dominant narrative of victims and violations promoted by the CAVR, that I laid out in Chapter 4. This chapter proceeds as follows: in the first section I elaborate on the negative perceptions of victimhood that I encountered during my fieldwork, as well as

the related displacement of the victim category from the public sphere. In the second section I ask why the category of victim has come to devalued (and displaced) in Timor. I discuss the lack of political will on the part of Timor's leaders to support victims' rights. I also argue that the "victim" has come to be defined in negative relation to the "veteran" as one who did not resist Indonesian rule. In other words, the two points I noted above are related: the category of victim is devalued in Timor *because* the categories of victim and veteran are viewed as mutually exclusive. I next move on to discuss attempts by victims' rights advocates to make claims for victims in a context where veteranhood is fetishized and victimhood is devalued. In the chapter's final section I argue that while Timor's State is partly responsible for the development of a victim-veteran binary which works against the interests of victims, the CAVR unintentionally contributed to this binary through its focus on innocent, suffering victimhood.

This chapter relies on data from my work with non-State victims' and human rights groups based in Dili. I focused on three main groups that were at the center of Timor's small victims' rights movement during the time of my fieldwork: a local human rights NGO, Yayasan Hak; a Timorese branch of the ICTJ; and Timor's national Victims' Association. I engaged in participation observation with said groups, attending various group meetings, conferences, and commemorations of past events of violence sponsored by said groups. I also conducted interviews with self-identified victims and victims' rights advocates.

STATE OF "PRESENT-DAY" VICTIMS' RIGHTS POLITICS

Where Did all the Victims Go?

While so many were identifying as veterans during my fieldwork that there was a

prominent discourse of false veteranhood and attempts by various groups to weed out so-called false veterans, during the same period I was hard-pressed to find any Timorese who would, without major qualification, self-identify as a victim. Indeed, only six to seven years after the CAVR closed its doors, the once-omnipresent victim seemed to have all but disappeared. During my fieldwork, there was very little talk of victimhood in the public sphere, and little to no public recognition for victims. Unlike veterans, by the time of my fieldwork, victims had received no pensions or alternate forms of payment from the State. No special memorials had been built for victims by the State; no ceremonies had been held by the State to commemorate victims; the State had not built a special cemetery in which to bury victims.

Chega! had recommended that after the CAVR finished its main period of operations in 2005, the CAVR should "form an integrated part of an active human rights centre to be developed in the former Balide Comarca" with the "overall purpose . . . to remember, honour and learn from Timor-Leste's recent human rights history" (2006,11:28). This center was to be financially supported by Timor's government. During my fieldwork the ex-CAVR did serve as a kind of human rights museum and archive or "national memorial to suffering" (Leach 2009:153). One could visit the ex-CAVR free of charge and tour the premises. One of the ex-CAVR's main "highlights" are its "dark cells" – eight small prison cells which during the time of their usage had no light and little ventilation. Apart from the installation of lights, these cells have been kept in their original state and visitors are prompted by tour guides to stand in the cells and imagine what being imprisoned might have felt like.[225]

[225] Different rooms in the ex-CAVR have different roles or functions: one describes the history of the CAVR and another describes the international context of Timor's occupation and independence struggle.

Yet during my fieldwork, the ex-CAVR received much less attention from Timor's State than Timor's Resistance Museum, which had been newly reinaugurated by Timor's State after major, high-tech renovations in a massive ceremony on May 20, 2012, the 10th anniversary of Timor's official independence. The ex-CAVR received many fewer visitors than the Resistance Museum. Moreover, in contrast to the Resistance Museum, I was told that a majority of the visitors to the ex-CAVR were foreigners (something that seemed to be confirmed by my observations). This was why the local ICTJ branch had decided to organize visits to the ex-CAVR by Timorese (the ICTJ organized these visits specifically for schoolchildren and for Timorese living outside of Dili). The CAVR had also recommended widespread dissemination of *Chega!* throughout Timor, suggesting that Timor develop a curriculum that makes use of *Chega!* (and related materials).[226] In 2011, a Timorese friend was contracted by an Irish aid organization that worked in Timor, to research the distribution of CAVR materials. This friend found that *Chega!* had been distributed to only a few schools outside of Dili. In addition, teachers told him that government officials had explicitly told them not to use *Chega!* as the material was "too sensitive." Several Timorese told me that the then-Minister of Education – the person responsible for developing the State curriculum using *Chega!* – hadn't even read *Chega!* (apparently, he stated that he will only read it when the Portuguese version is released).

One arena where I could find victims and talk of victims during my fieldwork was

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The main room – the "human rights room" – provides an explanation of "international human rights" and lays out the CAVR's findings in relation to specific human rights violations in Timor during the CAVR's mandate period.

[226] Related materials include "*Chega!* Popular," a comic strip version of *Chega!* that was produced in 2010 with funding from the ICTJ and the European Union.

within Timor's victims' rights movement. There were three main groups or institutions at the center of this movement, all non-State organizations based in Dili. Located in the NGO-heavy neighborhood of Farol, Yayasan Hak was one of the only NGOs present in Timor during the Indonesian occupation (it was founded in 1996, partly as a response to the Santa Cruz massacre). Just around the corner from Hak, ICTJ first opened an office in Timor in 2006-2007, although, as noted in Chapter 4, it was involved in Timor beginning in the early 2000s, when it provided assistance in drafting the CAVR legislation. ICTJ's office, which, during my fieldwork, was composed of six staff, three Timorese volunteers, and one international volunteer or intern, closed in December 2012. The third group, the Victims' Association, was arguably the symbolic center of the victims' rights movement. Established on September 4, 2009 at Timor's first national Victims' Congress, the Association has a tiny office on the grounds of Yayasan Hak and uses Hak's conference room for its larger meetings.[227]

These three institutions – and the movement as a whole – explicitly connected themselves to the CAVR. A main goal was to push forward the CAVR's recommendations as laid out in Chega. Indeed, an official handbook released by the Victims' Association in 2012 that laid out the Association's terms of reference, linked the Association's very establishment to the failure of the State to implement the CAVR's recommendations on its own.[228] The victims' rights movement was directly connected to

[227] The first national Victims' Congress took place in Dili from September 3-4, 2009. The Victims' Association was established after a vote from members of that congress (apparently 10 victim representatives came from each of the 13 districts).

[228] The handbook notes that the Association was established as "a response to the situation that the State already received the Chega report from CAVR in 2006 . . . but did not yet take action to make the recommendations" (Oliveira 2011). ICTJ's main Timor website likewise declares that one of its main goals is supporting Timor's State in implementing the CAVR recommendations (ICTJ 2011). Both of these organizations also aim to push forward the recommendations of the successor organization to the CAVR,

the CAVR in other ways: some of the very same actors and institutions that were involved in the CAVR were involved in the present-day victims' rights movement. This included the ICTJ of course. It also included individuals: Galuh Wandita, the former Program Manager at the CAVR, was the ICTJ senior associate responsible for programs in Indonesia and Timor-Leste. "Victim representatives" and victims from the Victims' Association often stayed at Wandita's home in Indonesia while attending trainings there, and Wandita was one of the main speakers at the Victims' Association's second congress that took place in October 2012.[229]

Yet during my fieldwork, the victims' rights movement was small, underfunded, and relatively weak. While the Victims' Association can be considered the symbolic center of the movement, all of its staff and funding came from Yayasan Hak and ICTJ (most of it came from ICTJ, which closed at the end of 2012). Victims' rights advocates told me that the movement aimed to represent a national spectrum of Timor's victims, and to have victims' voices trump those of the movement's leaders. Yet these same advocates admitted (and my research confirmed), that the movement is Dili-centric, and that elite advocates' voices tend to be louder than those of self-defined victims. There was, moreover, evidence of a recent downhill trajectory of the movement (separate from the longer-term downward trajectory from the time of the CAVR). I attended the second national Victims' Congress, the central event of the victims' rights movement, from October 26-27, 2012. Many who also attended volunteered to me that there was less

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the Indonesian-Timor-Leste Truth and Friendship Commission (Comisaun Verdade no Amizade, CTF or CVA), which operated from 2005-2008 in Indonesia.

