

Revisiting Passabe: *Lisan* and Reconciliation in Timor-Leste

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Abstract

The documentary *Passabe* (James Leong and Lynn Lee, 2006) portrays former militia members who returned to Timor-Leste following the August 1999 referendum and the process by which reconciliation took place. Recent studies have questioned the nature of reconciliation, however, and argued that in many post-conflict regions the situation is best described by “negative peace.” This article examines the situation in *Passabe* shown in the film and describes the spiritual elements of *lisan* that have enabled reconciliation, or at least something more closely approximating reconciliation than “negative peace.”

Keywords: Timor-Leste, reconciliation, *lisan*, post-conflict, Indonesia

Introduction

The question of reconciliation loomed large in Timor-Leste following the violence in the period leading up to, during, and after the August 30, 1999 referendum. After twenty-four years of brutal military occupation that resulted in the deaths of between one-sixth and one-third of the population, armed militias made up mostly of East Timorese and supported by Indonesia had committed murder and violence in a failed attempt to sway the results of the referendum. Despite this, after their side lost the referendum many former militia members wished to remain or return to Timor-Leste (after fleeing), raising the question of reconciliation. The United Nations (UN), which was charged with supervising Timor-Leste's transition to independence from September 1999 until May 20, 2002, created the Timor-Leste Commission for Reception, Truth and Reconciliation [Comissão de Acolhimento, Verdade e Reconciliação de Timor-Leste, CAVR renamed the Centro Nacional de Chega in 2005] in 2001 to oversee reconciliation between Timorese antagonists.

In this context, in 2004, two Singaporean filmmakers—Lynn Lee and James Leong—travelled to one of Timor-Leste's most remote villages, Passabe, the site of the two worst massacres that followed the referendum, in order to document the reconciliation process.¹ The film follows a former militia member who admits he is guilty of murder and other crimes, and shows the elements intended to facilitate reconciliation: traditional spiritual beliefs, modern religious beliefs, UN bureaucracy, and village elites and elders. The film, also named *Passabe*, shows the tension among the Timorese victims and perpetrators. The film's central character, perpetrator Alexiu Elu, is shown as being the most honest about his role and ready to accept the verdict of the commission, yet dissatisfaction among victims for the process remains. The film seems overshadowed with a question mark—was reconciliation successful?

Following a brief description of Timor-Leste's occupation and the referendum, this article examines the reconciliation process portrayed in the film *Passabe* in the context of recent scholarship (on Timor-Leste and elsewhere). Although the aforementioned elements were meant to contribute to the reconciliation process, this article concludes

with an examination of the importance of Timorese spirituality in the reconciliation process, a key aspect that perhaps facilitated its success.

Timor-Leste

Timor-Leste was a Portuguese colony for 450 years, with a brief interregnum during the Japanese occupation during World War II, during which around one-tenth of the population lost their lives. As the Portuguese moved to decolonize following the April 1974 Carnation Revolution, Timor-Leste's behemoth neighbor Indonesia began fomenting conflict between the nascent political parties vying for influence. A brief civil war ensued, which gave Indonesia the pretext to invade on December 7, 1975—following the Timorese declaration of independence on November 28.

The invasion was given the green light by the United States and others, and led to a bloodbath that set the tone for the following twenty-four years of Indonesian occupation. Although an exact figure for the death toll is impossible to ascertain, up to one-third of all Timorese lost their lives during the Indonesian occupation; violence, disease, starvation and misery were omnipresent.²

Following the East Asian economic crisis and the abdication of Indonesian president Suharto, his replacement B. J. Habibie assented to a referendum in Timor-Leste, eventually held on August 30, 1999. In the months leading up to the referendum, the Indonesian government, military and police recruited militias from among the Timorese as well as imported thugs from elsewhere in Indonesia in an attempt to cow the population and influence the vote. East Timorese joined the militias for various reasons. Some were enthusiastic in their support of Indonesian sovereignty. Prior to the 1975 Indonesian invasion, there was a small minority of wealthy elites who favored integration with Indonesia following separation from Portugal, and there were certainly East Timorese who benefitted from the occupation. Some militia members were simply opportunists who were paid for their participation, or criminals willing to engage in violence. Some militia members were forced to join at the threat of death, including some pro-independence

