



FLOWERS IN THE WALL
Truth and Reconciliation in Timor-Leste,
Indonesia, and Melanesia
by David Webster

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Reflecting on Reconciliation

MAGGIE HELWIG

To situate myself at the start—I am a settler in Turtle Island/Canada (henceforth referred to as “Canada” simply for convenience), of mixed English, Irish, and German ancestry, living on the traditional territories of the Mississaugas of the New Credit, the Haudenosaunee Confederacy, and the Huron/Wendat Nation. I was involved in the East Timor solidarity movement from the late 1980s until, more or less, Timor-Leste’s emergence as an independent nation. I have been an Anglican priest since 2012, and previous to that an Anglican layperson, and as such was necessarily aware of the work of Canada’s Truth and Reconciliation Commission on the residential school system, in which the Anglican Church played a large role. And, not incidentally, I am a novelist; one of my novels deals with the International Criminal Tribunal for the former Yugoslavia and another is set, in part, in Timor-Leste.¹ All of which is to say, I am someone with a broad general knowledge of many things, and a specialist knowledge of none, and that is the sort of chapter you are about to read, as I reflect on some of the aspects of the Canadian Truth and Reconciliation Commission (TRC), and possible links to issues of truth and reconciliation in East Timor, West Papua, and Indonesia.

Usually, truth and reconciliation commissions are set up as part of the transition from one form of government to another—this was the case, in varying ways, in South Africa, in El Salvador, in Haiti, in Guatemala, in Sierra Leone, among other places. It was the case in East Timor

after it won its independence. It was the case in Solomon Islands, which as Betty Lina Gigisi and Terry Brown discuss in their chapters, was emerging from an internal conflict. If there is to be a commission for West Papua, it is likely to also come at a transitional moment. But in Canada, the settler-dominated regime which carried out the genocidal policies (and it is important that the commission stated, as a finding of fact, that the Canadian government and churches had committed cultural genocide) has remained in power. No significant political changes took place to cause the creation of the TRC—it was, rather, formed in response to several massive class action suits brought by residential school survivors, the only case so far in which a government has been compelled through legal action to create a truth commission.

This presented problems for the commission, but also some significant advantages. Most notably, once the TRC was set up and operating, it was far less beholden to power than most truth commissions. The TRC, in other words, was independent, not a government body. In general, a new regime, for good or ill, has particular interests that it wishes to see met by its truth commission, and the links between the regime and the commission, however much it may be formally independent, tend to be close enough to ensure that to a large degree this happens. As Patricia Hayner writes in her comparative analysis of truth commissions, they engage in “official truth-seeking.”² The Canadian commission’s lack of direct links to the government meant that it had no clear mechanism for the implementation of its recommendations, but it also meant that it could speak and act with unusual freedom.

The Canadian TRC began its work in 2008, following a settlement of legal battles over the toxic legacy left by the Indian residential schools that operated, many of them under church management but always as part of a federal government policy, from the passage of the Indian Act in 1876 until the last school closed in 1996. Some 150,000 Aboriginal children were compelled to attend residential schools apart from their families, where they were forced to work and forbidden to speak their own languages. The TRC held national hearings driven by survivor testimony and carried out extensive research in government and church archives before delivering its final report in 2015, featuring 94 “calls to action.” Among other facts, it found that 4,000 children died in residential schools, and that the federal government had pursued a policy of “cultural genocide.”³

It was, interestingly, the only truth commission so far which has had to deal with massive, systemic violations committed, as part of an institutional mandate, by mainstream Christian churches. This is important in large part because our vision of what truth commissions do and how they operate is still strongly influenced by South Africa, where the process was largely, and brilliantly, shaped by the Anglican archbishop Desmond Tutu, a figure of great moral authority and credibility who consciously drew on the Catholic sacrament of reconciliation to create the South African process. It is not a coincidence that most truth commission since then have been established in majority-Christian cultures—indeed, that the theological and liturgical imagination which Bishop Tutu brought to South Africa has become almost a defining feature of truth commissions in general. But in the Canadian case, the Anglican, United, Presbyterian, and Roman Catholic churches were among the greatest systemic offenders in the residential school system, and the “confessional” shape of the usual truth commission proceedings was thereby rendered quite problematic.

The Canadian situation also meant that the handful of surviving perpetrators, and the systems that had been created, were still very near at hand—unlike, for instance, the Timorese commission, which had to deal with the fact that most perpetrators were now living in another country—Indonesia—not necessarily either inclined or obliged to co-operate. On the other hand, because the Canadian commission’s mandate extended back considerably more than a century, most perpetrators—whether individual offenders or architects of the genocidal policies—were no longer alive. Partly because of this, the commission made the unusual decision that it would not name names of perpetrators, nor would it seek testimony from them (though a very small number did speak). There was also, according to Frank Iacobucci,⁴ who acted as the government’s representative in the negotiations, a desire to avoid a prosecutorial framework: the commission therefore specifically rejected the South African model on a number of points, including the withholding of powers of subpoena, because, as Iacobucci said, “we didn’t want it to become a lawyers’ forum.” (He also admitted that this led to a situation in which the TRC had to resort to judicial intervention after all to obtain archival records from the uncooperative federal government.)