[229] "Victim representatives" come from each of Timor's 65 subdistricts and represent victims from those subdistrics. The representatives are supposed to be victims or family members of victims.

enthusiasm for this congress than there had been for the first congress in 2009.[230]

Finally, during the time of my fieldwork, the victims' rights movement was struggling to achieve its modest goals. The two main CAVR recommendations that the movement hoped to push through Timor's Parliament were for victim reparations and for a Victims' Memory Institute. Members of the victims' rights movement had submitted draft bills on these topics to Parliament in July 2008.[231] Yet while discussion on the draft bills had begun in July 2010, in September 2010 members of Timor's Parliament had suspended the discussion. They argued that Timor's Parliament needed to first address problems with veterans' payments. Discussions were suspended in February 2011 for the same reason, and were also suspended several times after then (La'o Hamutuk 2010) (It was only in January 2017, years after my fieldwork completed, that a mandate for a Victims' Memory Institute was finally approved).[232]

Negative Views of Victimhood

As the chapter's opening anecdote illustrates, to the extent that the victim category is still in circulation in post-transitional justice era Timor, the category is devalued. The anecdote provides an example of a non-Timorese former solidarity worker (and former CAVR staff member) dismissing the victim category. During my fieldwork, Timorese who suffered severe human rights violations during the occupation also

[230] Apparently, many of those invited to the second congress did not attend. I was specifically told that no journalists or State officials attended.
[231] In line with UN rules on reparations, victims' rights advocates have argued that Timor's State should begin payments while waiting for Indonesia to assume responsibility (Working Group on Reparations 2008:2-3).
[232] The Institute was approved by Timor's Council of Ministers on October 31, 2016; it was approved by Timor's President in January 2017. Among other things, the Institute will help to implement and monitor the recommendations of the CAVR and the CTF (RDTL 2016:4).

dismissed or expressed disdain for the victim category. Chapter 5 described how, in the post-transitional justice era, survivors of the Santa Cruz events have come to view themselves and to be viewed in turn as "heroic veterans" rather than "suffering victims," in line with Timor's presently dominant national narrative of past resistance. This could be seen as an implicit rejection of the victim category. Yet rejections or dismissals of the victim category by those who suffered human rights violations were often more explicit.

Ameu was a former clandestine leader. During the occupation, he worked closely with several Falintil commanders, and in 1995 he led a protest at the University of East Timor. Arrested while filming the protest, Ameu was taken to Indonesian intelligence headquarters close by and was severely tortured. During my fieldwork, I became good friends with Ameu, now a well-known journalist. An intense man, with eyes that dart around constantly, it always seemed to me that Ameu had not yet fully adjusted to life in an unoccupied, nonmilitaristic State. One day I was chatting with Ameu over cups of espresso in the garden of one of Dili's local hotels and the conversation turned to the torture that Ameu had experienced during the occupation. Ameu told me that looking back on what he went through he feels afraid, even though he wasn't at the time. He mused: "when they want to pull off your fingernails you don't feel anything but now when you think about it . . . " Ameu also talked about being hung upside down. At some point in this conversation about torture, I asked Ameu about his relationship to the Victims' Association. Ameu responded without hesitation: "I am not involved because I'm not a victim but a hero!"

This quote is significant for multiple reasons. First, is Ameu's unequivocal rejection of the victim category. Second, Ameu links his rejection of the victim category

to a rejection of human rights advocacy and the victims' rights movement as whole. Indeed, I found that most self-identified veterans in Timor with whom I spoke not only denied that they were victims, but also kept a self-conscious distance from Timor's victims' rights movement. This included survivors of the Santa Cruz massacre (who, as we know, tend to identify as veterans, not as victims). Several people involved in the Victims' Association complained to me that survivors rarely attended the Association's meetings, despite invitations (no survivor attended the second national Victims' Congress). One survivor who is involved in the Association as a victim representative from the district of Viqueque, made sure to tell me when we met up for an interview that he was a survivor, not a victim, and that he was only involved in the Victims' Association because victims from his community had asked for his help.

Self-identified veterans' desire to maintain distance from victims' rights or human rights advocacy, helps to explain the tussle that occurred between victims' rights advocates and survivors at the 2011 commemoration of the Santa Cruz massacre. As described in the previous chapter, when advocates held up makeshift empty coffins at the ceremony at the Santa Cruz graveyard, and yelled out demands for justice for crimes from the past, they were subsequently chastised by survivors. I was told that in 2010, survivors had expelled victims' rights advocates from the organizing committee of that year's commemoration, after rights advocates had announced their plans to bring up issues of justice at the ceremony.[233]

Perhaps the most damning evidence of the devaluation of the victim category in Timor is the reality that many involved in the victims' rights movement also reject the

[233] At the 2012 ceremony, however, Saldhana did read a statement calling for justice for past crimes (he did so alongside several human rights NGOs and victims' rights groups).

victim label, and instead embrace, or at least attempt to embrace, the label of veteran. For example, Maria, a victim representative who self-identifies as a veteran, although she does not receive formal recognition from the State as a veteran, told me she does not (also) consider herself a victim, despite having been imprisoned without trial during the occupation. Even more significantly, the Victims' Association itself had originally tried to downplay its links with victimhood and emphasize its links with veteranhood by including the word "martyrs" in its title, an official government term applied to Falintil guerillas who were killed or disappeared. The Victims' Association had originally been called the "Association of Victims and Families of *Martyrs of the Homeland* During the Conflict from 1974-1999," as opposed to the "Association of Victims and Families of *Victims of Human Rights Violations* During the Conflict from 1974-1999" (my italics). The name was only changed in January 2011.[234]

At least through the time of my fieldwork, members of Timor's Victims' Association had been appointing veterans as their representatives, in contravention to the rules of the Victims' Association, in which representatives are supposed to be victims or family members of victims. In an effort to change this, the head of the Victims' Association, Jose Luis de Oliveira, circulated an open letter to members of the Victims' Association before the second Victims' Congress, explaining that representatives could be victims that are "family members of ex-Falintil or ex-*kuadrus* resistance," such as their wives or children, "as long as they themselves are not included as members of veterans or the resistance." Oliveira went on to explain the difference between the

[234] The explanation given for the change was that "the Timorese state already attributes the word martyrs to 'ex- combatentes and veterans'" (Oliveira 2011:3).

Victims' Association and a particular veterans' organization. He noted: "The [Victims' Association] does not bring together people like the Association of Veterans of the Resistance; it brings people who have a desire or commitment to continue struggling for or realizing human rights victims" (Asosiasan Vitima "Konflitu Politiku 74-99" n.d.).

During my fieldwork, I was told by a foreign intern who worked at the ICTJ that one of the oldest local-level victims' groups in Timor, consisting of survivors and family members of victims of the 1999 Suai Church massacre, wanted to change its name to include the word "veterans." Most recently, there was a dispute within the working group for the newly approved Memory Institute for victims over the use of the term "victim"; many did not want the term used (Personal email communication with anonymous, March 2016).

EXPLANATION FOR STATE OF VICTIMS' AFFAIRS

Lack of Political Will and the Politics of Justice

What accounts for the disappearance and devaluation of the victim category in Timor, as well as the related lack of public support given to victims by Timor's State? One obvious, important explanation is a lack of political will on the part of Timor's leaders to support human rights efforts aimed at accounting for the past. Timor's leaders did not always lack this political will. During the occupation, Resistance leaders had called for future punitive justice for crimes committed during the occupation.[235]

[235] In 1992 Resistance leaders had released a statement asserting that an independent East Timor State, "firmly believing in the universality of 'human rights transcending boundaries and prevailing over state sovereignty," would uphold justice for the crimes of the Indonesian occupation. The statement specified that the future East Timorese State would actively support the creation of an "international human rights court" and a "penal court" to try war crimes and crimes against humanity (Conselho Nacional de Resistencia Maubere 1993).

Immediately post-independence, Timor's leaders had called for an international tribunal.[236] Leaders also initially supported other efforts aimed at securing punitive justice for crimes from the Indonesian era, such as the UN-sponsored Hybrid Tribunal which operated in Timor alongside the CAVR from 2002-2005.[237] The Resistance's embrace of punitive justice was in line with the Resistance's embrace of human rights rhetoric and tactics during the later years of the occupation.

Yet Timor's leaders soon changed their stance. In 2004, Timor's leaders stopped cooperating with the UN Hybrid Tribunal. They began speaking out against the need for punitive justice for crimes from the past in the form of an international tribunal, and began speaking out in favor of amnesty.[238] Leaders also failed to embrace *Chega!* when it was handed to the Timorese government in October 2005, two months before the CAVR dissolved. Gusmão, the President at the time, criticized the "grandiose idealism" of *Chega!*, and stated that the recommendations, which included calls for punitive justice and reparations, could be used to "manipulate our people's state of mind" (cited in Kent 2008:11). He postponed making *Chega!* public and by the time of my fieldwork it had yet

[236] For example, at the World Economic Forum in January 2002, then-interim Foreign Minister, Ramos-Horta, called upon the United Nations Security Council to establish a criminal tribunal in the spirit of the tribunals for the Balkans and Rwanda.

[237] The Hybrid Tribunal was mandated to deal with crimes involving genocide, war crimes, crimes against humanity and torture, and crimes involving murder and sexual offenses, committed between January 1 and October 25,1999. It consisted of two Special Panels at the Dili District Court and one at the Dili Court of Appeals. A Serious Crimes Unit (SCU) was also established as part of Timor's general prosecution branch, responsible for investigating the 1999 violence.

