Sounds of Silence: Everyday Strategies of Social Repair in Timor-Leste

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Abstract. Transitional justice discourse and practice is imbued with assumptions about the liberatory power of speech, and constructs silence as a marker of absence, pathology or continuing repression. This article unsettles these assumptions by examining some of the ‘everyday’ ways in which East Timorese people are seeking to rebuild their lives in the aftermath of the Indonesian occupation. Close attention to everyday strategies and practices of social repair brings to the fore the ‘civil’ and ‘pragmatic’ dimensions of silence, while also underscoring the significance of relational and embodied forms of communication in the Timor-Leste context. I conclude that, rather than viewing silence as a ‘problem’, more attention should be paid to its diverse meanings, and to the rich realm of everyday life in which they are embedded.

1.0 INTRODUCTION

Transitional justice is promoted around the globe as a means of assisting both individuals and nations to ‘come to terms’ with the legacy of violent conflicts. Built upon a compelling narrative of ‘transition’, both criminal trials and truth commissions work discursively to delineate the violent past from the peaceful present and mark a definitive sense of ‘now’ and ‘then’. Central to this narrative is the idea of speech — that the verbalisation of painful memory and its public acknowledgement will contribute to both personal healing and national transformation. Speech is juxtaposed with silence, which is understood as the condition of subordination and repression in which human rights abuses take place, and which must be broken. The call for
transitional justice thus revolves around the imperative for societies to ‘lift the lid of silence and denial’ and ‘effectively unsilence’ painful and taboo subjects.\(^1\) It is an imperative that has come to seem natural and universal.

The link between speech and individual healing and national transformation is powerfully embodied in the mechanism of the truth commission. The South African Truth and Reconciliation Commission (TRC), the commission that has done most to shape global discourse, mobilised around the mantra ‘Revealing is Healing’, promoting the idea that victims’ statements about human rights violations would build a shared knowledge of the apartheid era that would, in turn, contribute to national unity.\(^2\) These assumptions have infused the workings of many subsequent truth commissions, including that of the UN-sponsored Commission for Reception, Truth and Reconciliation (CAVR) that was established in Timor-Leste in 2002, in the aftermath of the 24-year Indonesian occupation and during the territory’s transition to formal independence. The CAVR was described by the UN Special Representative of the Secretary General, Sergio Viera de Mello, as a ‘vitaly important initiative’ that would provide the East Timorese with an ‘official ear to listen to their grievances and acknowledge their pain’.\(^3\) A key component of its work was a nationwide truth-seeking process that saw interviews conducted with victims of human rights abuses around the country and national public hearings which sought to place ‘ordinary people at the centre of the national debate on healing, reconciliation and justice’.\(^4\) In its final report, presented to the President and tabled in the parliament in 2005, the CAVR acknowledged the thousands of East Timorese who participated in its truth-seeking process, and made special note of the ‘extraordinary courage’ possessed by women who ‘voluntarily came forward to tell their stories of sexual violence’.\(^5\)

While the women, and men, who participated in the CAVR were undoubtedly courageous, what can be said of those who did not tell their stories in this institutional context? In this article I seek to unsettle the juxtaposition of speech against silence by reflecting on how some East Timorese people are seeking to rebuild their lives outside formal institutional contexts and in ways that may not elevate verbal speech over other forms of communication. In doing so, I draw upon the insights emerging from a growing body of social science and ethnographic scholarship that unsettles transitional justice assumptions about resolution through public disclosure.

Following a brief overview of emerging scholarship on silence and ‘the everyday’, the main body of the article focuses on case studies from Timor-Leste, which illuminate a range of diverse ways in which people are reconstructing life after years of conflict. I begin by drawing on interviews with a number of women who opt not to talk

\(^5\) As above at Part 7.7 p 5.
publicly or with their close family members about certain aspects of their pasts. I show how their silences, which arguably reflect the silencing power of hegemonic discourses and structures, can also be seen as a silence of pragmatism and as a silence of civility. I then draw on the narratives of three individuals: Anna’s, which highlights the revitalisation of rituals and practices surrounding the recovery and reburial of the bodies of those who died during the conflict, and Joao and Nuno’s, which illuminate the efforts by East Timorese displaced in Indonesian West Timor to return to their families and communities. Collectively, these narratives bring to the fore the significance of embodied, relational and non-verbal ways of responding to the legacies of the Indonesian occupation. While not suggesting that efforts to improve official truth-seeking endeavours should be abandoned, the conclusion reflects on how, by paying greater attention to the realm of the everyday, it becomes clear that silence should not be pathologised or dismissed as absence, lack or avoidance.

2.0 Speech, Silence and the Everyday

The rise and celebration of transitional justice discourse and practice, and its related assumptions about the liberatory power of speech, has been accompanied by a robust critique. Not only has it been argued that the verbalisation of painful memories through a one-off process of public testimony may not contribute to healing, but the universal applicability of the individualised, confessional model of healing promoted by transitional justice mechanisms (in particular truth commissions) has also been questioned. Critiques have highlighted that speaking publicly may have negative personal and political consequences, especially for women who speak about sensitive, and often stigmatised, issues of sexual violence and in contexts where violence against women may be ongoing. These dangers, which may lead some women to refrain from participating in truth commissions, are not always adequately recognised by those commissions. Fiona Ross’s work on the South African TRC powerfully demonstrates this, and shows that the TRC’s reading of the absence of women’s testimony as a silence caused by ‘reticence, propriety, or lack of education about rights’, perpetuated an erroneous view that they were ‘autonomous subjects with the capacity to choose freely how to engage in institutional processes’. Similar observations have been made in relation to Timor-Leste where, it has been suggested that for a range

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10 As above at 75.
of reasons — including the stigma and shame associated with sexual abuse — many women refrained from participating in the CAVR.\textsuperscript{11} There was limited support available for those who did speak publicly and some experienced negative social ramifications.\textsuperscript{12} These critiques illuminate that speaking publicly of suffering depends critically on trust: trust in the capacity of the listener to attend to suffering, trust ‘in institutions anticipated to assist’ and ‘in social relations and support networks’.\textsuperscript{13} The extent to which these conditions of trust can be met is, in many contexts, questionable.