East Timorese. Taking into account the history of militias and their relationship to the state in Timor-Leste during the Indonesian occupation, Geoffrey Robinson argues that this helped facilitate their rapid expansion and influence in the period leading up to the referendum.³

In the period subsequent to the vote, these militias—along with their Indonesian backers—carried out a premeditated scorched earth campaign throughout Timor-Leste that included killings, rapes, theft, destruction of property, and a forced displacement of around one-half of the population, many of whom were forced into West Timor or other places in Indonesia.⁴ The scale of the destruction of Timor-Leste following the referendum was incredible, and was halted only because of the armed intervention of the UN-sponsored International Force for East Timor (INTERFET) which arrived on September 20.

Once Indonesia was forced out, the UN established a transitional administration (United Nations Transitional Administration in East Timor, UNTAET) that would eventually lead to independence in May of 2002. Faced with myriad issues—for example reconstruction, reestablishing political parties, rebuilding or creating institutions, etc.—the Timorese were also confronted with the question of what to do with former militia members, most of whom had left the territory but who had, along with forcefully displaced persons, begun to return to Timor-Leste. The UN initially favored creating courts and trying former militia members and rejected the indigenous justice system known as *lisan*, partly over fears that elements of *lisan* were inconsistent with international human rights norms.⁵ Yet Timorese were already conducting these ceremonies, and in the face of a dearth of lawyers and judges, the UN eventually recognized the legitimacy of *lisan*.⁶ *Lisan* procedures were then made a central part of reconciliation ceremonies sponsored by the UN and overseen by the CAVR, although they occurred outside of this purview at the same time as well.⁷

The Film *Passabe*

In the aftermath of the referendum, Timor-Leste was flooded with foreigners, from UN staff and international aid organizations to foreign

companies looking to profit from the influx of aid money to backpackers and adventure-seeking travelers interested in seeing the widespread destruction of the post-conflict society. Included in this mixture were academics, some of whom had a longstanding interest in Timor-Leste and had produced meaningful, critical, and enlightening work. Others seemed in a hurry to do questionable research in the latest “hot spot” before moving on to the next post-conflict areas (Afghanistan and Iraq).⁸

The foreign or First World media were a part of this influx as well and ran the same gamut, from news reporting to longer-form specials that included a patronizing episode of Steve Irwin’s television program *Crocodile Hunter* (1996-2007), the Australian film *Balibo*, which turned the story of Indonesia’s invasion and killing of over one hundred thousand Timorese into the tragedy of the death of five Australian journalists and the brave one who went to expose the invasion, and the Korean/Japanese film *A Barefoot Dream* (Kim Tae-gyun, 2010), which follows a Korean police officer who comes to Timor-Leste to sell football equipment and later train a Timorese youth soccer team. In many examples, Timor-Leste had become a backdrop for telling (foreign) people’s stories, replete with poverty, violence, and the potential for a foreign savior to show the indigenes what to do, *Avatar* (James Cameron, 2009), *The Last Samurai* (Edward Zwick, 2003), or *Dances with Wolves* (Kevin Costner, 1990). Counterexamples exist of course—the stop-action film *Boneca de Ataúro: Searching for the Lost Love* (2016) by Spanish filmmaker David Palazón is a comedic look at the life of a handmade doll, and the film draws attention to a cooperative based on the island of Atauro.