[238] Most famously, in 2009, Timor's State released Indonesia militia member Martinus Bere, who had been indicted and imprisoned in Timor by the UN's Serious Crimes Unit for his role in the 1999 Suai Church massacre. In 2009, during a summer of fieldwork, I attended a ceremony in Dili celebrating the 10th anniversary of Timor's referendum. The ceremony was delayed around 30 minutes so that Timorese officials could transfer Bere from prison to the Indonesian Embassy. This was a condition for the presence at the ceremony of certain high-ranking Indonesians officials. Ramos-Horta then preceded to give a speech proclaiming that Timorese must forgive Indonesians who "committed heinous crimes against us." He declared that there would be no international tribunal to prosecute those responsible, and called for Timor's Serious Crimes Unit to be disbanded.

to be debated in Timor's Parliament.[239]

Timor's leaders have explained their actions (or lack thereof) by arguing that *realpolitik* – specifically a need for good political and economic relations with Indonesia – trumps the need to deal with crimes from the occupation. They have argued that good relations with Indonesia (or "reconciliation" with Indonesia) is incompatible with the pursuit of past justice. Relevant here is that Indonesia has not been open to dealing with the bloody legacy of its Suharto regime (including the atrocities in Timor and in Indonesia itself). A lack of support from the international community for justice for crimes from the Indonesian era (support which weakened further after 9-11) also helps to explain the anti-justice stance of Timor's leaders (Kingston 2006:271).[240]

Many scholars have still questioned why Timor's leaders have so *resolutely* rejected efforts to secure punitive justice for past crimes. While Indonesia and the international community have not been cooperative, and have even put up barriers to justice, Timor's struggle for independence was a successful fight against the odds – why not at least *try* for justice? (see Webster 2007). This question is an important one, and much has been written about Timorese leaders' turn against justice in the post-independence era.[241] Yet in this chapter I am more interested in the effects of the State's anti-punitive justice or anti-human rights stance on the politics of memory in post-independence Timor. *How* have Timor's leaders worked to handicap the legacy of the

[239] After the CAVR finished its operations, Timor's government also helped to establish the CTF. This was despite opposition from victims' rights advocates who believed that the CTF was a way for Indonesia to escape punitive justice.
[240] Other arguments that Timor's leaders have made (before and during my fieldwork period) are the following: that Timorese have already received justice with the achievement of independence or self-determination, that real justice will come with present-day social justice and development, and that punitive justice would work against the more important goal of reconciliation and peace within Timor.
[241] Some Timorese informants have argued that Timor's leaders fear prosecution for their own war crimes; others point to corrupt business dealings between Timorese and Indonesian elites.

CAVR and the successor movement for victims' rights that I encountered during my fieldwork? How have leaders worked to sideline the CAVR-promoted narrative and its central category of victim?

On the one hand, the State's lack of support for victims' rights claims in Timor, including a lack of monetary support (combined with a lack of support from the international community), has meant that it simply doesn't "pay" to identity as a victim or to engage in victims' rights politics in present-day Timor. Pasts of "victimhood," however, defined, are simply not "usable." One of my informants told me that no one likes to identify as a victim in Timor because there is "no point." He argued that "all Timorese would be victims" if there was money to be had.

On the other hand, there is a slightly subtler way in which the State has worked to handicap the victims' rights movement and its central category of victim. In Chapters 5 and 6, I argued that Timor's leaders have worked to promote a dominant present-day narrative of past heroic resistance to Indonesian rule in order to strengthen their own political power and "buy the peace." If these were the only reasons, it might seem that the displacement of the previously dominant narrative of violations and victims was merely incidental. Yet I argue that this was not the case. Rather, I assert that one (additional) reason that Timor's leaders have worked to promote a narrative of past resistance to Indonesian rule was to displace the CAVR-promoted narrative of the past focused on violations and victims, because of that narrative's links with calls for victims' rights and punitive justice. That Timor's State has at least partially promoted a narrative of past resistance in order to displace the CAVR-promoted narrative of past violations and victimhood, is evidenced by the way that State officials have contrasted the two

narratives and their central protagonists, the victim and the veteran (or hero), as if they were self-evidently mutually exclusive. For example, in 2002, the former Falintil General Major Mau Buti declared: "We should not talk about victims of war in Timor-Leste. Those who died are not victims of war, but heroes because they won" (cited in The World Bank 2008:4). In 2005, upon receiving *Chega!*, Gusmão similarly proclaimed before Parliament, "In times of sacrifice we rose to be heroes. Today, in times of peace, we are regarded as victims! Our people, the heroic and forsaken people of Timor Leste, do not deserve to be treated with so blatant a disrespect!" (cited in Kent 2015:58).

As can see from the expression "we are regarded as," Timor's leaders have framed the category of victim as coming from the "outside." Beginning several years after independence, Timor's leaders have likewise framed calls for punitive justice, calls for victim reparations, and indeed calls to simply remember the past, as "projects" of the international community. Timor's leaders have argued that Timorese should just "move forward" or "put the past behind" them. In making these kinds of assertions – and linking remembrance of the past so closely with victimhood and efforts to secure victims' rights – Timorese leaders have obscured the reality that they themselves have not "moved on" from the past. As this dissertation has shown, Timor's leaders continue to remember, focus on, and employ the Indonesian past – albeit via a lens of resistance and veteranhood. Timor's leaders don't want to move on from the past, they only want to move on from the past as viewed through a human rights lens focused on violations, victims, and justice. As Lia Kent has noted: "It is simply that a particular *version* of the past is favoured" (2014:309).

Victim-Veteran Binary

Here it is necessary to take a step back and look more closely at the formal definitions of victims and veterans in post-independence Timor, divorced from the meanings they have come to assume. According to these definitions, are the categories of victim and veteran (or hero) mutually exclusive? In other words, is it self-evident that one can be either a victim *or* a veteran (or hero) in post-independence Timor, but not both?

The CAVR defined victims as persons who have "suffered harm . . . as a result of acts or omissions over which the Commission has jurisdiction to consider" (2006,10:4). It further specified that victims were "primarily civilians or noncombatants" (2006,10:4). While this addendum served to exclude most members of Falintil from formal determinations of victimhood, it did not serve to exclude former members of the clandestine front (who as we know, can be classified as veterans, according to the State's 2006 veterans' law). Indeed, the CAVR emphasized that "civilian victims" included those "who were not known to have a political affiliation *and* those who were formally part of a pro-independence group or political party" (my emphasis) (2006,6:39). The present-day Victims' Association has likewise emphasized the inclusion of former clandestine members in its definition of victimhood. In its official handbook, it defines human rights victims as "everyday civilians or civilians that had some political conviction and were involved in political structures and met violence" (Oliveira 2011:4). Both the CAVR's definition of victim and the Victims' Association's definition of victim are based in international law.[242]

Timorese civilians who participated in Timor's clandestine front and who, post-

[242] Those receiving veterans' pensions might be barred from also receiving victim reparations, however (Working Group on Reparations 2008:11).

independence, have been recognized as veterans or heroes by Timor's State, but who were also subject to human rights abuses during the occupation, could theoretically lay claim to both victim and veteran identities in present-day Timor. They could do this not just on a colloquial level, but also on a formal, institutional, or political level, in line with the Victims' Association's definition of victim, and the State's definition of veteran. The Victims' Association's official handbook explains this possibility of dual identities or memberships with a Venn diagram. One circle, with an arrow pointing to a description of victims, is labeled "civilian population"; the other circle, with an arrow pointing to a description of veterans, is labeled "combatants and Resistance groups"; the middle, overlapping bit is labeled "clandestine" (Oliveira 2011:6).

Despite this reality, my research revealed that a conception of victims and veterans (or victims and heroes) as mutually exclusive categories, defined in negative relation to each other, has not only been promoted by Timor's leaders, it has been embraced by many Timorese. Among those who have embraced this binary are former members of the clandestine front who were victimized during the occupation. My friend Ameu, above, didn't just deny that he is a victim, despite having been tortured by Indonesian agents. In line with the assertions of Gusmão and Mau Buti at the introduction of this section, Ameu asserted that he was not a victim – that he could not be a victim – *because he was a hero* (meaning, a veteran, or former member of Timor's Resistance).

Indeed, I found that it was former clandestine members such as Ameu and survivors of the Santa Cruz massacre, the very persons who could technically embrace both the victim and veteran categories, who most strongly rejected the victim category. At first this surprised to me. Beyond the reality that many former clandestine members

were victimized during the occupation, within Timor's "internal front" it was the clandestine front (as opposed to the armed front) that most closely engaged with the practices and discourses of human rights, including the discourse of innocent victimhood. On closer examination, the particularly strong rejection of the victim category on the part of former clandestine members makes sense. It is a natural outcome of the perceived mutual exclusivity of the victim and veteran categories in Timor. As discussed in the previous chapter, former members of the clandestine front have generally had a harder time proving their veteran status than have former members of Falintil. In a situation where victims are perceived to be non-veterans, former clandestine members have had to be particularly clear that they are not the former, in order to prove that they are the latter.

The existence of a victim-veteran binary in Timor means that for many Timorese "victims" are not defined in relation to Indonesian or Timorese "perpetrators"; nor are they defined in relation to those who held arms (ex-Falintil). They are defined instead in relation to the broadest understanding of veteranhood in Timor, meaning those who resisted Indonesian rule more generally, whether through violent or nonviolent means. What exactly does this mean? If the veteran has come to be defined by his or her past agency, struggle, and resistance, the victim has come to be defined by his or her past lack of these actions or qualities. While these characterizations were implicit in the widespread rejection of the victim category that I encountered during my fieldwork, several interviewees made this point explicitly.