Further destabilising the juxtaposition of speech versus silence is the fact that transitional justice discourse and practice embeds its own silences. Even as it promises to give voice, the liberal language of rights that infuses the work of both trials and truth commissions may silence the complexities of lived experiences. Suffering is inherently difficult to narrate in a verbal, linear form and this is even more the case when storytelling is constrained by the demands of institutions that expect experiences to be recounted according to a particular ‘script’. Criminal tribunals, for instance, function according to strict rules that circumscribe the avenues for survivors’ participation and storytelling, and constrain possibilities for the recognition of their unique experiences and grievances.\textsuperscript{14} And despite their broader mandates, and their purportedly ‘victim-centred’ nature, truth commissions also contain their own silences, as they shape individuals’ stories to conform to narratives of nation-building, reconciliation and national unity (and in the process, tend to occlude stories of unfinished business, retribution and revenge).\textsuperscript{15} A range of recent critiques bring these silences to the fore, underscoring that human rights discourse is not ‘neutral’ or ‘universal’ and raising important questions about the ways in which stories of violence are listened to, recognised, represented and disseminated.\textsuperscript{16}

Some of the most fresh and illuminating insights on silence are emerging from social science and ethnographic scholarship that seeks to go beyond an analysis of normative institutional responses to conflict and focus on the ‘everyday’ strategies that people utilise to reconstruct their lives.\textsuperscript{17} While there are many different definitions

\textsuperscript{11} See, for example, Stanley Elizabeth \textit{Torture, Truth and Justice: The Case of Timor Leste} Routledge New York & London 2009 p 117; Kent Lia \textit{The Dynamics of Transitional Justice: International Models and Local Realities in East Timor} Routledge New York & London 2012 p 101. The CAVR itself acknowledged that many women victims of sexual violence did not report these cases to the Commission because of the fear of social or family humiliation or rejection. See CAVR above note 4 at Part 7.7 p 109.


\textsuperscript{13} Ross above note 9 at 79.


\textsuperscript{15} Rawski Frederick ‘Truth-Seeking and Local Histories in East Timor’ (2002) 3(1) \textit{Asia Pacific Journal on Human Rights and the Law} 77.


\textsuperscript{17} See, for example, Eastmond and Selimovic above note 6; Uvin Peter and Nee Ann ‘Silence and Dialogue: Burundians’ Alternatives to ‘Transitional Justice’ in Shaw Rosalind and Waldorf Lars (eds)
of the everyday, at its heart the concept revolves around a concern for people’s ‘routines, repetitions, routes and habits of daily living’, including those adopted by individuals and communities attempting to make sense of conflict.  

The value of the concept of the everyday lies in its ability to bring about a reorientation of the analytical lens away from formal transitional justice institutions towards what Veena Das terms the ‘small stories’. These small stories illuminate the myriad ways in which people ‘pursue mundane activities and practices to restore the basic fabrics of meaningful social relations, negotiate or recreate protective mechanisms and provide some sense of continuity in their lives and sense of self in relation to other’. Explorations of the everyday start from the perspective that people seek to recreate meaning and rebuild the social order after conflict in multiple ways and often through routes other than public, individual, expressions of harm. They acknowledge, too, that this process is primarily a social rather than an individual one that is often grounded in the realm of the family and community. Implicit in many studies of the everyday is an understanding that, for those whose lives have been severely disrupted by conflict, and where ‘normal’ social and political interactions cannot be taken for granted, the resumption of everyday activities and interactions is no small task. In other words, the recreation of the everyday represents a significant achievement that is, over time, critical to rebuilding social worlds.

An orientation towards the everyday is evident in a small but growing number of studies of post-conflict social repair and reconciliation in Timor-Leste. Common to these studies is an emphasis on how, through their participation in ritual and social


18 Grunebaum above note 17 at 117. See also Alcala and Baines above note 17.
19 Das Veena ‘Trauma and Testimony: Implications for Political Community’ (2003) 3 (3) *Anthropological Theory* 293 at 300.
20 Alcala and Baines above note 17 at 386.
activities, people are slowly remaking social connections between kinship groups, household groups, friends and neighbours. Some studies highlight the significance of seemingly mundane activities such as rebuilding houses, and attending church services and sporting events. Others focus on rituals such as wedding celebrations, mortuary rites and the rebuilding of *uma luliks* (sacred houses), and highlight how people are working to reinvigorate ancestral practices that seek to re-establish a mythical, primordial unity with the land.

Approached through the lens of the everyday, it becomes clear that silence should not necessarily be dismissed as a marker of absence, lack, pathology or continuing repression. The apparent absence of verbal discussion about the past conflict might indicate that individuals and communities are acknowledging its legacy in other ways, for instance, by participating in ritual or community life. The lens of the everyday may also reveal that silence is a pragmatic tactic that enables a focus on the here and now or a degree of control over personal security. Silence might also at times be a condition that allows relationships to be re-established and long-term peace fostered.