Filmmakers have also made documentaries on Timor-Leste, including Palazón’s recent work. *Death of a Nation: The Timor Conspiracy* (1994), made in secret during the years that Indonesian occupation by Australian journalist John Pilger, was an eye-opening film that documented the brutality of the Indonesians, including the Santa Cruz Cemetery massacre of 1991—a catalyst for international solidarity, and the complicity of foreign governments. Perhaps the best-known documentary is *The Diplomat*, a biopic of José Ramos Horta, depicting his life during the lead up to the referendum and its violent aftermath, before he became prime minister and then president. Another noteworthy work in the post-

conflict period is the documentary *Passabe* by Singaporean filmmakers Lynn Lee and James Leong.

Passabe is perhaps the most far-flung village in Timor-Leste. It is located in the southernmost tip of the enclave of Oecusse, right on the border with Indonesian West Timor. Without a private vehicle, getting there requires a four-hour ride from the regional capital Pante Macassar in an open truck over bumpy roads, which wind along the border and are impassable during the rainy season. Ancestral, linguistic, and other connections between what is now West Timor and Timor-Leste in the area of Passabe predate the Portuguese, Dutch, and Indonesian periods; travelling across the border to see relatives or conduct business is a short motorcycle ride or a walk.

And yet just after the referendum, there were two massacres in the region of purportedly pro-independence Timorese by pro-Indonesian Timorese, spurred by Indonesian officials. The attacks were carried out against villages that were perceived to be pro-independence. On the morning of September 8, 1999, the Sakunar militia, led by Indonesian military personnel, attacked four villages, killing at least 18 and forcing around 200 people across the West Timorese border to Imbate. The next day, 80 young men had their thumbs tied together behind their backs and were marched back across the border to Passabe, along a river. There they were set upon by the militias and hacked to death with machetes and swords, while others were shot. On October 20, Sakunar militiamen killed at least 12 more people in a separate incident. Including these two massacres, there were 150 people killed in Passabe following the referendum, in addition to 20 who were slain beforehand. The killings on September 8-9 were the largest single massacre in Timor-Leste in the context of the referendum.⁹

The film follows the contentious process of reconciliation and reintegration of former militia members in the far-flung village. It focuses on Alexiu Elu who admits to taking part in assaults and committing a murder, but it also shows his family, other militia members, victims, Catholic Church figures, traditional elders, UN staff, members of the CAVR, and the local community at large. Elu is contrasted with other perpetrators because he tells the truth about what he has done, whereas

others are accused by victims and their families of not revealing the extent of their participation. One of the leaders of the militia in Passabe, Florencio Tacaqui, makes a brief appearance, flying in by helicopter from Dili, remaining silent, then being whisked away back to Dili to await trial on more serious crimes. In the lead up to the reconciliation ceremony, the filmmakers capture the spiritual elements of the process: invoking tradition and the ancient gods, animal sacrifice and the reading of entrails, ritual dancing, consulting with village elders, and discussions in the Catholic church. The film also presents reenactments of the Passabe massacres by members of the community.

The film portrays a series of juxtapositions with regard to violence and reconciliation, and *lisan* and Christianity. After opening with scenes of bound men writhing on the ground in a reenactment of one of the Passabe massacres, a victim, Marcos Bakin, disfigured as a result of a militia attack, expresses wariness and survivor's guilt at returning to Passabe for the CAVR process. He acknowledges the importance of the spirits of the dead: "Their spirits will say, 'Why have you come back? You should have died with us.'" Next, an upbeat Elu does chores and introduces his family at the beginning of the film, confident that although he has admitted to murder, he will remain in the community. The film shows him negotiating small gifts for some of his victims. Then the film shifts back to the victims' perspective: the head of nearby village Tumin shows artifacts from the massacres—the rope that bound the victims, their clothing, all stored as evidence. The filmmakers follow the police to the site of a massacre, with points marked where victims fell. The film returns to Elu, reviewing his gory written testimony with a CAVR staff member. CAVR members discuss his case—since murder is a serious crime, should he take part in the ceremony?