The decision not to name names was greeted with some concern. It closed down space for the possibility of contrition, or for receiving the

story of what was done wrongly; and it might have left little opportunity to sketch out the shape of reconciled community. The commission's stated policy of not naming names was historically and legally reasonable, since most accused perpetrators were no longer living, and therefore unable to speak in their own defence. But both Minow and Hayner,⁵ in their comprehensive studies of truth commissions, concluded that naming names, in some form and with due caution, was important despite the many problems involved. Without names, the historical record is incomplete, and there is a danger that crimes committed by no one in particular cannot be properly remembered.

In the end, however, the decision not to name names may have, even if accidentally, contributed to what turned out to be the commission's greatest strength. The TRC's hearings were markedly less forensic and more discursive than most truth commissions; and by moving the focus away from the acts of individuals onto systems, they were able to dig very deeply into structures of racism and inequality. Their final report is, in some ways, only incidentally about residential schools—in fact, it is a sweeping indictment of the ongoing colonial situation in the country we call Canada. The commission, it is clear from its own materials, originally saw its role as twofold: helping the survivors heal from the trauma by giving them an opportunity to tell their stories, and compiling a comprehensive historical record. But ultimately, and after considerable struggle, the TRC did a great deal more than that. In the preface to their final report, the commissioners wrote:

Getting to the truth was hard, but getting to reconciliation will be harder. It requires that the paternalistic and racist foundations of the residential school system be rejected as the basis for an ongoing relationship. Reconciliation requires that a new vision, based on a commitment to mutual respect, be developed. It also requires an understanding that the most harmful impacts of residential schools have been the loss of pride and self-respect of Aboriginal people, and the lack of respect that non-Aboriginal people have been raised to have for their Aboriginal neighbours. Reconciliation is not an Aboriginal problem; it is a Canadian one. Virtually all aspects of

Canadian society may need to be reconsidered. ... Reconciliation will take some time.⁶

This is probably the first truth and reconciliation commission so far in history to end up calling for a complete reconsideration of all aspects of the society in which it is situated, and its ninety-four calls to action really do present a comprehensive picture of potentially massive social change.⁷ Whether this extraordinary aim can be even partly fulfilled is another matter, but the report is, in itself, a small triumph.

The Canadian commission's turn to systems rather than individuals also meant that it was able to include some of the broader, more complex issues which sometimes escape the mandate of truth commissions. Todd Biderman and Jenny Munro, in their chapter, speak of the intimate relationship between the people of West Papua and the forest, and wonder if it could be possible for a commission to tell the truth about West Papua without including that relationship. Canada's First Nations, Inuit, and Metis people, it is clear, made sure that the commissioners heard very distinctly about their relationship with the land, and the impossibility of any reconciliation that did not include reconciliation with the non-human world. In this they built on the legacy of the 1996 Royal Commission on Aboriginal Peoples report.⁸ As the TRC commissioners wrote in their final report:

Reconciliation between Aboriginal and non-Aboriginal Canadians, from an Aboriginal perspective, also requires reconciliation with the natural world. If human beings resolve problems between themselves but continue to destroy the natural world, then reconciliation remains incomplete. This is a perspective that we as Commissioners have repeatedly heard: that reconciliation will never occur unless we are also reconciled with the earth. Mi'kmaq and other Indigenous laws stress that humans must journey through life in conversation and negotiation with all creation. Reciprocity and mutual respect help sustain our survival.⁹

Some of the unusual features of the Canadian TRC might be worth consideration by those looking at setting up truth commissions in other situations. It may not be an appropriate response in every case, and its merits

must be weighed against the risk of never identifying real perpetrators and the possibility of leaving victims feeling less than fully heard—it is most appropriate in situations where larger systems and ideologies are being enacted by a large number of small-scale players. But arguably, this could be considered to be the case with the 1965 events in Indonesia, and a more discursive, less forensic, commission, perhaps accompanied by a range of local reconciliation activities, might be more achievable and reasonably effective.

The Canadian model might also serve countries that find the “confessional” model foreign or inappropriate, particularly if there are cultural story-telling and ceremonial traditions that can be employed as part of a commission’s work; and it might help in trying to speak of issues like the relationship with non-human creation.