The ‘pragmatic’ dimensions of silence have been brought to the fore by recent studies by Eastmond and Selimovic and Uvin and Nee. Eastmond and Selimovic’s study of post-war relations amongst three generations of Serbs and Bosniaks in Foca and Sarajevo highlights that silence in that context might be understood, at least in part, as a tactic for rebuilding lives and focusing on the present and the future. They observe that in a context where much of the population live in difficult circumstances and are preoccupied with livelihood concerns, people appear to gravitate towards ‘putting aside the conflicting narratives of the war’ in order to ‘focus on managing the present, rather than scrutinising the past.’ Uvin and Nee’s study of citizens’ attitudes to justice in Burundi similarly found that people preferred not to talk about the past because, in that context, it was felt that speaking publicly would lead to increased conflict. The preference for silence was sharpened by the realities of life in a society where there is no access to formal justice systems and faith in the rule of law is limited. Amid these constraints, people have developed pragmatic survival strategies in response to their profound vulnerability: they ‘need to maintain relations at all costs, for apart from their bodies, the little bit of social capital they have is the only thing that may make the difference between total destruction and simple poverty’.

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23 Field above note 22.
24 See, for example, Bovensiepen above note 22; McWilliam above note 22.
25 See, for example, Kidron Carol ‘Toward an Ethnography of Silence: The Lived Presence of the Past among Holocaust Trauma Descendants in Israel’ (2009) 50(1) Current Anthropology 7.
26 Eastmond and Selimovic above note 6.
27 See, for example, Guthrey above note 12.
28 Eastmond and Selimovic above note 6 at 515.
29 As above; Uvin and Nee above note 17.
30 Eastmond and Selimovic above note 6 at 522.
31 Uvin and Nee above note 17 at 166.
32 As above at 173.
Eastmond and Selimovic’s study also identifies that silence is not only a pragmatic choice but might at times be an instrument that ‘fosters relationships and opens up common ground’. They suggest that the citizens of Foca and Sarajevo seek, through their silence, to express ‘good neighbourliness’ and respect for others, a condition that allows for functional social relations to resume. This indicates that their silence might be read, in part, as a silence of ‘civility’ that might enable tentative forms of trust to emerge. This, in turn, might also offer hope for peace.

To recognise that silence may be associated with the possibility of resuming everyday life is not to valorise it. Although it is a source of meaning, security and belonging, the everyday is also, as Alcala and Baines suggest, ‘the site of violence, not just as it is imposed but as it is embraced and reproduced’. Silence can be associated with ‘repression, shame and humiliation’, which is a reflection of the silencing power of ‘structures, practices, traditions and discourses’ that prevent certain voices from reaching the public sphere. These silences often play out in gender-discriminatory ways and are exacerbated by the constrictions of poverty, social exclusion and isolation. To acknowledge and unpack these constrictions, however, does not necessarily mean they can be easily overcome through a straightforward process of speaking out (especially within the constrained possibilities of a criminal trial or truth commission). In other words, transitional justice is not a ‘silver bullet’ that enables the structural barriers and forms of vulnerability that persist in many conflict-affected societies to be cast aside. For those deeply enmeshed within these constrained circumstances, as well as webs of sociality that are critical to their survival, individual, public truth-telling ‘may not always be the most functional means of addressing [the pain of the past]’. It may also be the case that, where silence is productive to the rebuilding of relationships, transitional justice mechanisms focused on ‘speaking out’ will unintentionally complicate existing coping strategies by undermining the social ties that underpin them.

The following sections examine several case studies from Timor-Leste through the lens of the everyday. These cases bring to the fore the ‘civil’ and ‘pragmatic’ dimensions of silence while also underscoring the significance of relational and embodied forms of communication in the Timor-Leste context. In essence these sections bring

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33 Eastmond and Selimovic above note 6 at 515.


35 Alcala and Baines above note 17 at 388.

36 Connerton Paul ‘Seven Types of Forgetting’ (2008) 1 Memory Studies 59. See also Beck above note 34.


39 Eastmond and Selimovic above note 6 at 503.

40 Uvin and Nee above note 17 at 174; Beck above note 34 at 196; see also Buckley-Zistel Susanne ‘Remembering to Forget: Chosen Amnesia as a Strategy for Local Coexistence in Post-Genocide Rwanda’ (2005) 76 Africa 131.
together two different strands of analysis: scholarship on post-conflict silences and the everyday, which has given limited attention to the body and relationships as sites of communication, and scholarship on relationality and embodiment which, while prominent within the anthropological literature, has paid scant attention to processes of post-conflict recovery and reconciliation. Weaving these strands together helps to deepen understandings of how communities in Timor-Leste are rebuilding social life after the conflict while also enriching existing scholarship on silence and the everyday.

3.0 THE SILENCES OF EAST TIMORESE MILITARY ‘WIVES’

During the 24-year Indonesian occupation of Timor-Leste, from 1974–1999, an unknown number of women were coerced into long-term sexual relationships with members of the Indonesian military. The CA VR had made a special effort to highlight these experiences of harm in its final report, noting that, of the hundreds of cases of sexual violence it had been able document, 26% were instances of what it referred to as ‘sexual slavery’. It found that women — often young teenagers — were coerced into a number of different kinds of relationships. In some cases, a military officer lived with a woman and her family, or the woman was held in a house rented by the military. In other cases, women were detained in military installations, where they often became the sexual property of a number of men. Others were not physically detained but were summoned regularly to military installations for sexual purposes. The CA VR highlighted how many of these coercive relationships lasted for several years and, in some cases, women endured consecutive relationships as ‘ownership’ of them was passed from one military battalion to its replacement. For some women, these abusive relationships did not end until the Indonesian military departed Timor-Leste in 1999.

In 2011 I had the opportunity to interview 19 women who had endured sexual relationships such as these. The interviews, which sought to learn more about the women’s present-day lives and circumstances, were conducted as part of a collaborative research project coordinated by the Timor-Leste office of the International Center of Transitional Justice (ICTJ). The research team included four experienced East Timorese women researchers and, given the sensitivity of the topic, potential interviewees were approached through the ICTJ’s existing networks. A member of the team initially approached each woman via telephone or in person, and took time to ensure that they had an understanding of the project’s aims and were aware that they could decline to participate, or withdraw from the project, at any time. The project was also conducted on the basis that it would inform the ICTJ’s pre-existing work with women survivors of violence, and that, following the interviews, the women would be linked in to a support network and, where possible, also connected to government support services.