The film returns to preparations for the ceremony—elders dancing and chanting, sacrificing a chicken and a cow, and discussing reconciliation. Then the two sides—perpetrators and victims—meet. Perpetrators, exhorted to tell the truth, are seated in front, to face their victims, and testimonies begin. The film cuts to negotiations for reparations, including sacred beads and water buffaloes, between elders away from the official ceremony. Elu makes the sign of the cross and

kisses the hand of an elder: "My victims have accepted me. We made peace today." Beaming, he embraces those around him, presumably including some of his victims. Another juxtaposition emerges. The following day, elders parade through town in traditional dress and enter a sacred house to sacrifice a small pig, its blood smeared on sacred objects. The film then cuts to a Catholic mass, showing the importance of the two spiritual realms. After Elu meets briefly with a representative of the police, the film cuts to Florencio Tacaqui's arrival in Passabe. He remains silent. His wife frets over not knowing his fate and how long he will be away from his family, but a victim declares that since he was a militia leader and is responsible for killing, he should spend the rest of his life in jail. Tacaqui's wife feeds her children and weaves, bemoaning her situation and eliciting sympathy, but then the film cuts to the disfigured Bakin visiting a clinic and describing his health problems following his attack; this is the result of Tacaqui's violence.

The film takes a lighthearted turn, as it returns to Elu building a new house with the help of his family and neighbors. Elu does seem as though a burden has been lifted as he makes bawdy jokes, but the scene also shows that following the *lisan* ceremonies the animosity of his immediate community has ceded. Nevertheless, a resident of Passabe warns of what would happen were reconciliation not to take place: because of Passabe's location on the border with Indonesia, perpetrators could run to Indonesia and come back with militia members to kill them. To reinforce this point, the film shows an Indonesian who was arrested in Passabe after crossing the border.

Passabe concludes with the rehearsal of the reenactment of the massacre. The following day, elders dance and chant, and welcome the UN visitors who are there to oversee the ceremony. Participants bring out the artifacts from the massacre, a priest recites a prayer, a victim sobs inconsolably over a grave. The film cuts to several of the people it portrayed. Bakin doubts that reconciliation will work. Others, including Elu, blame Indonesia. The film concludes with a scene of children singing songs by torchlight in a ceremony, and chanting pro-Timorese slogans. An insert title states that Elu will not be charged with a serious crime, and the credits roll.

Unlike other foreign films and documentaries, the filmmakers remain off camera. They do not inject themselves into what they depict—rarely asking off-camera questions—but rather observe and allow the Timorese to tell their own stories. What emerges is a compelling film of post-conflict renewal but also an intimate look into the spiritual aspects of the reception, truth, and reconciliation process. Reception was a critical part of the process as most of the militia members and their families—along with hundreds of thousands of refugees—had fled to West Timor or other parts of Indonesia after the violence. Hence reception was included along with truth and reconciliation because the first step was to manage the return of the militia members, including identifying perpetrators and determining the scale of their crimes. The filmmakers, James Leong and Lynn Lee, had heard about the CAVR's role in trying to bring healing and closure to Timor-Leste. While reviewing files at the CAVR they came across Elu's testimony, and since the CAVR generally did not review serious crimes such as murder they thought this would be a unique subject for their film. They were able to make local contacts and received assistance from the CAVR, and they received grants from the government of the United Kingdom, the Sundance Institute, and the Asia Foundation. And a local contact, Jose Ote, was able to explain the significance of the traditional practices that they witnessed in the reconciliation process.¹⁰

Passabe was not widely circulated in Timor-Leste, and it was banned in Indonesia after an invitation to screen the film at the 2006 Jakarta International Film Festival was withdrawn. The author procured the film in early 2006 in Timor-Leste through someone who copied an original version given to him by the filmmakers. Perhaps the chaos and violence that marked 2006 prevented a wider Timorese audience.¹¹ The filmmakers did bring their film back to Passabe to screen for the villagers.