As previously noted, Saldhanha, the leader of the Santa Cruz demonstration, was imprisoned in Java for eight years for his role in organizing the demonstration (Saldhana was also shot during the demonstration). Saldhana explained to me his perception of the

difference between victims and veterans in relation to the Santa Cruz demonstration (in which marchers aimed to place flowers on the grave of the deceased independence supporter Sebastião Gomes). Saldhana noted:

> I . . . say this, I'm not a victim, I was part of the struggle. I went to struggle and fight. A victim is someone who went and didn't know anything and then suddenly they were shot dead. They didn't know anything, they just went to put some flowers on a grave; they can be called a victim. If I'm a victim then I didn't know anything. Someone killed me when I didn't know anything. But if I'm prepared, I'm ready to die, I went there as a combatant in the war, then I'm not a victim, I'm a fighter, combatant. Because if I'm a victim then I didn't know anything. Someone killed me when I didn't know anything. But if I'm prepared, I'm ready to die, I'm not a victim, I'm a fighter. This term [combatant] has a lot of strength, for me. It gives strength to people's dignity.

Another quote that illustrates the same point comes from Eugenio, a human rights advocate from Yayasan Hak who works closely with the Victims' Association. In an interview with Eugenio that took place outside of Yayasan Hak's office, Eugenio critiqued the heroic stance of survivors of 12 November and their framing as veterans. He noted that in reality survivors were "in between victims and veterans." Eugenio explained: "At the time they didn't necessarily know what they were doing, afterwards they got a bit of consciousness, and post-independence they were considered brave heroes." In other words, according to Eugenio, survivors shouldn't really be considered as "brave heroes" or veterans, because at the time that survivors participated in the demonstration they didn't "know what they were doing" (it was only afterwards that they "got consciousness" – albeit, just "a bit").

While Eugenio was making a point that is superficially opposite Saldhana's point (Eugenio argued that 12 November survivors aren't heroes or veterans while Saldhana argued that they are), Eugenio's argument rests on the same logic as Saldhana's. This

argument is that veterans and heroes are defined by their agency, whereas victims are defined by their lack thereof. As Gloria, an elderly victim representative bluntly put it: "veteranus mak halo; vitima, ema mak halo" ("veterans act, victims are acted upon"). Notably, both Saldhana and Eugenio defined the agency they link with veteranhood as not only entailing physical action, but also entailing consciousness, knowledge, and mental preparation. I have argued that in line with other truth commissions, the CAVR worked to construct a category of innocent victimhood. Indeed, when Timorese compared victims and veterans they often referred to victims as "innocent." Yet this innocence had a negative connotation. The victim was innocent not because he was not guilty, but because he was unaware.

Gendering of Victim-Veteran Binary

Notably, the two categories of victim and veteran in Timor are gendered, with a female victim positioned against a male veteran. At the time of my fieldwork there was no official registry of victims in Timor as there is with veterans. Yet the victims' rights movement focused its attention on female victims, especially widows and victims of sexual violence. For example, there are 10 local victims' groups connected to Timor's national Victims' Association, all based outside of Dili. All but one of these groups are comprised solely of women; most of these groups are comprised of all widows (the groups are alternatively referred to as victims' groups, women's groups or widows' groups).

In addition, at the time of my fieldwork, one of the Victims' Association's main projects was a beneficiary program for "vulnerable victims." As part of this program, the

Victims' Association gave medical help to those with severe injuries and material to help restore derelict houses. The Victims' Association also taught victims how to run small businesses (and provided a small amount of funding for these businesses). I was told by victims' rights advocates that the beneficiary program included more women than men, with many widows from the occupation and those who experienced sexual violence. Indeed, during the two field visits that I took outside of Dili with ICTJ staff to visit victims as part of this program, we only interacted with female victims (we visited with former rape victims in Baucau, who had a small business selling cakes and pastries, and with a widows' group in Mauchiga, which runs a small sewing business). [243]

Finally, during my fieldwork, one of the ICTJ's main documentation projects was the making of a DVD about three female victims of sexual assault from Indonesian times. The finished DVD, *Feto iha Otel Flamboyan* (*Women in the Hotel Flamboyan*), which featured several of the victims of rape mentioned above, was soon on display at the front of the ICTJ office (it was also shown to victim representatives at a meeting of the Victims' Association in October, preceding the second Victims' Congress). Indeed, at least through the time of my fieldwork, the only victims with whom the victims' rights movement worked who were not connected to the Indonesian occupation or the preceding civil war, were female rape victims from the Japanese occupation of Timor during World War II.[244]

Accompanying an actual focus on female victims, particularly widows and those

[243] On the trip to Mauchiga we delivered cabinets and an old manual Singer sewing machine to the widows' group.

[244] After the ICTJ closed at the end of my fieldwork in 2012, it was replaced by a new local NGO, Chega for Us (Chega ba Ita or ACbit), after the CAVR report. Pereira, the former the head of the ICTJ, is the current head of ACbit. When I interviewed Pereira while she was still head of the ICTJ, she told me that she planned for ACbit to prioritize female victims.

who experienced sexual violence, was a clear equation of the victim category with women (especially widows and victims of sexual violence). Multiple Timorese, including victims' rights advocates, explained to me in interviews that a victim was "someone who suffered human rights violations, like sexual assault or rape." Anita, a victim representative, told me: "The victims in the victims' association that we talk about are those that are poor . . . they don't have help . . . like widows." The equation of victimhood with women extended to an equation of human rights writ large with women (and children). Entering the "human rights room" at the site of the former CAVR during an ICTJ-sponsored school visit by Timorese schoolchildren, the guide, a young Timorese woman who had worked at the ex-CAVR for two years, told our group that the room was "about human rights – the rights of women and children."

Finally, I don't think it was a coincidence that many prominent victims' rights advocates in Timor are women and have backgrounds in women's rights advocacy. This includes Pereira, mentioned above. Pereira worked at a prominent local Timorese women's rights NGO before joining ICTJ, as did many of her staff. Along these lines it should be noted that of the original 13 candidates in the 2012 presidential election, the only candidate who publicly spoke up for victims was María do Céu, one of the three female candidates.

In contrast to the victim category, the veteran category in Timor is gendered male. It is not only associated with stereotypically masculine traits like bravery and strength, but a majority of veterans are men. This is partially a result of the previously discussed government definition of veteran as requiring "exclusive dedication" to the Resistance, so that to qualify as a veteran one needs to have been a guerrilla (or to have been involved in

the formal structures of the clandestine or diplomatic fronts) (Statute of the National Liberation Combatants 2006). Fewer women than men fit these requirements.[245] Indeed, most Timorese women who receive veterans' pensions receive "survival pensions" as widows and children of deceased male veterans (Kent and Wallis 2014:1). As most Timorese women are largely excluded from the veteran category, they become linked with the victim category by default and the gendering of the two categories becomes self-perpetuating.

An equation of women with victimhood (and specifically with sexual victimhood) has been documented in numerous other post-conflict contexts. While Chapter 4 discussed problems with reducing female victimhood to rape, scholars have also critiqued the larger feminization of the victim category. They have argued that a postwar equation of victims with women can be viewed as part of a larger gendered process of post-war reconstruction, which involves the "remasculinization" of the post-war nation. As women's stories of suffering are appropriated by the State, women become "tethered to a painful past" and prevented from "new ways of being in the future," while men are reinstalled as "good citizens" (Franke 2016:823- 824). At the very least, on an immediate or concrete scale, it is clear that groups defaulted into the victim category in Timor, including women, lose out in numerous ways. They not only fail to receive the material and non-material benefits associated with veteranhood, but they are also stigmatized for their association with a devalued category.

[245] Of the 38,337 ex-Falintil combatants recognized in 2007, none were female; only 27 percent of the ex-clandestine members who were registered were female (The World Bank 2008:18). While these numbers have since changed, there is still an imbalance.

In this atmosphere of veteran fetishization and hostility to victims and victims' rights, how have Timorese been advocating for fellow citizens who experienced violations during the Indonesian occupation, but who have not been recognized by Timor's State as veterans? My research found that those involved in Timor's victims' rights movement have been engaging in advocacy in two contradictory ways.

Victims as Needy

First, advocates have employed a humanitarian framework of vulnerability and need in relation to victims. As noted, one of the Victims' Association's main projects was a beneficiary program for vulnerable victims. The Reparations Program that victims' rights advocates have been trying to pass through Timor's Parliament since 2008 is likewise aimed at vulnerable victims (see Working Group on Reparations 2008).[246] The Victims' Association's focus on vulnerable victims extends beyond these specific programs; it is a part of the Association's official mandate. In its official handbook, the Association explains that its main beneficiaries are "victims in the sub-districts, who are weak [who] lack power" (Oliveira 2011). The Victims' Association issued a report in 2012 laying out its progress since the time of its founding three years earlier. In this report it emphasized the Association's focus on "vulnerable victims," defining these victims as those who are "suffering the most or those who are still suffering (*terus nafatin*)" (Victims' Association 2012). Elaborating on a quote in the previous section,

[246] This is in line with the CAVR's recommendations on reparations from which the draft bill was modeled. During the period of the CAVR, the CAVR also had a small reparations program that specifically targeted vulnerable victims.

Anita, the victim representative, explained to me that: "The victims in the Victims' Association that we talk about are those that are poor, their lives don't have value, they don't have help, like widows, in rural areas, if the Victims' Association doesn't do its work, the people who suffer keep suffering, the poor people continue to be poor."