41 CA VR above note 4 at Part 7.7.
42 As above at Part 7.7 p 2.
44 These researchers were based at the ICTJ and the Alola Foundation.
45 All interviews were conducted in Tetum and organised in a flexible manner to enable the women to tell their own stories in their own way. Interviews were recorded and later transcribed and translated.
While some women approached by the research team declined to be interviewed, somewhat surprisingly, many agreed to participate. This was the case even though many explained that they had not spoken of their past experiences publicly to the CAVR (or any other institutional body), nor had they talked to their children, or, in cases where women had remarried, their East Timorese husbands. While women’s motivations for deciding to participate were undoubtedly diverse, it may be that some perceived a difference between telling their stories at a public forum and recounting them in the context of a small, intimate, interview encounter. It may also have been the case that the women were keen to talk to researchers with an interest in their present lives and circumstances (rather than their past experiences of harm) and were attracted by the possibility of future support.46

All the women interviewed were based in rural areas of Timor-Leste, in the districts of Baucau, Los Palos and Ainaro. Despite their diverse locations, the women shared a number of common characteristics. Most were engaged in subsistence agriculture and had had little formal education. Several had borne children as a result of their unions with the military and most, although not all, remained unmarried. A number of common themes also emerged from the women’s narratives of their lives, including the theme of marginalisation and stigmatisation. This theme was evident in women’s descriptions of being labelled as ‘lonte’ (whore) by their families and communities, the extent to which they believed themselves to be ‘gossiped about’ and their explanations of not wishing to remarry because they felt ‘moe’ (shy/ashamed). Some also spoke of how, because of this stigmatisation, they were reluctant to go to church or participate in other activities that are integral to social and community life, explaining that they preferred to lead a quiet life at home. Even though most had not spoken to their children or family members about their past experiences, this did not mean their family members did not know about them — in a sense, they might be understood as what Taussig refers to as ‘public secrets’: knowledge that is widely known but cannot be publicly acknowledged or talked about.47

That many of these women opt to remain silent about some aspects of their past is, on one reading, not surprising. Their silence might be understood as a reflection of the limited social capital these women possess in a context in which survival — both social and economic — is fundamentally dependent on the maintenance of reciprocal familial and kinship relations. On the one hand, the principles of exchange and social alliance that continue to order East Timorese society remain fundamental to the reproduction of community and provide a powerful sense of meaning, belonging and security to many people.48 It is through these ordering principles that women...
derive their status, a status that is linked to their roles within the sphere of the home, including the care of children. On the other hand, these reflect the influence of a conservative Catholicism that places a high value on women’s chastity and purity. Amid these constrictions, former military wives are often perceived (and perceive themselves) as soiled and as violating the proper roles of Timorese womanhood. This has a profound effect on their social relations and marriage prospects, and makes it difficult for them to improve their social status and that of their children. On this reading, the women’s silences might be understood, then, as a reflection of social structures which, while providing a sense of security and belonging to many Timorese, also have a silencing power that plays out in corrosive ways for those who do not conform to the gendered social roles expected of them.

Nationalist narratives, which have become more pronounced since the CAVR completed its work, reinforce the silencing power of several structures, discourses and practices. Over the past decade, it has been increasingly apparent that the liberal human rights narrative of the conflict produced by the CAVR has been overtaken by the political leadership’s promotion of its own selective narrative of the conflict, which elevates the heroic acts of those involved in the resistance struggle. Servicing the leadership’s own vision of ‘transition’ and its drive to build a unified national identity, the heroic narrative, invoked through commemorative events, museums, monuments and a veterans’ valorisation scheme, tells a story of the East Timorese people as the ema ki’ik (little people) who through acts of perseverance, courage and national unity, eventually achieved their goal of independence. By delineating who counts as a ‘hero’, this narrative embeds its own silences. It is, for instance, a deeply gendered narrative that celebrates the (mostly male) armed resistance struggle and ignores women’s diverse contributions to the independence struggle. The extent to which women are celebrated for their maternal roles — as widows and mothers of the fallen — only serves to further marginalise those who do not conform to these roles. The heroic narrative thus commonly constructs military wives as dangerous, poisonous or as ‘traitors’.

Just as the silences of former military wives reflect some degree of gendered subjugation, they also unsettle the therapeutic and emancipatory assumptions of truth-telling. They speak to the limits of truth commissions in shifting deeply entrenched patriarchal values (which are being asserted with renewed vigour in the interests of nation-building). These silences also underline how one-off opportunities for public storytelling can create new dangers for women who will remain intimately entangled with their communities and kinship networks long after their moment in the public spotlight. Indeed, the women’s continuing experiences of stigmatisation suggest that the CAVR’s attempts to recognise them collectively as ‘victims of sexual slavery’ did little to transform perceptions of them in East Timorese society or their local

51 For an overview of some of the factors that have informed this narrative see Kent Lia ‘After the Truth Commission: Gender and Citizenship in Timor-Leste’ (2016) 17(1) Human Rights Review 51.
communities. Given the Timorese leadership’s tendency to portray rights discourse as a foreign imposition, such forms of recognition may even be counterproductive.52