If we assume, in broad strokes, that the usual aims of a truth commission are generally to create a detailed and accurate historical record, to provide victims with some healing through the receiving of their stories, and to create some kind of political change, I think we can say that the Canadian TRC and East Timor’s CAVR have both been quite successful in the first aim, as have most other truth commissions in the recent past. The *Chega!* document is and will continue to be extremely important in preserving in great human detail Timor-Leste’s history during the occupation. The TRC’s final report, likewise, stands as the definitive account of the often disputed history of the residential schools, and at least a partial history of other ravages of colonialism; it clearly names what took place as cultural genocide; and the combination of the very extensive online documentation that makes up the commission’s full report, and the National Centre for Truth and Reconciliation in Winnipeg, create an impressive resource for a revised and more truthful account of this country’s history.¹⁰

Of course, creating a historical record also involves, necessarily, creating a narrative, or in some cases a counter-narrative. It could be argued that the CAVR created a kind of consensus narrative of oppression and resistance, which the people of Timor-Leste in general can own as theirs, and which provides them with a resource for moving forward, while the TRC has created a counter-narrative, posed against a dominant Canadian narrative, which is still, for the most part, history as constructed by the colonizing power. And, in fact, among the TRC’s calls to action, one of those most often identified as a priority is that of incorporating the survivors’

narrative, the narrative of oppression and resistance, into the standard curricula for elementary and secondary schools, making it something like a consensus understanding. We are still a long way from turning this into reality. Yet in a small but very striking incident, the memorial plaque at the grave of the former head of the Department of Indian Affairs (1913–32), Duncan Campbell Scott, has been revised to include his role in the creation of the residential school system, and the words “cultural genocide” are explicitly used; if this truth-telling is sustained and expanded, we may yet see the dominant narrative begin to shift. Whether—as the TRC calls to action demand—there is a systematic effort to change the history curricula will be a key measure of success or failure. Church-driven responses, such as the campaign by ecumenical coalition KAIROS to make residential schools a mandatory aspect of all Canadian secondary school curricula, indicate movement in this direction.¹¹

The second aim, providing healing for victims, is the hardest to measure. There has been a general hopeful assumption that telling one’s personal story and having it respectfully received is, in some way, inherently healing. This is probably a largely Western assumption, and there’s little evidence either for or against its general usefulness in situations of mass human rights violations. Holly Guthrey interviewed a small number of people who spoke to the commissions in East Timor and in Solomon Islands, almost all of whom seem to have reported that their experience was kind of good and kind of bad¹²—a finding that doesn’t take us much further forward. The same indeterminacy and ambiguity appears to have marked the experiences of witnesses at the South African TRC.¹³ Despite the weight that has sometimes been placed on truth commissions as a vehicle for individual healing, it may be that they simply cannot be evaluated on these grounds in isolation from the larger political picture and absent connected issues like reparations and political change.

And whether or not the TRC can be part of a movement towards real political change may be the final measure of its usefulness. As noted at the outset, there has not actually been any significant shift of political power in Canada. Most First Nations and Inuit people still live in conditions of appalling deprivation and face very significant discrimination at all levels; some communities have not had drinkable water for a generation.¹⁴ Many live on lands poisoned by industrial development. The Aboriginal population is hugely over-represented in the prison system, suicide rates

are extremely high, and the average life expectancy of First Nations and, especially, Inuit people is much shorter than average (most dramatically, an Inuit man can expect to live an average of sixty-four years, compared to seventy-nine years for a male settler).¹⁵ Nearly two thousand Aboriginal women have been murdered or “disappeared” in recent years. The TRC calls to action included, as call 92, the demand that businesses and corporations “commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.” And yet, only a few months later, a Federal Court of Appeal threw out a case brought by the Chippewas of the Thames against the Enbridge Line 9 oil pipeline reversal project on their territory, a case based not even on an alleged violation of “free, prior and informed consent,” but on an alleged failure to meet the arguably much lower bar of “duty to consult.” In a statement issued after the decision, Chief Leslee White-Eye noted that, “this decision needs to be acknowledged as a step back in achieving reconciliation between the Crown and First Nations. Establishing processes which effectively remove the Crown from consultation with First Nations increases the potential for conflict, reduces the opportunity for respectful relations and entrenches the denial of Indigenous law.”¹⁶

All of this suggests that—to borrow a term from Indonesia and Timor-Leste—the “socialization” of the Canadian TRC findings has so far been ineffective, at least at the political level. So far, the institutions that appear to have listened most carefully are the United and Anglican churches, both of whom are committed to engage as allies in political advocacy; the Anglican Church is also in the process of creating new internal structures that will give Aboriginal Anglicans greater self-determination and a stronger voice—for instance, through the appointment in 2006 of a national Indigenous bishop, the Right Reverend Mark MacDonald, whose responsibilities are not geographically defined, and the creation in 2014 of the Indigenous Spiritual Ministry of Mishamikoweesh, an Indigenous diocese encompassing over twenty-five First Nations communities and led by Bishop Lydia Mamakwa. However, these churches are now relatively marginal bodies in the broader society; their capacity to amplify the message of the TRC is real but limited.