The use of a humanitarian framing of victimhood by Timor's victims' rights movement has meant that the work of the victims' rights movement has overlapped with the work of Timor's Ministry of Social Solidarity (MSS), a government department which itself has a "program for the vulnerable." Indeed, Timor's Ministry of Social Solidarity gave financial support to the Victim Association's beneficiary program in 2009 and 2010. A framing of victims as vulnerable has led some Timorese to question the difference between victims and other beneficiaries of government aid. As a result, during my fieldwork, victims' rights advocates often had to explain why victim reparations were not the same as other forms of social assistance or aid given by the State. For example, during a discussion about reparations at a conference entitled "Justice and Accountability for Crimes of the Past," that took place from November 9-10, 2011 (immediately preceding the 20th anniversary of the Santa Cruz massacre), Pereira explained to the audience that "issues with the elderly are different than issue of reparations."[247] Likewise, in an interview that I had with Pereira in her ICTJ office in December 2011, Pereira stressed to me that "what victims want are recognition and reparations and these are separate from social assistance (and development)." The ICTJ produced a pamphlet on the topic of reparations in Timor, in both English and Tetum. The pamphlet was one of several that sat on the front desk of the ICTJ, available for free for visitors. The pamphlet

[247] The conference was jointly sponsored by a local NGO (Judicial System Monitoring Program or JSMP) and Amnesty International.

similarly explained that "Reparations are not the same as social assistance . . . [which] are designed for all citizens who fulfill certain criteria, such as being disabled, elderly, or widowed" (ICTJ n.d.).

There is a clear link between the victims' rights movement's disproportionate focus on women and its focus on vulnerability. Indeed, women in Timor *are* more vulnerable than men in most regards. Despite the fact that since Timor's independence some progressive gender laws have been implemented (a candidate quota system to increase the number of women in Parliament has resulted in a high number of female parliamentarians, for example), women in Timor face severe gender inequality in most realms (Asian Development Bank 2014). Perhaps most significantly (and with obvious links to the violence of the Indonesian occupation), there are extremely high rates of domestic violence against Timorese women (Action Aid 2009).[248] Yet has the Victims' Association's framing of victims as vulnerable been effective? Has it been helpful for victims? Has it been helpful for women?

The argument made by some in Timor's Parliament in 2010 – that victims shouldn't receive reparations until issues with veterans' pensions were resolved – makes it clear that at least some veterans in Timor see victims as competitors for government resources. An emphasis on vulnerable and needy victims, an emphasis which works to depoliticize victimhood, could arguably work to lessen a perception of victims as a rival interest group to veterans. In addition, to the extent that Timor's State hasn't wanted to

[248] Here I should note that while advocates told me that there was a disproportionately high number of women in the Victims' Association's beneficiary program focused on vulnerable victims, I was never told that the movement as a whole purposely focused on women; nor was I told that a discursive framing of victims as vulnerable was a conscious strategy (although a focus on "vulnerable victims" was part the Victims' Association mandate, as laid out in its handbook).

help victims because of the State's negative stance towards punitive justice (and towards human rights claims regarding the past more generally), a humanitarian framing of victims could allow Timor's State to offer help to the same persons under a different rubric. Indeed, the latter scenario has come to pass. As Pereira explained, the State's Ministry of Social Solidarity supported participants in the Victims' Association's beneficiary program not because of participants' victim status, but because of their status as vulnerable persons.

Of course, there is an obvious catch-22. While depoliticizing victimhood via a humanitarian framework of vulnerability may work to secure aid for some of the most vulnerable victims, a group which includes women, the same framework unwittingly serves to perpetuate or even to strengthen the equation of victimhood with a lack of agency (and with women). By framing victims in a discourse of vulnerability, the victims' rights movement serves to reinforce or solidify the victim-veteran binary, a binary that we have seen has ultimately proven harmful to many of the most vulnerable Timorese.

Victims as Unrecognized Heroes

The victims' rights movement has also employed a different, even contradictory strategy to advocate for victims' rights. During my fieldwork, victims' rights advocates and self-defined victims often made claims for victims' rights, including for reparations, not by emphasizing victims' heightened vulnerability (or by focusing on those victims perceived to be the most vulnerable), but by emphasizing victims' past agency. In terms of reparations, for example, an argument was made (sometimes implicitly, sometimes

explicitly), that victims deserved reparations for the same reasons that veterans deserve pensions – because of their past agentive contributions to Timor's independence struggle. An emphasis on victims' past agency thus involved assertions of similarity between victims and veterans.

I argued in Chapter 4 that the CAVR primarily framed victims in a therapeutic discourse of trauma, suffering, and healing. In the following section of this chapter I argue that this framing unintentionally contributed to the victim-veteran binary discussed in this chapter. Nevertheless, the CAVR could be seen to have endorsed the argument that victims deserve reparations for the same reasons that veterans deserve pensions. *Chega!*'s section on recommendations notes that granting reparations to victims is "consistent with" the Valorisation of Resistance Clause of Timor's Constitution (2006,11:35-36). As described in Chapter 5, this Clause asserts that Timor's State "acknowledges . . . the historical resistance of the [Timorese] People against foreign domination and the contribution of all those who *fought for national independence*" (my italics) (Constituent Assembly 2002). The draft bill on reparations that members of the victims' rights movement submitted to Timor's Parliament in 2008 similarly argued that a reparations scheme organized by Timor's State would "comply with the requirements and spirit" of the Valorization Clause of Timor's Constitution (Working Group on Reparations 2008:3).

Attempts by members of Timor's victims' rights movement to equate victims with veterans involved emphasizing how those who were not formally linked with Timor's Resistance movement (in line with official, State definitions of this movement), helped members of the Resistance during the occupation. A particular emphasis was on

the role of ordinary civilians in feeding guerrillas. For example, the female candidate in the 2012 presidential election who spoke up for victims declared that veterans should stop promoting their rights over the civilian victims who fed them. A victims' rights advocate rhetorically asked me: "In the jungle if people don't bring food, what do you eat?" An emphasis on feeding members of Falintil is significant. The literal and the metaphorical merge here, with the obvious message being that without food, members of Falintil would have died – that the relationship between ordinary Timorese and members of Falintil was in fact existential. At Timor's second Victims' Congress in 2012, Aniceto, a self-identified victim, made this larger point directly. During a conversation about the lack of public recognition afforded to victims, Aniceto declared to loud applause that: "veterans exist because of victims."

Another common way in which self-identified victims and victims' rights advocates stressed the existential interrelationship between veterans and non-veterans during my fieldwork, was through invocations of the fish and water metaphor that underlay the "people's war" ideology that prevailed in Timor in the late 1970s. I laid out one example of the use of this metaphor in the previous chapter. A November 2012 editorial in *STL* noted that: "Independence appeared because the military veterans in the armed front struggled . . . the veterans of the clandestine front and also the veterans in the diplomatic front held firm. If perhaps it was only the armed front that struggled, then the fish in Falintil would all have died because there would be no water and oxygen."

This quote can be understood in the context of struggles for recognition between the three fronts of Timor's Resistance (the writer is equating the clandestine and diplomatic fronts with water – and oxygen – in order to argue that these fronts were

essential to maintaining Falintil). Yet the fish-water metaphor was also used to broaden the resistance narrative beyond the three fronts. When members of the victims' rights movement employed this metaphor, it was clear that "water" was meant to refer to all those who suffered in the war with Indonesia, whether or not they were involved in any of the three fronts of Timor's formal Resistance. As Oliveira asked at the 2012 Victims' Congress, referring to the exclusion of those in the room from State recognition: "Why now are the fish fat but the water is dry?"

In addition to stressing past links or relationships between those considered to have been part of Timor's Resistance movement and those considered to have been outside of this movement, advocates and victims have also stressed alternative forms of participation in Timor's independence struggle. One of the most frequently cited of these has been the act of voting in Timor's 1999 referendum. The Victims' Association's handbook, declares, for example that: "The liberation of our country was not only with combat (shooting) but also with the participation of all of the civilian population in the referendum of 1999 that determined our victory" (Oliveira 2011:5). As already described, there were extremely high stakes for ordinary voters who participated in the referendum, as militia carried out violence against perceived pro-independence supporters, both before and after the referendum. Despite this, 98.6 percent of registered voters in Timor cast their ballots, with 78.5 percent voting to reject the offer of autonomy from Indonesia (and thus to vote for Timor's independence).

Advocates and self-defined victims have also framed suffering as a form of participation or resistance. The Victims' Association's handbook proclaims that victims' suffering and death "*loke-dalan*" ("opened the road") to "a peaceful solution of our

struggle for independence" (Oliveira 2011). To loud applause, a participant in Timor's second Victims' Congress similarly declared that "The war was not only conducted with weapons but with internal suffering." As previously discussed, while an emphasis on the agency of suffering – or a framing of suffering as resistance – was present in many of the testimonies given to the CAVR, this was not the dominant way that the CAVR framed suffering.