To stop with these observations about the silencing nature of nationalist and transitional justice discourses, however, also leaves out other dimensions of these women’s silences, in particular, the degree to which they embody a degree of (constrained) agency. While this agency should not be conflated with ideas of ‘autonomy’ and ‘free choice’, it can nonetheless be heard in the women’s narratives. It can be heard, for instance, in the women’s descriptions of their everyday preoccupations, which, for those with children, centre on their maternal obligations, and the need to create better lives for their descendants. In addition to growing rice and vegetables to feed their families, many of the women were engaged in economic efforts, making, for example, small dosi (sweets), coconut oil or pisang goreng (fried bananas) to sell in the marketplace, to help cover the costs of their children’s education. They saw their efforts to feed and educate their children, and protect them from discriminatory attitudes (including, for many, not discussing the paternity of their children with them or others), as paramount. These labours, the women hoped, would help to ensure that future generations would not suffer as they had — that suffering and hardship would end with them. They might also be seen as attempts to reclaim social value as accepted members of society by performing the role of the ‘good mother’.53

Within the limited space available to them to negotiate social acceptability, the women seek, through their silence, to protect their reputations and fulfil their maternal obligations by building better lives for their children and striving for material well-being and social acceptability. Their strategies embody a pragmatism that is not only oriented to the maintenance of everyday life in the present; it also seeks to provide for a better future.

The ways some women expressed a desire to protect the reputations of other women, particularly the small number of those who, through remarriage, have been able to regain a degree of social acceptability also contains echoes of Eastmond and Selimovic’s idea of a ‘civil silence’. The women’s silence was at least partly informed by a shared recognition that speaking of the past would be counterproductive to the building of relationships and potentially dangerous to the women and others. To take just one example, Maria, an unmarried woman from Los Palos, when asked whether she talked about her past experiences with other women in her community who had similar experiences, explained simply that she did not, because ‘some have married already and some have children already’.54

The need for a ‘silence of civility’ also speaks to the ways in which the conflict permeated everyday life and of how, in the coercive circumstances of the military occupation, many East Timorese men and women ‘collaborated’ with, or worked directly for, the Indonesian regime. These dynamics inevitably intersected with, and exacerbated, historical patterns of gendered relations and meant that, in the case of former military ‘wives’, family or community members were often complicit in their

53 See Baines and Gauvin above note 17 at 12.
54 See Kent above note 43 at 304.
abuse. To speak publicly about these ‘intimate enemies’ — of those who sacrificed the women to the military in exchange for the collective security of the community or household, or of those East Timorese men who had raped them alongside the Indonesian military, or had ‘kept watch’ while they were abused inside their homes or in military detention centres — is profoundly dangerous. It undermines powerful national narratives of resistance and unity and the construction of men as the protectors of ‘their’ women during the conflict. More importantly, it has the potential to undermine close-knit kinship ties, perpetuate intergenerational rifts between families and disrupt possibilities for future marriage alliances. In this context, the women’s silence might enable them to nurture and maintain the intimate social, political relationships with their extended kin that are essential to viable social life.

To be clear, this is not to suggest that these women’s silences should necessarily be viewed only in a positive light. Rather, it is to acknowledge that they contain multiple meanings that are embedded in the ‘rich textures of everyday life’. Close attention to these women’s silences shows that they have an acute understanding of their political, social and cultural constraints and of the extent to which, in a context of enduring stigma, poverty and marginalisation, there can be no straightforward rupture with the past. Given that they are intricately entwined with their families and communities that are at once a source of social support, belonging and meaning, and of stigmatisation, silence offers a strategy for re-establishing everyday life. Viewed through the lens of the everyday, that is, it is clear that the silence of former military wives is not only a silence of repression or pathology, but embodies a degree of agency.

4.0 EMBODIED AND RELATIONAL FORMS OF COMMUNICATION

This section turns now to two examples — illustrated through the narratives of Anna, Joao and Nuno — that highlight the value of the lens of the everyday for examining the ways in which East Timorese families and communities are remaking their social worlds through practices and rituals that foreground relational and embodied forms of communication, rather than public, verbal disclosure.

The first example concerns the efforts by East Timorese families to recover and rebury the bodies of those who died during the Indonesian occupation. Anthropologists and Timor-Leste scholars have observed that a revitalisation of customary practices has taken place since the end of the Indonesian occupation. Reburial efforts are an important, and highly visible, part of this renewal process. Facilitated in part by the availability of funding through the government’s veterans’ schemes, these practices involve expeditions to remote parts of the country by family groups to recover the remains of loved ones whose bodies were often dumped or hastily buried in shallow

56 Gready above note 17 at 223.
bush graves. The families then rebury them. These expeditions and their associated rituals ‘engage complex networks of exchange and obligation’ and involve an enormous amount of planning and expense (in a context in which many struggle to feed themselves on a day-to-day basis). 

The time, energy and resources invested by families in these mortuary rituals underscore the significance of the dead, of the ancestors and, more generally, the presence of *lulik* (‘sacred’ or ‘forbidden’) in Timorese socio-political life. Anthropologist Judith Bovensiepen, writing of the sub-district of Laclubar, describes *lulik* ‘as an active agent that can create and destroy life’, a ‘vital energy force that resides in ancestral houses and objects, as well as animating the environment’. 

Associated with specific places such as rock, rivers and hilltops and having the potential to appear in the shape of human or non-human spiritual beings, *lulik* is a potency specifically connected with the ancestral realm and can communicate important messages from the ancestors. It has the power to bestow good fortune upon the living as well as to cause ‘illness, death, confusion and madness’ if matters *lulik* are transgressed. Because *lulik* has an ongoing, affective presence in the lives of the living, and a power to directly influence the course of current affairs, it is a force that must be constantly negotiated, and has the power to inspire both ‘reverence and awe’ as well as ‘intense fear and anxiety’.

