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‘Mice’ of Transborder Trade in Timor Island :  
Timorese Smugglers and  
‘Reconciliations’ <Special Theme :  
Nationalism in Timor-Leste>

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## ‘Mice’ of Transborder Trade in Timor Island: Timorese Smugglers and ‘Reconciliations’

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ティモール島国境の「ねずみ」たち  
—東西ティモールの密輸と「和解」—

森田良成

Recent research in cultural anthropology has shown that smuggling is not necessarily an act of negation of the rule of the state or an attempt to undermine this rule. In fact, smugglers quite often require the rule of the state for their actions to be justified as ‘exceptions’.

In 1999, the Province of East Timor became gained independence from the Republic of Indonesia, and in 2002 the Democratic Republic of Timor-Leste was born. As a result, an international border was created on the island separating the two countries. Since that time, the border surrounding Oecusse District, a detached territory of Timor-Leste, has become a stage for routine smuggling – an ‘open secret’ in the neighbouring villages.

This chapter is structured around a series of events that occurred in Napan, a village on the Indonesian side of the international border surrounding Oecusse District. The events involved villagers and soldiers of the Indonesian army assigned to border guard duty. This chapter gives an account of these events and then analyses them. The events threatened the delicate balance between the villagers and the soldiers, at the same time laying bare the contradictions and failures inherent in the rule of the state over its people and the way in which the border is administered. We shall examine the complex relationship between the power and violence inherent in state rule that clearly manifested itself in the process, at the same time discussing more universal issues such as the relationship between the power

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of the state and its people or citizens' sense of belonging to the state.

国境と密輸に関する近年の文化人類学は、密輸という行為が、国家の統治を否定したり破壊したりする行為とは限らないことを論じている。密輸を行う人々にとって、国家による統治は自らの行為を否定し阻む存在ではなく、この行為が「例外」としての正当性を得るために、しばしばむしろ必要とされている。

1999年の住民投票を経て、東ティモール民主共和国は2002年にインドネシア共和国から独立した。これによりティモール島には、ふたつの国家を隔てる国境線が引かれた。東ティモール領の飛び地オエクシ県を囲む国境では、独立以来、密輸が日常化している。これは周辺の村人たちによって「公然の秘密」といわれている。

本稿では、東ティモール領オエクシ県を囲む国境線のインドネシア側にあるナパン村において、村人と、国境警備にあたるインドネシア軍兵士との間に起こったある一連の出来事を記述し分析する。密輸をめぐる村人と兵士との間に起きたこの衝突は、両者の微妙な関係を不安定化するとともに、国民と国境に対する国家による管理の矛盾と破綻を露わにするものだった。結果として、ある方法によってこの危機に「和解」がもたらされた。本稿では、この過程で明らかになった国家の統治における権力と暴力の複雑な関係を明らかにするとともに、国家権力と国民の関係、国民としての国家への帰属意識について論じる。

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## 1 Foreword

This chapter will focus on smugglers in Napan, a village on the Indonesian side of the border around Oecusse<sup>1)</sup> District, an exclave of Timor-Leste that is surrounded by Indonesian territory (Figure 1). With the independence of the Democratic Republic of Timor-Leste (East Timor) in 2002, the island of Timor was divided into eastern and western sections, as a line separating the territories of Indonesia and Timor-Leste was drawn roughly across the middle of the island<sup>2)</sup>. At the same time, an additional international border was created on the island. This second line demarcated a territory on the west side of the island situated along the shore of the sea that borders the island on the north. This territory is Oecusse District. This chapter presents a case study of smuggling across this border. The merchandise that

is smuggled across the border by the villagers is not composed of highly illegal items such as guns or drugs – it consists of fuel, alcoholic beverages, chemical fertilisers, and other ordinary daily commodities. Moreover, smuggling is the most common occupation among villagers, and many people, including women and children, engage in smuggling using whatever resources they can muster: funds to spare, commercial talent, physical strength to carry heavy loads, or networks of family or friends on the other side of the border<sup>3</sup>). Smuggling is carried out on a daily basis and is referred to in the village as *rahasia umum* (an open secret) (Morita 2016).

The border region of Oecusse District is the point of contact for areas that are both politically and economically peripheral to each of their respective countries. In Indonesia, West Timor is perceived as 'one of the poorest regions in the country' (Ormeling 1956), a region that has no noteworthy industries and is often labelled as underdeveloped. The Oecusse District of Timor-Leste is also a peripheral area that has rarely received much attention and has had poor access to the political and economic centres of the country since 1769, when the Portuguese moved the capital from Oecusse District to Dili. It was a periphery throughout the Portuguese colonial era, the period of Indonesian occupation, and also in the region's recent status as a part of Timor-Leste after the country gained independence (Gunn 2015; Holthouse and Grenfell 2008; ICG 2010; World Bank 2016)<sup>4</sup>). Compared with East Timor proper and West Timor, which belongs to Indonesia, Oecusse is the least-developed area with the lowest living standards (World Bank 2016: 5). According to statistical data from 2001, right before independence, the literacy rate in Oecusse was 31 percent, approximately half of what it was in East Timor at the time. Although the figure has now improved to 43 percent, the difference from the country's average is still quite dramatic. After independence, the national languages in Timor-Leste became Portuguese and Tetun. Both were actively promoted by the state, but it is often stated that Oecusse is lagging behind in the use of these languages (Holthouse and Grenfell 2008).