Lisan and the Reconciliation Process

The forced removal of people following the referendum was part of an Indonesian strategy to delegitimize the vote; if the vote was close, the Indonesians could argue that it was manipulated and that the people

“fleeing” were the evidence of fraud. With a result of 78.5 percent of voters choosing independence in the face of overwhelming violence from the Indonesian side, the strategy of claiming the vote was illegitimate became farcical. Also, given that FALANTIL (*Forças Armadas da Libertação Nacional de Timor-Leste*, the anti-Indonesian armed forces) had put down their arms and retreated to safe bases in the period leading up to the referendum, the results would likely have been even more one-sided. The strategy was also belied by the sheer numbers of people returning with consistent stories of being forced to flee.

The early days of INTERFET and the UNTAET administration were chaotic as the UN had to establish an administration and assert control. Doing so entailed securing the border with West Timor, the source of many of the returnees as Indonesia had created a camp in Atambua, although it functioned more as a prison as people were forced to try to escape in order to return home. The UN fretted since some of these people had committed atrocities in the weeks before the referendum and should not have been allowed to return without facing legal consequences. The initial decision was for the UN to bring these people to trial, using a western model that included lawyers, judges, courtrooms, prison sentences, and an adversarial process designed to punish the offender.¹²

Yet the Timorese had already been dealing with former militia members through a traditional judicial process called *lisan* or *nahe biti boot*. Through a process that incorporated elements of indigenous spirituality as well as the authority of the leaders of the community (generally elders and traditional elites), and facilitated by the tight-knit nature of Timorese communities where people know their neighbors and, if they joined a militia, the degree of their willingness and culpability, former militia members were being reintegrated into their communities. The UN, however, did not acknowledge this process and preferred an adversarial approach that would include trials with lawyers and judges, generally held in the capital Dili.

There were concerns that *lisan* included elements that were contrary to international norms concerning human rights and the rights of women, or that it privileges those with power, or that it could be

arbitrary in nature and susceptible to corruption.¹³ There was further concern that allowing *lisan* would undercut the establishment of the rule of law. Yet faced with the fact that there was a dearth of qualified legal professionals and that *lisan* ceremonies were already taking place, the UN decided to recognize them. This process is somewhat fraught and sometimes sloppily defined. Some argue that the UN “adopted” *lisan* or that it was a “choice.”¹⁴ Several authors portray Timor-Leste as a “*tabula rasa*” ready for the imprint of the UN and its institutions and as though previous customs did not matter. The author has concluded differently—the UN gave the appearance of co-opting *lisan*, but in reality, was powerless to stop it; it was more of an acknowledgement.

Lisan has been oversimplified as “local law,” “traditional law,” “customary law,” “indigenous law,” and other formulations that only emphasize its juridical elements. But this misses the deeper nature of *lisan*. It is more of a *weltanschauung* that encompasses all elements of life. Although there are some minor differences between regions in Timor-Leste, there is great similarity in practice throughout the half-island.¹⁵ It encompasses religion and spirituality, custom and “law” and tradition, with penalties for not fulfilling one’s obligations to the community.¹⁶ It includes recognition and veneration of ancestors, service to them, and respect for elders and elites: “The importance of custom and ritual, and the need to recognize and serve the ancestors, should never be underestimated within Timorese communities. *Lisan* is not merely an alternative form of governance or dispute resolution; it emanates from a different worldview that acknowledges the continuing presence of still-sentient ancestors within Timorese daily life.”¹⁷ In negotiations between members of different villages, a victim reminds an elder from Passabe that the debt they must pay is not only for the living: “The problem doesn’t just concern the living. We must appease the spirits of the dead.”