Given the power and agency possessed by the ancestors, there is a particular urgency about the need to conduct mortuary rituals, particularly in cases where people are thought to have died ‘bad’ deaths — i.e. deaths due to sudden and violent circumstances — where it is often suggested that the dead will continue to ‘wander’ as ghosts, and torment the lives of their descendants as well as those responsible for the death. Rituals are required to release the spirit of the deceased from the pain and suffering they experienced, render them spiritually harmless and restore the balance between the worlds of the living and the dead.

For those able to recover the remains of their loved ones, secondary burial rituals are enacted which involve both Catholic and customary elements. Families then make frequent visits back to the gravesite to conduct vigils that involve placing flowers or lighting candles to give sustenance to the spirit. Initial vigils are sometimes described as ‘guarding the bitter flowers’, later vigils as ‘guarding the sweet flowers’; the former represent ‘the heaviness (*todan*) of the loss, the latter as a time to celebrate

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58 McWilliam above note 22 at 225.
59 As above; see also Grenfell above note 57.
61 Bovensiepen above note 57 at 122.
62 As above.
63 As above; McWilliam Palmer and Shepherd above note 60 at 305.
64 Bovensiepen above note 57 at 122.
65 As above at 166.
67 Bovensiepen above note 57 at 108.
the transformation of the person as a living being to that of an ancestor'. For many families, however, the whereabouts of bodies is unknown: some are thought to have been burnt or dumped in the sea or in unmarked graves. Witnesses are also scarce and forensic evidence has often deteriorated after years in the tropical conditions. In these cases, the place of the deceased is sometimes said to appear to a descendent in a dream. In cases where remains cannot be found, rituals sometimes incorporate stones or animal remains taken from the site where the body was thought to be located.

In some cases, witnesses have approached families of the missing to reveal the location of bodies and the circumstances of deaths. This experience was described by ‘Anna’, a young educated government employee in Dili whose father, a member of the FALINTIL armed resistance, went missing during the conflict. Anna’s family had been living in uncertainty for over 30 years until, in 2009, they received a visit from a man — the cousin of a family acquaintance — who identified himself as a witness to her father’s death and sought to explain to the family the circumstances of his death and the location of his remains.

Anna explained that hearing confirmation of her father’s death gave rise to conflicting emotions. While she and her family were relieved that the appropriate rituals could finally be conducted to put his spirit to rest (and protect the family from future misfortune), this relief was tinged with a sense of bitterness because, during the conflict, Anna’s mother had continued to contribute funds to the FALINTIL forces, and to send letters of support to her father via those who described themselves as estafeda (messengers) for the resistance. These self-described ‘estafeda’ had visited the family from time to time, and had persuaded them that Anna’s father was still alive in order to collect funds. Anna now feels that she and her family had been ‘tricked’, yet the realisation that the resistance movement may not always have been ‘pure’ in its motivations must remain a public secret that cannot be spoken of.

The man who identified himself as a witness explained that Anna’s father had been killed along with nine other members of FALINTIL in a remote area of Timor-Leste. Anna’s family invited the families of all nine men together for a meeting and to make a plan for looking for the bodies. They decided not to involve the police because of the lack of forensic testing available in Timor-Leste and the fact that it would take too long to go through official channels. They organised a week-long expedition to the site, involving 30 people from the nine families. Several four-wheel drive vehicles were hired at a great deal of expense. When they arrived at the local area, a local witness, a man who had been a member of the Indonesia military, showed them the place where the men were reported to have been shot. Given it had been 30 years since the deaths, it was clear, Anna said, that a river had washed the bodies away.

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69 McWilliam above note 22 at 225.
71 FALINTIL (Forces Armadas de Libertacao Nacional de Timor-Leste/Armed Forces for the National Liberation of East Timor).
Anna explained that while they didn’t find the bodies, the families took some stones and soil from the site, as well as some bones and teeth which were most likely animal bones. With monetary assistance from the Minister for Social Solidarity, they purchased a coffin, and took the substances they had retrieved to the ‘Garden of Heroes’ veterans’ cemetery, in Metinaro. Because the men had all held high positions within FALINTIL, the families were given a place in the cemetery. With the agreement of all nine families, the stones, dirt, bones and teeth were placed together in one coffin, and the names of each man inscribed on the outside of the coffin.

As Anna’s story suggests, the recovery of her father’s remains (or objects that might substitute for it) involved a degree of disclosure by witnesses to the death, and discussion amongst other families of the dead. Yet, this communication occurred in the specific context of the family and involved a very different form of speaking than the individual, confessional kind of storytelling prescribed by transitional justice discourse. Establishing ‘facts’ such as whether the bones recovered were human or animal, which bones belonged to which family and the identity of the perpetrator of the deaths seems to have been less urgent than the need to complete the ritual and restore good relations with the dead. Moreover, communication occurred not only between living persons but, critically, between the living and the dead. The collective journey to the site by the 30 representatives of the nine families, and the efforts to recover the remains and conduct appropriate death rituals, were themselves powerful embodied and relational forms of communication, signalling both to the dead, and to the extended family, that right relations had been restored with the spirit world.

The second example which highlights how people are working with the legacies of the conflict outside formal institutional contexts and in ways that do not elevate verbal communication, concerns the efforts by East Timorese to return to their families and communities from Indonesian West Timor. Around 400,000 East Timorese people are thought to have been displaced from Timor-Leste into neighbouring West Timor after the 1999 referendum for self-determination, many at the behest of pro-Indonesian East Timorese militia groups. These groups, which had been armed and trained by the Indonesian military, wreaked a trail of destruction after the referendum, looting and burning houses, and killing over 1000. While it is difficult to obtain firm figures, some suggest that the population of East Timorese in West Timor currently sits at around 100,000 people. Damaledo refers to members of this group as those who are ‘guilty by association’ because, while they are not members of militias, the Indonesian police force or the military, they are comprised of family members and relatives of militias and the Indonesian security forces, and thus are vulnerable to incrimination.