In the post-transitional justice era, groups outside of Timor's victims' rights movement have also been engaging in efforts to expand understandings of past resistance. After my encounter with Dewi, I learned more about the book project on which she was working. Sponsored by the women's arm of Fretilin, OPMT, the project involved about a dozen staff, who conducted hundreds of interviews with women from across Timor on their experiences under Indonesian rule. One day I interviewed Nuno Rodrigues, the coordinator of the project. If I had only conjectured that Dewi had a negative view of victimhood through her emphatic denial that the book project was about victims, Rodrigues was clearer about his negative views of the victim category (at least as constructed by the CAVR). Rodrigues told me that the biggest difference between the OPMT book and the CAVR's work on women was that: "the CAVR focused on women's suffering as victims, whereas the OPMT book focuses on women as agents."

Yet while Rodrigues made it clear that the OPMT book project was focused on women as resisters and not as victims, he told another researcher that the project consciously rejected the State-promoted "male" understanding of how the Resistance movement operated. The project aimed to focus instead on women's subjective understandings of their roles and responsibilities, emphasizing women's involvement in

the Resistance as messengers, cooks, and carers for the sick. It also tried to break down the public-private dichotomy by emphasizing the family not only as a place where key figures of the Resistance were hidden, but also as a place where women engaged in political education (Kent 2015:66).

I have already discussed the effects of framing victims in a humanitarian discourse of vulnerability. What have been the effects of efforts to expand conceptions or definitions of past agency or resistance in Timor? The OPMT book aimed to broaden the valorized category of veteran in Timor so as to include women, a group which has been disproportionately excluded from the veteran category in the post-independence era. Yet while expanding the kinds of acts that could or should be considered acts of resistance, the project still largely embraced the dominant State-sponsored resistance narrative that glorifies particular actions undertaken in the service of Timor's independence movement. The project excluded recognition of those Timorese who suffered violations during the occupation but who did not actively support Timor's struggle (or who actively worked against it). To some extent, then, the project could be seen as reinforcing the victim-veteran binary, with its negative conception of those perceived to have not resisted Indonesian rule.

In arguing that victims deserve reparations because they too contributed to Timor's independence, victims' rights advocates in Timor employed the label or category of victim. In this they differed from those involved in the OPMT book project (who never claimed to be victims' rights advocates). They also differed from transitional justice scholar Susan Rimmer, who seems to suggest dropping the victim category altogether in certain cases. Rimmer has argued that children born in Timor of rape during the

Indonesian occupation should, along with their mothers, be "recharacterized as 'veterans' of the conflict, with the same status as the former Falintil guerillas" (2007:324). Still, an argument that victims deserve reparations for their *contributions* to the independence struggle – even if the concept of contribution is defined broadly enough to include suffering – can still be interpreted as meaning that persons don't deserve compensation if they weren't pro-independence (or if their suffering wasn't a result of their support for Timor's Resistance). This is despite the fact that the victims' rights movement officially supports victims of violence from all sides of Timor's independence struggle (just as the CAVR did).

Indeed, an ICTJ pamphlet on reparations which lays out Timor's victims' rights movement's official stance on reparations, contradicts the movement's unofficial attempts to equate reparations with veterans' pensions. The pamphlet makes it clear that the unofficial argument is problematic in relation to, or inconsistent with, the larger enterprise of transitional justice and human rights. The ICTJ pamphlet explains that: "Reparations are not the same as . . . veterans' programs." It goes on to explain that "Veterans' benefits are a form of appreciation for [veterans'] service to the nation . . . Many victims were civilians and do not qualify for the veterans' program. Reparations, on the other hand, are related specifically to the human rights violations suffered by a victim and usually seek to address the harm caused by these violations" (International Center for Transitional Justice n.d.).

CONCLUSION: THE CAVR AND THE VICTIM-VETERAN BINARY

This chapter has argued that Timor's State and its leaders are largely to blame for

the victim-veteran binary that exists in Timor. Leaders have partly promoted a narrative of past resistance in order to displace the previously dominant narrative of the past promoted by the CAVR, a narrative that was focused on violations and victims. They have done this because of that narrative's links with calls for victims' rights and punitive justice for crimes from the Indonesian era. However, I believe that the popular embrace of a victim–veteran binary in Timor has occurred not only in spite of the CAVR, but also as an unintentional result of the CAVR and its discourses. Simply put, the CAVR's construction of an innocent, suffering victim helped to play into the State's efforts to contrast worthy agentive veterans with unworthy passive victims.

As discussed in Chapter 4, truth commissions marginalize stories of resistance for multiple reasons. Among other things, revelations of a lack of resistance on the part of victims (or of collaboration or complicity) could be used to justify the abuse of victims or the silencing of victims. In other words, victims could be blamed for the crimes committed against them, with the implication being that victims who did not resist the perpetrator regime, or who were even at times complicit with this regime, gave their tacit consent to, or even deserved the crimes committed against them (whether these crimes were committed by the main perpetrator regime or by Resistance forces opposing that regime). This is clearly what we see now in Timor. A continuing denial of reparations and other benefits to those labeled victims, despite the granting of generous pensions and other benefits to veterans, sends the message that victims – who are perceived as not having resisted – are somehow responsible for their own suffering, or at least are *more* responsible for their suffering than veterans are for their suffering.

An important point to emphasize here is that this problem associated with

engaging with questions of past resistance has emerged in Timor as a result of Timor's State and other groups remembering past resistance *outside* of an official transitional justice context. This chapter illustrates that even as transitional justice mechanisms marginalize narratives of resistance so as not to hurt victims, this marginalization itself can negatively affect victims in the long-run (or at least the longer-run). In the case of Timor, remembrance of resistance that has taken place outside of the official realm of transitional justice has served to negatively affect perceptions of the transitional justice process and its categories.

Parts of Chapter 8 have been published in altered form in 2017. Victims versus Veterans: Agency, Resistance and Legacies of Timor-Leste's Truth Commission. International Journal of Transitional Justice 11(3): 443-462. I am the sole author of this article.

Chapter 9

Conclusion

A GLOBAL COLLECTIVE MEMORY?

Scholars argue that collective memory, once the domain of the territorially-bound nation-state, is becoming increasingly global (Barkan 2000; Huyssen 2003; Levy and Sznaider 2002). One sign of this "globalization" is a turn from a focus on national heroes to a focus on victims. Alongside a turn to victims, collective remembrance is increasingly bound up with questions of restitution, reparation, and apology. Memory is no longer used for purely political purposes of power, but is increasingly tied to the realm of morality. Specific global factors that are theorized to have helped give rise to these changes include the globalization of Holocaust memory, and the related rise of the international human rights and transitional justice regimes.

If there were ever a place one would predict these trends to play out, it would be East Timor. The reasons for this include the enormous degree of violence perpetrated by the Indonesian regime during the 24-year occupation of Timor; the ultimately successful employment of the practices and discourses of international human rights in Timor's struggle for independence; and the large international presence in Timor's immediate post-independence period, which included the UN serving as the sovereign power of Timor for two and one-half years. Also relevant (and linked of course, to several of the aforementioned factors), is that the first official narrative of the Indonesian occupation in post-independence Timor was laid out by a truth commission: Timor's CAVR brought the global turn toward victims to bear in the context of Timor, producing a narrative of the Indonesian past that focused on past violations and the suffering victims of these

violations.

Beyond the ultimately successful use of human rights in Timor's journey to statehood, there were other good reasons to predict that the CAVR's globally-linked narrative would "stick" in Timor, even after the CAVR closed its doors. Despite the existence of intra-Timorese violence both before and during the Indonesian occupation – and despite the reality that many Timorese collaborated with the Indonesian regime – the main conflict in Timor was not a "civil conflict." The overwhelming number of violations committed during the CAVR's mandate period were committed by members of the Indonesian armed forces, forces which exited Timor in 1999. Unlike in some other post-conflict contexts, in Timor, the major perpetrators weren't still in positions of power after the transition; nor were they living side-by-side with their victims. There was less of a need in Timor than in other post-conflict contexts to "forget" a history of past victimization in order to keep a fragile national peace or promote national reconciliation. Indeed, a post-independence narrative of shared Timorese victimization at the hands of Indonesia had strong unifying potential.

In light of all of these factors, I was taken aback during my fieldwork by both the extent of the seeming displacement of the CAVR's narrative from Timor's public realm, and by the dominance of what seemed to be a blatantly nationalist narrative of past resistance to Indonesian rule. In regards to the latter, it was not only that there was now a dominant narrative of past resistance to Indonesian rule, as opposed to a narrative focused on past human rights violations and victims. It was also that the past struggle against Indonesian rule was being primarily framed as an anticolonial struggle for independence or liberation, as opposed to as a struggle for human rights (or as a struggle for both

independence and human rights).

Among other ways, this was illustrated via the hierarchization of those considered veterans or heroes and recognized as such. For the most part, those who have received the greatest recognition in Timor's post-independence era are those who were most closely linked to the discourses and practices of anticolonialism, and those who were situated the furthest from the discourses and practices of international human rights. Thus, Timorese actors have been celebrated over international actors, including those who were involved in the international solidarity movement (who aren't even identified as part of Timor's Resistance in accord with the dominant three-front mantra). Among Timorese actors, those who lived inside of Timor during the occupation (the "internal front") have been valorized over those who lived outside of Timor (the "external front"). Finally, of the two groups that remained inside of Timor during the occupation, those who have received the most recognition are the guerrillas who lived in the interior mountains of Timor – those who literally resided the furthest inside of the territorial nation. Falintil guerrillas are not only an obvious symbol of anticolonialism, but during Timor's struggle, Falintil was the front of Timor's Resistance movement that was the least practically connected with human rights.