Lisan includes gods and spirits and places that are revered and respected, as well as physical manifestations such as necklaces [*morteen*]¹⁸ It is not simply something to believe in, but it exists *within* a person. In Cummins’ work, a Timorese elder referred to *lisan* as “democracy” because of its inclusiveness and emphasis on tradition, in reaction to what he viewed as foreign-imposed procedural democracy.¹⁹ It is seen

as an essential part of community and something that links Timorese to each other; because ancestors are summoned at the beginning of the ceremony, to disregard the results can have “deleterious effects” for the perpetrator’s family or be literally fatal.²⁰ Passabe militia leader Tacaqui was cited as an example of this. He served ten years in jail and upon his release fled to West Timor. In Passabe the author was told that he had died, possibly by suicide, but certainly as a result of his acts and unwillingness to return and participate in a *lisan* ceremony.²¹ Peake notes the strength of family and community bonds over feelings of revenge for former militia members.²² A successful *lisan* ceremony represents a restoration of the spirit world and the return of balance that allows restoration in the physical world.²³ Some authors have portrayed *lisan* as a form of “restorative justice.”²⁴

Lisan is viewed as being stronger and more important than state-implemented law.²⁵ During the Indonesian occupation, authorities tried to prohibit its practice.²⁶ During the period of UN opposition to *lisan*, East Timorese expressed skepticism of the formal law process that the UN proposed. To them, perpetrators would leave their villages to undergo a foreign system of justice, only to return after their sentences and be expected to be reintegrated into their villages.

The respect for elders is an important part of *lisan* as well; the decision to support autonomy or independence was frequently made by elders—sometimes simply as an attempt to avoid the trouble that came with being perceived to be pro-independence—and the villagers then went along with the decision.²⁷ Jeffrey notes that the UN “allocated” roles to elders to legitimize the reconciliation process, an acknowledgement of their importance.²⁸ Stating it in this way, however, is similar to the UN “allowing” *lisan* to take place. It gives agency to the UN for “allocating” these roles, but the truth is that without these roles the process of reconciliation would have failed. *Lisan* processes outside of the UN purview would simply have continued as they are considered an essential part of reconciliation. This is not hypothetical—*lisan* ceremonies did occur outside of the purview of the UN, at times in conjunction with the Catholic Church and at times on a smaller scale, and at times simply within families.²⁹ The film *Passabe* portrays these essential elements of *lisan*.

Is There Reconciliation?

Following initial scholarship on *lisan* and reconciliation in Timor-Leste and in other post-conflict regions in Indonesia, there has been more scrutiny as to what true reconciliation is, and whether or not it is possible to achieve. Christopher R. Duncan, for example, asks this question in the context of his research in North Maluku, Indonesia. He finds the situation there more akin to “negative peace”: the former enemies had undergone a process meant to facilitate reconciliation, but although former enemies could live next to each other in peace, there remained animosity and distrust.³⁰ If true reconciliation meant that things returned to what they were before the crisis, he shows that it has not taken place.³¹

Duncan cites a Christian minister in North Maluku, who argued that “peace was simple, while reconciliation was nigh impossible ... ‘If you tear off a corner of tissue, it is easy enough to stick it back together. That is like peace. When you take two pieces and put them back together, however, the tear is still there. You can still see it. Reconciliation is what happens when you can no longer see the tear.’”³² As so many East Timorese have pointed out, from Bishop Carlos Felipe Ximenes Belo to former President and Prime Minister José Alexandre “Xanana” Gusmão, it is possible to forgive but impossible to forget such horrific experiences.³³

In this context of renewed debate over reconciliation processes, is it possible that scholars had mischaracterized the uncertainty of events portrayed in *Passabe*, and reconciliation in Timor-Leste in general? If the absence of violence is an insufficient metric, might there be a better way to ascertain the validity of reconciliation? Or is it possible that, similar to the paper analogy, the bar for what is considered reconciliation has been set too high? Perhaps it might help to think about what would be signs that reconciliation has failed.