During the period of United Nations administration of East Timor, a formal repatriation programme was initiated by UNTAET, in coordination with UNHCR and IOM, and refugee returns peaked just prior to Timor-Leste gaining formal

independence in May 2002.\textsuperscript{74} Since then, numbers of returnees have dwindled and those remaining in West Timor have been designated (\textit{warga baru}) ‘new citizens’ of Indonesia.\textsuperscript{75} Nonetheless, a ‘small but steady stream’ of East Timorese continue informally and voluntarily to return to their homes, with little or no assistance from the state.\textsuperscript{76} Some return with the assistance of local NGOs, while others return illegally, offering bribes to border patrol officers or taking risky paths along \textit{jalan tikus} (goat tracks) to avoid the attention of the authorities.\textsuperscript{77}

Given their extended absence from their communities, perceptions of their dubious pro-Indonesian associations and the significant financial, social and political implications\textsuperscript{78} that are entailed in uprooting lives once again, it is common for potential returnees to make multiple visits to their communities over a period of years before definitively returning. During these visits, people participate in family rituals such as weddings and funerals, and investigate the status of their land and their prospects for economic survival. Their embodied presence in their communities acts as a form of communication in itself — a sign that they have not cut links with their homeland — and as a ‘testing of the waters’ as to whether their return would be welcomed.

Writing of the process of displacement in Uganda, Baines and Gauvin observe that displacement not only entails the physical removal of people from their homes, but also radically undercuts their sense of social belonging by fracturing ‘the family, the home and communities’.\textsuperscript{79} It is because of this social splintering that ‘social reconstruction’ is a critical part of the process of return and resettlement.\textsuperscript{80} Processes of return might be understood, they suggest, as struggles to ‘reclaim and regenerate one’s relational, place-based existence’.\textsuperscript{81}

These observations seem apt for describing the ways in which, following families’ returns to Timor-Leste, they engage in a range of negotiations and informal practices that seek to reassert ties to kin, land and ancestors. One such practice was described by Nuno who, together with his family of 11, had returned from West Timor to his village in the district of Los Palos in 2013. Nuno detailed the process of rebuilding the family house that had been burned during the 1999 referendum. He explained how, before rebuilding commenced, he was required to make the land ‘\textit{malirin}’ (cool) by overseeing a series of rituals involving all the members of the kinship group. This involved the slaughtering of goats and pigs, and the mixing of their blood with coconut water, which was then sprinkled on the land. Following the rebuilding of the house, which took a week to complete and involved all able members of the extended family, the

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\textsuperscript{74} Thu Pyone Myat ‘Displacement and Repatriation in a Rural Timorese Village’ in Ingram Sue, Kent Lia and McWilliam Andrew (eds) \textit{A New Era? Timor-Leste after the UN} ANU Press Canberra 2015 p 255.

\textsuperscript{75} Damaledo above note 73.

\textsuperscript{76} Thu above note 74 at 255.

\textsuperscript{77} As above at 256.

\textsuperscript{78} For instance, returnees must relinquish their Indonesian citizenship upon returning to Timor-Leste.

\textsuperscript{79} Baines and Gauvin above note 17 at 2.

\textsuperscript{80} As above.

\textsuperscript{81} As above at 14 citing Corntassel ‘Re-Visioning Resurgence: Indigenous Pathways to Decolonization and Sustainable Self-Determination’ (2012) 1(1) \textit{Decolonization: Indigeneity, Education and Society} 86 at 88.
new house also had to be ‘cooled’ (halo malirin). This required the killing of another pig, and goat, and the reading of their entrails to see if the signs were good. The extended family and all those who participated in the house-rebuilding process then shared a meal together.

Joao, who had returned to his village in Manatuto in 2012 with his wife and two young children, along with four other families, described taking part in a similar set of practices. In this case, the practices centred on the family’s uma lulik (sacred house), which had deteriorated due to years of neglect during the Indonesian occupation. Not long after his return, Joao and his extended family engaged in a process of rebuilding and repairing the uma lulik. Following this, they held a one-day ritual, during which all of the members of his extended family visited the uma lulik and offered prayers to the ancestors. Pigs, chickens and goats were slaughtered and the family shared a meal together. According to Joao, this ritual served as an important form of communication to the ancestors that Joao had returned, that the family was united again and that it would no longer be divided.

The practices described by Nuno and Joao might be understood as efforts at social renewal that work against the deeply splintering effects of Portuguese colonisation and Indonesian occupation. These practices underscore the centrality of social ties, ties to ancestral land and nationalist conceptions of Rai Timor (the motherland) to notions of belonging, identity and social and economic well-being.\(^8^2\) By engaging in these practices, returnees and their extended family networks seek to re-establish webs of connection amongst kinship groups, repair frayed family networks and ‘remake their ties to land’, which is associated with the ancestors and ‘the life-giving resources on which all families depend’.\(^8^3\)

Collectively, the practices described by Anna, Joao and Nuno also underscore the degree to which knowledge in Timor-Leste is both ‘embodied’ and ‘relational’. Writing of water politics and spiritual ecology in Timor-Leste, anthropologist Lisa Palmer observes that knowledge is ‘never something external to the body’; it relies on ‘the co-being and constant “participation” of particular bodies which connect the dead to the living (and the not yet born)’.\(^8^4\) The centrality of relatedness as a way of being, knowing and communicating has also been noted in the broader Melanesian context. Joel Robbins goes so far as to argue that social relatedness is something Melanesians take to be ‘innate’ — it is ‘something that is always there from birth for all persons and thus a fundamental aspect of life that needs to be attended to’.\(^8^5\)

The centrality of relatedness is apparent in each of these practices described above. This is a relatedness that encompasses connections with the extended family in the present, with the physical world including the ancestral land and with the ancestors. In each case, the successful completion of rituals and practices depends upon the

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82 McWilliam and Traube above note 48 at 15.
83 As above at 2.
working together and interdependence between persons, collectives and the living and the dead. The centrality of the body — which acts as a key mechanism of communication and of transmission of knowledge — is also evident. As Anna’s story suggests, rituals to recover and rebury the dead communicate through the body (or its substitute) that the descendants of the dead have not forgotten their responsibilities to them. In the case of Nuno and João, it is their returning bodies that communicate to the ancestors, to their kinship network and to the broader community, signalling fidelity to the homeland, and a reassertion of bonds of kin, land and origin.