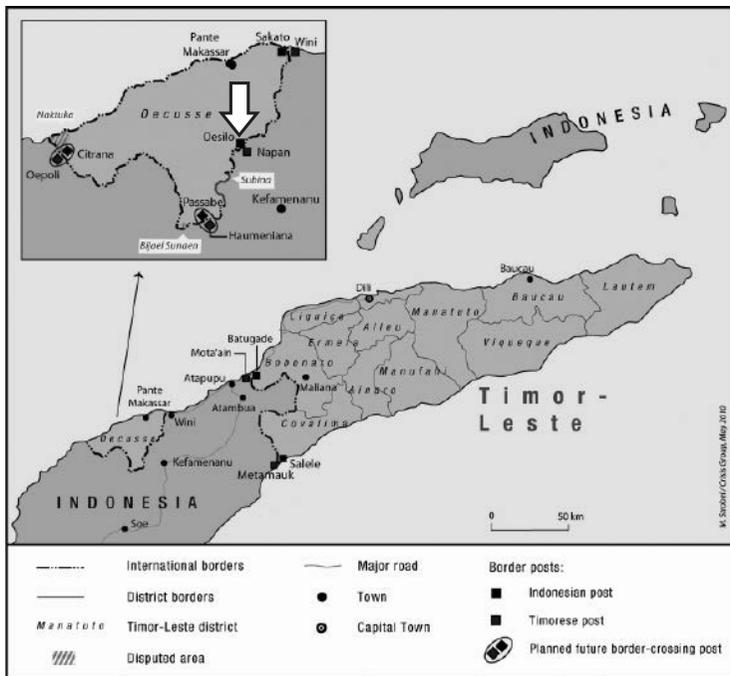
This chapter is structured around an incident that occurred in Napan involving villagers on the one hand and soldiers of the Indonesian army on the other. We shall first give an account of the incident, a conflict that broke out between the villagers and the soldiers, and then analyse it.

Formal procedures for crossing the border were established after Timor-Leste gained independence. On the road that goes from the village of Napan in Indonesia to the Oecusse District of Timor-Leste, there are now a border checkpoint gate, guardhouses for police and the army, an office of the immigration bureau, and other offices of the authorities to ensure that the border is guarded and properly administered. Nevertheless, because the area is peripheral to the relevant countries, these institutions do not function in their intended manners. The soldiers and policemen guarding the border are very familiar with the villagers' smuggling and sometimes

become involved in the transactions. They also often engage in smuggling independently. The villagers, for their part, make the necessary sacrifices to reach a balance between their own profits and the profits of various officials, thus creating and maintaining an order that makes smuggling possible (Morita 2016). The incident we shall discuss here threatened the well-ordered lives of the Napan smugglers, destabilizing the delicate balance between the villagers and the soldiers, while at the same time laying bare the contradictions and failures inherent in the rule of Indonesian government over its people.

We will examine how villagers discussed the state and its representatives, the soldiers, during this process, how they acted towards them, what kind of actions they asserted as justifiable among themselves and in front of their opponents, and what they condemned as unjustifiable. The purpose of this chapter is to provide the circumstances of this event, analyse the words and actions of the villagers that accompanied it, and then lay bare the foundations for both – which we refer to as a ‘ritual of reconciliation’.

Thus, this chapter will not directly examine the narratives of people of East



**Figure 1** Position of Oecusse District in East Timor  
 Source: International Crisis Group 2010. The arrow in the upper left square points to the border between Oesilo and Napan, the location of the incident we discuss in this chapter (the arrow was added by the author).

Timorese people regarding nationalism or the nation state. It will instead examine how villagers living near the border in the Indonesian part of West Timor, who experienced substantial changes in their lives as a result of Timor-Leste's independence, build relationships with the Indonesian state and how these relationships appear in their narratives.

## 2 Origins and Development of Mice Roads

### 2.1 Anthropology of Smuggling

Much effort has been made in the field of cultural anthropology to understand the illegal or half-legal flows of commodities and people in border regions (Endres 2014; Roitman 2006). Such research sees smuggling as a form of resistance against a nation state that does not provide sufficient opportunities for employment or other economic activities; as a manifestation of a situation in which economic collapse lays bare the limits of the power the nation state can exercise; or as an economic activity pursued by tradespeople who are challenging and reinterpreting the logic of free trade advocated by the proponents of neo-liberalism (Endres 2014).