First, retributive violence would be an easy way to know that reconciliation has failed—although deciding on the scale would present a problem. But by all accounts, retributive violence has been almost completely absent, although Hugo Fernandez, the Executive Director of the Centro Nacional Chega!, stated that it is impossible to rule out isolated incidents.³⁴ The only time he has seen outspoken rhetoric against

former militia members is on Facebook, and it was in the context of a political campaign—which is not surprising, given the nature of online discourse.³⁵ It did not result, however, in violence.

In reaction to the political reinvention of some former militia members and autonomy supporters in independent Timor-Leste, there have been occasional calls to exclude them from holding positions in the military of government. Timorese major general Lere Anan Timur, installed as head of the armed forces in October 2011 after the former head, Tuan Matan Ruak, was elected to the presidency, wanted to prohibit children of autonomy supporters from joining the military. He also challenged the notion of reconciliation and opposed the return of former militia members who were still in West Timor.³⁶ Lere was speaking in front of a gathering of a Dili-based gang called *Sagrada Familia*, but when his comments were made public they were widely condemned as unconstitutional. Although his remarks could be considered discriminatory, they did not result in violence, nor did they result in anti-militia legislation.

In fact, the military has welcomed some former militia members into its ranks. And they serve in other respects as well. Some former militia members have risen to prominent positions including being chosen as village heads. João Cancio Freitas, the former Minister of Education, is a former militia leader. In another case, a pro-autonomy militia member was the village head of Watulari but fled to West Timor after the referendum. He has since been welcomed back and has returned to his position as village head because of his “royal blood”—“the pull of blood relations is strong.”³⁷ There are other cases of former militia members returning to their communities, sometimes after serving jail sentences, retaining their statuses, and reclaiming political or administrative positions. Rhetoric against former militia members in the context of political campaigns may simply reflect candidates searching for any kind of advantage they can find against their competition.

Second, a refusal on the part of communities to welcome back offenders or to participate in reconciliation ceremonies would also clearly be a failure of reconciliation. Duncan notes an unwillingness for some to participate in the ceremonies; but in Timor-Leste there have been over

1000 CRPs and no reports of perpetrators being refused participation.³⁸ Even those accused of serious crimes such as murder, including *Passabe's* Elu, have undergone the process of *lisan* and have been successfully reintegrated: "Alexiu works with other people, his neighbors have received him."³⁹ Elu agrees: "There are no problems ... we want people to see that we are united and satisfied."⁴⁰ The film shows trepidation on the part of some victims who complain that the perpetrators are not admitting their full guilt, but in an interview Elu informed me that subsequent ceremonies took place and that reconciliation had been achieved: "They have been welcomed ... They admitted guilt so that they could be forgiven."⁴¹

On the day of the author's interview with Elu he was participating in a *lisan* ceremony for the death of a relative with members of his family and village that included both autonomy and independence supporters. He emerged from the common area wearing a CNRT t-shirt—the once-clandestine pro-independence organization that had formed during the Indonesian occupation, but that was now a political party in independent Timor-Leste. Related to this point, Duncan notes that unlike in Timor-Leste, nobody was arrested in North Maluku for violence.⁴² The bifurcated nature of justice with regard to former militia members—with formal law charging those accused of serious crimes—reassured Timorese that formal justice would proceed as well.

Third, the nature of support for reconciliation could gauge the success or failure of the process. If there was widespread criticism of how the reconciliation process was designed, it would have taken the form of popular opposition as well. Duncan notes that the attempts at reconciliation were top-down, elite-led or instigated by government or military officials.⁴³ In contrast, in Timor-Leste reconciliation was community-led, community-oriented and voluntary.⁴⁴ Duncan notes that Indonesians in his study considered *adat*—similar to *lisan*—a stronger mechanism of reconciliation. Despite the authorities calling the ceremonies *adat*, the people did not view them as genuine.⁴⁵ An understanding of some of the further differences in the two cases would also help to explain the differences in substantive outcomes: "negative peace" versus "reconciliation."