The 2015 change of government in Canada will almost certainly mean some change for the better at the federal level; the new cabinet includes

Jody Wilson-Raybould, an Aboriginal woman, as minister of justice and attorney-general, and Carolyn Bennett, a settler woman who has engaged for some time with the issue of missing and murdered Aboriginal women, as minister for Indigenous affairs. Both of these appointments suggest some openness to constitutional change. Whether the extremely pressing issue of the exploitation of Aboriginal territories by heavy industry, especially the oil and gas industry, will be addressed is less clear. Educational reform will, due to the nature of Canada's educational system, have to be carried out at a provincial level, although messages from the federal government could certainly carry weight.

Canada also has work to do on its responsibilities in Timor-Leste, Tanah Papua, and Indonesia as well, work which might be furthered by a greater level of direct dialogue between the First Nations, Inuit, and Metis peoples in Canada, and people in Timor-Leste, Tanah Papua, and Indonesia, whether this occurs at the level of political leadership on both sides, or among grassroots activists. Promoting and supporting such dialogue could represent a valuable task for allies (the Pacific People's Partnership is already doing some of this work). The TRC's calls are ultimately about the undoing of colonialism, a task that must be carried out internationally as well as within Canada. The historic and ongoing violations of Indigenous rights, both in Canada and abroad, grow from the same root, and can only be fully addressed together.

Notes

- 1 Maggie Helwig, *Between Mountains* (Toronto: Knopf, 2004) and *Where She Was Standing* (Toronto: ECW Press, 2001).
- 2 Priscilla Hayner, *Unspeakable Truths: Facing the Challenge of Truth Commissions* (New York: Routledge, 2001), 8.
- 3 *Honouring the Truth, Reconciling for the Future. Summary of the Final Report of the Final Report of the Truth and Reconciliation Commission of Canada* (TRC online publication, 2015), http://www.myrobust.com/websites/trcinstitution/File/Reports/Executive_Summary_English_Web.pdf (accessed 11 June 2016).
- 4 Author's notes from Larkin-Stuart Lecture, Trinity College, University of Toronto, 3 November 2015.
- 5 Martha Minow, *Between Vengeance and Forgiveness* (Boston: Beacon Press, 1998), 86; Hayner, *Unspeakable Truths*, 132.
- 6 *Honouring the Truth, Reconciling for the Future*, vi.

- 7 The TRC calls to action can be found at http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf.
- 8 Royal Commission on Aboriginal Peoples, *Report of the Royal Commission on Aboriginal Peoples* (Ottawa: Indian and Northern Affairs Canada, 1996), http://www.collectionscanada.gc.ca/webarchives/20071115053257/http://www.ainc-inac.gc.ca/ch/rcap/sg/sgmm_e.html (accessed 11 June 2016).
- 9 Murray Sinclair, Marie Wilson, Chief Wilton Littlechild, *What We Have Learned: Principles of Truth and Reconciliation* (Truth and Reconciliation Commission Canada, 2015), 123.
- 10 The National Centre for Truth and Reconciliation's online archive can be accessed at <http://nctr.ca/map.php>.
- 11 Resources for the KAIROS "winds of change" campaign are at <http://www.kairoscanada.org/what-we-do/indigenous-rights/windsofchange-overview>.
- 12 Holly L. Guthrey, *Victim Healing and Truth Commissions: Transforming Pain through Voice in the Solomon Islands and Timor-Leste* (Cham, CH: Springer, 2015).
- 13 Brandon Hamber, Dineo Nageng, and Gabriel O'Malley, "Telling It Like It Is: Understanding the Truth and Reconciliation Commission from the Perspective of Survivors," *Psychology in Society* 26 (2000): 18–42.
- 14 Current information on "boil water advisories" in First Nations communities can be found at <http://www.hc-sc.gc.ca/fniah-spnia/promotion/public-publique/water-dwa-eau-aqep-eng.php>; as of 31 August 2017, ninety-eight communities were under short- or long-term "boil water advisories," excluding communities in British Columbia. According to this site, the Neskutanga First Nation has been under a "boil water advisory" continuously since 1995, and the Shoal Lake 40 Nation since 1997.
- 15 <http://www.statcan.gc.ca/pub/89-645-x/2010001/c-g/c-g013-eng.htm> (accessed 11 June 2016).
- 16 <http://www.chiefs-of-ontario.org/node/1278> (accessed 11 June 2016).