What does this tell us about collective memory and the possibilities of global memory? Simply put: the turn from the heroes of history to its victims is far from a global phenomenon. When we look at questions of local or national versus global memory, context is key. Certain national pasts, even those that were shaped by the discourses and practices of international human rights, are still being very much understood and shaped in local (national) frameworks, with these national frameworks

still very much tied to traditional, territorial notions of the nation-state. These pasts are being framed by national actors (specifically national elites), and are being used for blatantly political purposes, including purposes of "nation-building."

If context is key, what contextual elements have helped to determine the local or national nature of remembrance in Timor's post-transitional justice period? Relevant factors are that Timor is a newly independent, post-colonial state. It is a new state, moreover, in which the need for a shared sense of national identity is particularly acute, due to the speed and context in which a shared identity first emerged. It is a new state that has been ruled by veterans of Timor's Resistance struggle since its founding, veterans who want to maintain this political power. Finally, it is a new state, which due to its history of violence, is particularly vulnerable to political violence, with non-State veterans having the power to foment such violence. A narrative of past resistance to Indonesian rule, based around the valorization of veterans, has been a more useful narrative in relation to all of these circumstances than a narrative of past victimization.

Yet closer examination reveals that the local, nationalist nature of remembrance in post-independence Timor has not been formed in isolation from global forces. I had gone into my fieldwork theorizing that Timor's historical involvement with international or global actors, institutions, and discourses (including discourses of victimization linked to the human rights regime) would inevitably shape remembrance of the Indonesian past, via a strong focus – or rather a continued, post-CAVR focus – on past human rights violations, and the victims of these violations. When I did not find this, my first thought was that a narrative of primarily national, Timorese resistance to Indonesian rule had prevailed in spite of Timor's historical entanglement with international or global forces.

The reality is of course much more nuanced and complex.

In terms of questions of national identity, for instance, it could be argued that Timor's leaders have worked to promote a narrative of past resistance to Indonesian rule not in spite of, but rather *because* of Timor's historical entanglement with global forces. As Jay Winter has noted: "intrepid chronicles of Resistance [can be] more useful in the revival of the political culture of countries humiliated by occupation and collaboration" (2006:27). The dominance of a historical narrative centered around assertions of past agency could be seen as a reaction not only to the brutal Indonesian occupation (and to previous centuries of Portuguese rule), but also to Timor's existential need for the help of the international community during the Indonesian occupation, as well as to the post-independence UN presence in Timor.

It is not just the content of the resistance narrative, with its emphasis on past agency, that has arguably served the function of shaping or strengthening Timorese national identity. As this dissertation has shown, Timor's State has explicitly contrasted a narrative of past resistance centered around heroes to a narrative of past violations centered around victims, arguing that the latter framing of Timor's past is an international discourse and therefore must be rejected. In reality, narratives of heroism – like the ideologies of nationalism and anticolonial nationalism – also circulate transnationally (Khalili 2007). Yet in painting a narrative of victimhood as coming from "the outside," Timor's State has been able to frame a national embrace of a heroic narrative focused on past resistance (and a rejection of the victimhood narrative, including the category of victim), as acts of nationalist resistance or agency in and of themselves.

The narrative of past resistance that is dominant in Timor's post-transitional

justice era has been shaped by global forces – including the international human rights regime and its discourses – in other ways as well. As I argued in this dissertation, one main reason that Timor's State has worked to promote a heroic narrative of past resistance in the first place was to replace the victim-centered narrative that had been promoted by the CAVR, because of the State's anti-punitive justice stance (and by extension the State's opposition to victims' rights claims more generally). Beyond serving as a motivation for the State's promotion of a narrative of past resistance centered around heroes or veterans, the CAVR's narrative of violations and victims has arguably helped to shape the content or form of the currently dominant resistance narrative. As this dissertation has made clear, a central component of the resistance narrative – and an engine of the narrative's reproduction – are veterans' pensions. While this dissertation has shown how calls for victim reparations have been framed in relation to veterans' pensions, according to several of my informants, the idea for veterans' pensions arose in the first place in Timor in response to discussions of victim reparations in the CAVR. Veterans began asking the State why victims should receive benefits, when veterans were not.

Of course, the relationship between Timor's nationalist narrative of past resistance, and the globally-linked narrative of victimization promoted by Timor's CAVR, runs both ways. The narrative of past violations and victims that has continued to circulate on the margins of Timorese society in the post-transitional justice era has been very much shaped by the dominant narrative of past resistance. As this dissertation has shown, a victim-veteran binary has developed in Timor, in which the victim is viewed in negative relation to the hero or veteran as one who did not resist Indonesian rule, and is

devalued accordingly. Timor's present-day victims' rights movement has been forced to reckon with the reality of this binary as it advocates for victims' rights.

This dissertation described one last surprising link between the dominant nationalist narrative of past resistance in Timor, and the globally-linked CAVR-promoted narrative of past victimization. My research found that the general displacement of an official narrative of human rights and victimhood by a heroic narrative of veteranhood, belies the fact that certain values of human rights and transitional justice have been incorporated into attempts to define veteranhood and to determine who are the most heroic Timorese. Simply put, despite the reality that former members of Falintil have generally been considered more heroic and have received more recognition than former members of the clandestine front in Timor's post-independence era, human rights values of nonviolence have helped lead to a competing, alternative hierarchy of heroism in Timor. In this competing hierarchy, some former members of the clandestine front have been considered more heroic than some past violent resisters, precisely because of their past nonviolent resistance.

THE CAVR, RESISTANCE, AND AGENCY

Here I shift gears to look more specifically at the CAVR. One legacy of the CAVR is Timor's present-day victims' rights movement. As noted, some of the very same actors and institutions that were involved in the CAVR are involved in the present-day victims' rights movement. The movement's goals are to implement the recommendations of the CAVR. *Chega!* is the main advocacy tool of the victims' rights movement. While I have argued that the present-day victims' rights movement is

relatively small and weak, it has had its achievements. During my fieldwork period, members of the movement organized conferences, protests, and commemorations, and delivered aid to vulnerable victims. Most significantly, a new Memory Institute for victims was finally passed in 2017.

Yet, this dissertation has also illustrated several unintentional, negative consequences of the CAVR and its work. While I have argued that the development of a victim-veteran binary in Timor which works against the interests of victims was largely the fault of Timor's State, I have also asserted that the CAVR unintentionally contributed to this binary through its focus on innocent, suffering victimhood. Leebaw has argued that if truth commissions have a moral obligation to acknowledge the helpless suffering of victims, they also have a moral obligation to acknowledge the suffering and losses that resulted from a decision to engage in political action against the system that caused the suffering (and to acknowledge the deeds and sacrifices that made up the action). To acknowledge actors only to the extent that they were victims is unjust and diminishing (2011:78). This dissertation has illustrated how such injustice can be amplified. If past resistance to violence is dealt with and valorized outside of a transitional justice context, the "suffering victims" of transitional justice can come to be viewed in negative relation to those who have been recognized outside of this context as "heroic resisters." They are then devalued accordingly.

Truth commissions marginalize the theme of resistance because grappling with this theme could stand in the way of truth commissions' main goals, including helping victims. Yet this dissertation has shown that the marginalization of the theme of past resistance by truth commissions can also work to hurt victims in the longer-term. While

there has been much critique of how the category of the innocent suffering victim works to obscure past collaboration, there has been very little scholarship on the related problem of the obscuring of histories of resistance to violence. The field of transitional justice increasingly recognizes the agency of victims in the post-conflict period, and attempts to promote this agency, whether through insisting on victims' active participation in transitional justice processes, or recognizing victims' own efforts to heal and seek justice. This dissertation points to the need for transitional justice scholars and practitioners to more fully grapple with the realities of victims' past agency, in regards to what happened before and during the violations they experienced (Thomson 2017:1).

MEMORY AND ITS USES

A social or collective view of memory asserts that memory's main function is to create a usable past. Yet within the literature on collective or social memory, there is debate about *how* pasts are primarily used, or for what purposes pasts are primarily used. To what extent are pasts used for purely political purposes or purposes of power? To what extent does memory serve instead to provide meaning?

My research found that remembrance in post-independence Timor is political in relation to all meanings of the word – and at all levels. In terms of politics writ large, Timor's Resistance leaders, who have headed Timor's State since independence, have promoted an official narrative of past resistance to Indonesian rule centered around the valorization of veterans, in order to promote the hegemony of the new nation-state. In term of electoral politics, Timor's leaders have promoted a national narrative of past resistance to Indonesian rule in order to gain or hold on to personal, political power. To

the extent that the political can be equated with the instrumental, non-State actors in Timor have embraced a national narrative of past resistance, and have promoted (or constructed) personal or group pasts of resistance, in exchange for various benefits such as money and status.

Whereas Timor's Resistance movement employed a narrative of historical resistance (hearkening back to Portuguese times) in order to motivate Timorese resistance against the Indonesian regime, and as a symbolic form of resistance in itself, in the post-independence era a narrative of past resistance (to Indonesian rule) has worked to maintain hierarchies of power. A focus on past resistance has not only worked to strengthen the power of the post-independence State and its leaders, it has also served to marginalize already marginalized segments of society, such as women. While women suffered and resisted during Indonesian times, in the post-independence era many have had a harder time than men qualifying as veterans, and have thus lost out on associated benefits.