One is the absence of cleavages that make true reconciliation more difficult. In Duncan's analysis of reconciliation events in North Maluku, the former combatants were Christian versus Muslim. Other divides existed as well—ethnic, or newcomer versus resident. In Timor-Leste, these cleavages are almost entirely absent. Although there is a small minority of Muslims, the violence of the referendum was not Muslim versus Catholic. Although there is a small proportion of Protestants, who were traditionally viewed during the Indonesian occupation as arms of the state, the referendum was not Protestant versus Catholic. Although there are migrants from other places in Indonesia, this was also not significant as a source of conflict.

Aside from ethnic and religious homogeneity among Timorese, another element of homogeneity between former militia members and independence supporters was their belief in *lisan*. *Lisan* is similar throughout the country but there are minor local differences, yet because the reconciliation process took place mostly on a local level, these differences in practice tended not to matter. And it was membership in the community, and the desire to rejoin, that compelled former militia members to desire to return.

Yet perhaps the most significant cleavage in the conflict was between Indonesians and Timorese. Although it is true that the militias were mostly made up of Timorese, many of them were coerced into joining. It was, however, the Indonesian government, military, and police that formed, armed, and trained the militias.⁴⁶ There was a particularly strong connection between the militias in Passabe and their Indonesian sponsors, which allowed them to operate with impunity.⁴⁷ When the referendum was over, these Indonesians simply returned home with no desire to come back to Timor-Leste, much less take part in any kind of reconciliation process. As such, Timorese view the Indonesians as the true perpetrators, and the militia members as merely “political pawns” or even “victims” of Indonesian machinations.⁴⁸ This fact is sometimes ignored in analyses of reconciliation in Timor-Leste. A Truth and Friendship Commission for Timor-Leste and Indonesia was created in 2005 ostensibly with the goal of truth seeking, justice, and reconciliation, and its report concluded among other things that Indonesia was guilty

of crimes against humanity. Its recommendations, however, have been ignored.⁴⁹ Political considerations—Indonesia is Timor-Leste's behemoth neighbor and closest trading partner—prevent the Timorese government from seeking justice for the Indonesians responsible, although there is still some frustration and support for some kind of international tribunal among the Timorese. Nevertheless, as time marches on, this appears unlikely.

Conclusion: Reconciled or Resigned to Peace?

Passabe ends with more scenes of the reenactment of violence that inspire emotional responses, a priest counseling forgiveness, a recounting of the possessions of those killed in the massacres and the continuing sorrow, and victims placing the blame on Indonesia. Tacaqui's wife laments her situation as her husband resides in jail awaiting trial in Dili, while Elu describes how he was called to Dili and how, after the *lisan* process, his fate would be decided by the courts. These are interspersed with signs of normalcy—people playing cards for example. The final scene shows a crowd of young people at night entering a cemetery—possibly for the victims of the massacres—carrying torches and singing. Perhaps what was meant as a solemn moment became more celebratory because of the presence of the filmmakers, but the point is clear—Timor-Leste is independent, and the future is bright.

Perhaps true reconciliation is impossible, similar to restoring a torn piece of paper. Forgetting certainly is. And the people viewed as truly responsible remain in Indonesia. But as *Passabe* shows, and as others have noted, the indigenous practice of *lisan* has facilitated the peaceful reintegration of Timorese who were guilty of terrible crimes. And rather than impeding the establishment of the rule of law, as some feared, reconciliation has helped create the environment that has strengthened it.⁵⁰

The uncertainty and violence that marked 2006, the year *Passabe* was released, were based on local politics and disputes within the military, and have subsided. Timor-Leste has remained on a peaceful path as it consolidates its nationhood and democracy. While the young and poor

country still faces its own set of problems—relations with its neighbors, dwindling oil revenue, education and development—it seems to have successfully moved past the violence surrounding the 1999 referendum, at least with regard to the Timorese perpetrators.

Notes

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