5.0 RETHINKING THE DICHOTOMY OF SPEECH VERSUS SILENCE

What emerges from the preceding discussion is that, while East Timorese may not always verbally articulate their experiences of violence in the public sphere, they are actively negotiating the legacies of the conflict in an attempt to restore social life, and seek some form of repair and resolution, following years of conflict, distrust and dislocation. The examples above illuminate that ‘silence’ reveals a great deal about the desire of many to maintain critical relationships, and to achieve a better life for their children, in a context of continuing violence, poverty and stigmatisation. They also speak to the significance of relational and embodied ways of knowing, communicating and responding to violence and of the agency and power of the ancestors. Although the practices and strategies in which people are engaged are not always successful, what is clear is that an enormous amount of work is taking place in the form of listening, delicacy, negotiation, the demonstration of commitment to family, kin, ancestors and land and discernment as to when to speak and when to stay silent. What emerges, in other words, is that the apparent absence of verbal communication about the conflict does not equate to forgetting or absence.

Collectively, the case studies discussed above reaffirm the importance of attending to the realm of the ‘everyday’. Specifically, they highlight that everyday practices and strategies of social repair need to be taken seriously as they are often critical to the reconstruction of meaning, belonging, security and identity, even for those at the margins of society. What is at stake for East Timorese, as for many conflict-affected societies, ‘is the reconstruction of social relationships, moral communities, cultural forms, economic networks and the reinvention of ritual life’ which might enable people to make sense of suffering. Many of these concerns, and the complex obligations people have to the living and the dead, necessarily fall outside the parameters of institutional transitional justice responses. The discussion above also enriches the existing literature on post-conflict social repair in at least two ways. First, it highlights that explorations of post-conflict silences and the everyday would do well to take greater account of the significance of non-verbal, relational and embodied, forms of communication. Second, it brings to the fore the extent of the daily work and fine calibration that underpins and informs many everyday strategies of social repair.

86 Sakti above note 66 at 449.
87 See McWilliam above note 22 at 218.
88 Theidon above note 55 at 35.
Attending to the everyday disrupts the juxtaposition of speech versus silence, as it becomes clear that multiple ways of negotiating the legacies of violent conflict are possible, and that these may involve forms of communication that do not conform to the individualised, confessional model of healing prescribed by transitional justice mechanisms. Challenged, too, is the narrative of ‘rupture’ that is closely linked to ideas of therapeutic truth-telling. Indeed, what emerges from attention to everyday strategies of social repair in Timor-Leste is that these efforts are ongoing. While tentative forms of ‘closure’ and resolution may be possible, individuals, families and communities remain engaged in a dialogue with the past, rather than making a complete break with it. This dialogue is inherently built upon relationships; it requires the “participation” of particular bodies which connect the dead to the living (and the not yet born). That the dead play a central role in this ongoing dialogue — communicating through the dreams of their descendants, or in response to prayers at their gravesites — also draws attention to the existence of multiple temporalities, which destabilise the idea of rupture in a more radical sense. The immediate, embodied presence of the spirit world in the here and now confounds a linear notion of time and highlights the degree to which ‘the present is folded back into an always existing origin’ that does not dissipate but is ‘carried through the earth, the water, and the trees and the rocks’ and forms part of a community ‘comprised of kind and kind both living and deceased’.

To attend to the multiple ways in which people seek to re-establish everyday life (and the place of silence within this) does not imply that the focus on speech by transitional justice scholars and practitioners should be abandoned. Of course it is valuable that, in Timor-Leste, as elsewhere, efforts are made to provide opportunities for people to speak about their experiences of harm and to construct a public, historical record of past conflict. The continual efforts by transitional justice practitioners to develop more sensitive ways of collecting and reporting survivors’ testimonies are also needed to ensure that the experience of storytelling at a public truth-commission hearing, or of giving testimony is, at the very least, not harmful. It is certainly also the case that the limitations of truth-telling are increasingly recognised by transitional justice advocates, and that alternative forms of truth-telling are being explored, for example, through the arts, drama, public exhibitions and memorials. These forms of truth-telling are important because they might enable the public recognition of collective truths that cannot be spoken about.

The point I wish to make is simply that the over-investment of speech with therapeutic and emancipatory power for individuals and the nation is problematic. This not only obscures the silences of transitional justice itself — the terms upon which coming to terms with the past are prescribed — but also makes it difficult to attend to the circumstances that mean, for some, speaking publicly is not possible or desirable. The privileging of speech, moreover, ‘blinds us’ to other forms of non-verbal expression or

89 Palmer above note 84 at 148.
90 See Igreja above note 17.
91 Grenfell above note 68 at 25.
92 I am grateful to an anonymous reviewer for this insight.
All of this suggests that rather than approaching silence with pre-determined assumptions — viewing it as a ‘problem’ that needs to be fixed through new and better ways of collecting stories — transitional justice scholars and practitioners might pay more attention to its diverse meanings, and to the rich realm of everyday life in which they are embedded.

**DISCLOSURE STATEMENT**

No potential conflict of interest was reported by the author.

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93 Kidron above note 25 at 19.