This dissertation has described how the past in Timor has been used for purposes of power, and how these uses have served to reinforce power hierarchies. Many in Timor struggled for a nation that they are disappointed with; others look back and feel that they were "tricked" into joining the Resistance (Bexley and Rodrigues 2013:417). There were of course, many Timorese whose suffering under Indonesian rule was not linked to personal decisions to resist the Indonesian regime (or was even directly caused by Timor's Resistance forces). Of course, there is also the larger question of what it even means to choose to resist. Hearkening back to the Introduction: if a foot is stepping on ants, what are the ants going to do but run away (or try to get rid of that foot in any way

possible)? All of these realities help to account for why scholars are sometimes wary or critical of the themes of heroism and resistance (and nationalism). Yet this dissertation found that remembrance of the Indonesian past in Timor has not only been used for political purposes or purposes of power; remembrance of past resistance has also been used to provide meaning and to serve as a form of moral practice, helping to "instantiate relationships with and commitments to others" (Lambek, 1996:235).

On a large scale, it could be argued that a narrative of past Timorese resistance to Indonesian rule – particularly the most inclusive version – has successfully contributed to providing a shared sense of Timorese identity. Timor's 2006 crisis aside, given the amount of violence in Timor during the Indonesian occupation; the speed with which Timorese first came to see themselves as a people; Timor's weak post-independence State; and the general poverty and lack of development in Timor since independence, Timor has been remarkably stable since 1999 (with remarkably little internal political violence). A narrative of past resistance to Indonesian rule has potentially helped to play a role in this stability.

A focus on past resistance has also helped many Timorese to make sense of past suffering; as Gregorio Saldhana noted, it has brought a sense of dignity to this past suffering. During the Indonesian occupation of Timor many Timorese courageously made sacrifices for independence. Timorese consciously and knowingly put themselves in harm's way, and suffered or died for an independent nation-state. This *for* was critical to many of my informants. While in interviews many informants emphasized their past struggle, or suffering *for* in an attempt to explain why they deserved particular benefits from the State, this emphasis was not merely instrumental. My informants felt and

believed that they suffered *for* the nation. My informants also believed that they deserved recognition from the government because of their struggle or suffering *for*. A national-level narrative focused on past resistance to Indonesian rule – and the valorization linked with this narrative – has been experienced by many as a form of justice. It is very much linked to the cultural code of reciprocity of which Traube writes, in which those who suffer to "bring something forth" must be repaid or recompensed (2007:10).

Remembrance of the Indonesian past via the presently marginalized human rights narrative of victims and violations, is also linked with meaning and justice. Some of the "justice" which victims' rights advocates strove for during my fieldwork was similar to the justice described above – a national form of redistributive justice, whereby those who struggled or suffered for the nation would get something from the new state in return. A difference was that advocates wanted to broaden the scope of *who* would get something in return, by expanding the definition of what it means to have struggled or "suffered for." However, victims' rights advocates were also concerned with broader forms of justice, forms of justice more closely linked to the international human rights regime. Some advocates engaged in remembrance of the past in order to make claims for punitive justice; some engaged in remembrance in order to achieve the goal of a "never again" of violence in Timor; other remembered pasts of suffering because of a belief that remembering such pasts was a moral good in and of itself.

During my fieldwork, almost all Timorese were engaged with remembering the Indonesian past, for various purposes. Yet victims' rights advocates were uniquely conscious of and concerned with the concept of memory. Advocates viewed memory of the Indonesian past (particularly memory of violations, victims, and suffering) as good

and necessary; advocates were able to easily articulate why they felt that remembrance was good and necessary; and advocates often chose to articulate these views, often in contexts where they or others were engaging in public remembrance. For example, a sign at one event orchestrated by victims' rights advocates on the topic of justice for past crimes noted: "Forget the past and you kill justice now and in the future." At a 2012 seminar on the topic of memory, a victims' rights advocate told the crowd that: "When we don't learn our history we will repeat it, like in 2002, 2004 and 2006" (these were all times of post-independence violence in Timor).

THE PAST *AND* THE PRESENT

What has this dissertation revealed about memory and remembrance writ large? I went into my research guided by the presentist view of memory that dominates memory research in the social sciences. Indeed, my research largely confirmed this presentist view. Remembrance in Timor was very much shaped by the current political, social, and economic contexts in which it was taking place. I have already noted some of the key contextual factors above. In the political realm for example, Timor was a newly independent, postcolonial nation; it was a nation led by veterans of Timor's independence struggle, who wanted to maintain their personal political power; it was also a nation with a weak state. Although seemingly obvious in hindsight, I was perhaps most taken back by the degree to which the economic context in post-independence Timor was key to powering a narrative of past resistance. As I have argued, the State's successful promotion of a narrative of past resistance was due to the intertwined post-independence economic realities of centralized State-controlled oil money, and general

impoverishment.

In some other ways, however, my presentist view of remembrance was tempered. While remembrance was certainly taking place in a present-day context, this context was shaped in every way by the past. Often it was unclear which time period had more independent power. While Timor's veteran leaders have been able to maintain their power since independence through the promotion of a narrative of past resistance, it was the historical power of these leaders that got them elected in the first place in the immediate post-independence period. To what extent is the present-day power of Timor's veteran leaders a legacy of their Resistance past? To what extent is it instead a result of the post-independence glorification of this past?

To give another example: the reality that 200,000 Timorese are currently claiming to be veterans of Timor's independence struggle, is a result of the State's post-independence promotion of a resistance narrative that involves generous veterans' benefits (combined with poverty that makes these pensions so valuable, as well as the general corruption of a pension process that allows many to believe that they will receive pensions regardless of their past resistance activity). At the same time, the historical realities of Timor's amorphous and popular struggle, and leaders' past rhetoric of popular resistance, also help to explain this phenomenon.

A final example involves the post-independence relationships of exchange between Timor's veterans' leaders and non-State veterans, relationships which I have argued are central to the maintenance of the resistance narrative. These relationships were established during the Resistance struggle (although they were built around preexisting kinship or descent groups); these relationships also replicate relationships of patronage

that characterized the Indonesian state. In looking at the strength of these relationships in the post-independence period, we have to ask to what extent we see an extension or continuation of the past in the present – of actual relationships, and of the logics of patronage, loyalty, or clandestinity (Siapno 2018) – as opposed to the willful employment of past logics in the present. The line often becomes extremely blurry.

THE FUTURE OF THE PAST

This dissertation has provided analysis of remembrance of the Indonesian occupation of Timor in a particular post-independence moment, focused specifically on my main period of fieldwork from 2011-2012. As I finish this dissertation in May 2018, Timor is taking part in another set of elections. Most of the dynamics I observed during my fieldwork remain, with prominent veterans running on their pasts of veteranhood (specifically, former members of the armed front have been pitting themselves against former members of the diplomatic front).

Yet, essential to the concept of memory that has guided this dissertation is the notion that memory is ever-evolving. Indeed, significant changes have already occurred in Timor that will help to shape the evolution of this remembrance. After 13 years in Timor, the UN finally left the country at the tail end of my fieldwork. To the extent that the UN could be seen to symbolize Timor's historical entanglement with international or global forces (even if the UN served as the more positive face of this entanglement) – and to the extent that the resistance narrative in Timor has been employed to counter this historical entanglement – there may be less need for this narrative moving forward. Another change is that beginning in 2015, Timor's oil revenues started decreasing;

Timor's Petroleum Fund will arguably be depleted within a decade. This begs the question of how Timor's government will be able to continue providing pensions to veterans (and to their descendants, who have also been promised pensions). Certainly, the expansion of veterans' pensions will need to stop. This will no doubt also shape the resistance narrative, as pensions are integral to the narrative's perpetuation.

The most obvious shift – a shift also already underway – is generational. Timor's elite veteran leaders will soon give up their mantle of power, willingly or otherwise, through incapacity or death (there was a step in the direction of the former when Gusmão voluntarily left his post of Prime Minster in 2015). Yet even before Timor's veteran leaders stop running Timor's State, and before the generation of those who lived through the occupation passes, the reality of Timor's post-war "baby boom" means that the percentage of Timor's population which has lived memories of the Indonesian occupation is already small and is becoming smaller. How will remembrance in Timor shift as memory becomes less and less bound to lived experiences?

A last major change is the establishment of the new Victims' Memory Institute in 2017. Depending on how the Institute works to frame and present victims, the Institute could serve to reinforce the existing victim-veteran binary in Timor, or it could work to complicate this binary. Either way, the Institute could conceivably make certain pasts of victimhood more usable in Timor, and lead to a renewed focus on past violations. A projected increase in international tourism to Timor, and a global turn (back) toward human rights, could both also work to bolster the victims' rights movement in Timor and the category of victim at its center. I could go on making predictions as to how national, subnational, regional, and global changes will affect remembrance in Timor in the years

and decades to come. Yet only one thing is certain moving forward. This is that (remembrance of) Timor's violent past will continue to play a significant role in Timor's present, for the foreseeable future.

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