Endres himself proposes yet another view of smuggling based on his research on the smuggling economy in northern Vietnam, an area neighbouring the Chinese border (Endres 2014). Quoting Ong's assertions in her article 'Neoliberalism as Exception' (Ong 2006), Endres illustrates a space in which people are engulfed in the logic of neo-liberalism (that demands that individuals exercise their abilities as 'entrepreneurs' to engage in economic activities and improve their lives) and are at the same time excluded from political participation (meaning that they are not given opportunities to pursue educational or economic activities and are not protected by laws). After trade with China resumed in the early 1990s, the areas of northern Vietnam bordering China saw a surge of smuggling by Vietnamese merchants, who purchased cheap Chinese products on the Chinese side and sold them in Vietnam. At the same time, the region experienced routine bribery of government officials administering the border. The merchants described their practice of giving bribes to the government officials as an act of 'making laws'. In exchange for the bribes, they managed to obtain 'permission' for smuggling from the government officials as an 'exception'. Endres asserts that this action does not negate or criticise the state; rather, it actively acknowledges the state's authority and helps it to maintain it (Endres 2014: 622).

A similar relationship between smugglers and the nation state is exemplified in Roitman's analysis of the morals of smugglers and robbers operating in the Chad Basin in Africa (Roitman 2006). Roitman analyses the narratives of such law-breakers and quotes a local saying, 'the innocent are only those who have not yet been caught'. She shows that from the smugglers' point of view, justifiable, good actions are not only the actions that are perceived by the law as legal. If

someone breaks the law but is ‘forgiven’ and escapes arrest, if that action ‘makes sense’ when seen in the context of the person’s life, it is perceived by locals as a ‘proper action’ – be it illegal trade or even an act of taking someone else’s wealth by force. For the smugglers here, the policemen, who represent the state’s power, are not merely opponents in the war but also play an important role in ‘forgiving’ the perpetrators.

This research, focussing on the borders between nations, shows that smuggling is not necessarily an act of negation of the state or an attempt to demolish governmental rule but is quite often its opposite – an act that can be conducted only by acknowledging and observing the state’s rule. In many cases, smugglers in the Chad Basin actually praised – albeit ironically – the ‘tolerant police’ (Roitman 2006: 249–250) or ‘compassionate’ accomplices (Endres 2014: 617) working for the immigration bureau. The same can be said about smugglers in Napan. They do not necessarily resist the laws established by the state of Indonesia, the rule of the government based on these laws, or the soldiers and policemen who are the actual presence guarding the border. Soldiers and policemen, for their part, show their ‘understanding’ of the villagers’ ‘loyalty’ and ‘allow’ smuggling. In response, villagers give them a bit of money, fuel, liquor, or other products they are smuggling ‘not because they ask us for these things, but simply as a sign of our gratitude’ (Morita 2016).

In smuggling, the rule of the state is not ignored or negated, but is rather required by the smugglers for justification of their existence as an ‘exception’ to the rule. Hence, smuggling is not necessarily an act of rebels and outlaws who fight the state denying its *raison d’être*, and neither it is possible with logic such as the ‘moral economy’ different from the market economy existing in a place where people’s connection to the modern state is weak. Smuggling is an act carried out by heterogeneous groups of people with quite different backgrounds, groups that require government officials, policemen, and soldiers – that is, people in positions representing the state – for their survival.

## 2.2 Oecusse Border and Daily Smuggling

When discussing the surge of smuggling in the Oecusse District border region that began directly after Timor-Leste gained independence, we must first draw an outline of the history of Oecusse and its place in Timor-Leste.

Politically, economically, and culturally, East Timor has been greatly influenced by Portugal, its former colonial power. The relationship between Timor-Leste and Portugal began in the 16<sup>th</sup> century when the Portuguese landed in Lifau, a village on the northern coast of the Oecusse District. Lifau is also known as the first outpost of Catholic missionaries and Catholic faith in Timor Island, which by now has become well established in both East and West Timor.

After the Portuguese, West Timor was visited by the Dutch, who arrived in the

17<sup>th</sup> century. In 1769, under pressure from the Netherlands, Portugal, which had its seat of power in Oecusse, was forced to relocate further East, moving its base to Dili (the present capital of Timor-Leste). The two countries drew a line dividing their interests on the Island, with West Timor becoming a colony of the Dutch and East Timor a Portuguese colony. Even after the demarcation, however, Oecusse continued to belong to Portugal, although it was a detached territory surrounded by Dutch lands. Henceforth, throughout the Portuguese colonial era, the period of Indonesian occupation, and also in its recent status of a part of Timor-Leste, Oecusse continued to be a detached territory far away from the country's political and economic centres, an area that has always had trouble extracting administrative or development-related benefits from the state (Gunn 2015). In 1975 when East Timor was invaded by Indonesia, Oecusse was the first district to be occupied by the Indonesian army. In 1999, when the East Timorese independence referendum determined that Timor-Leste was to become an independent country, followed by violence and intervention of multinational forces, Oecusse was the last district these soldiers reached. Oecusse was thus the first to be occupied by Indonesia, the last to be liberated, and to this day continues to be a peripheral area, least-influenced by the politics and economy of the central area<sup>5</sup>).

In the Indonesian period, Oecusse was a detached territory of the Timor-Leste province. At the time, people could reach Dili, the capital of the province, by following the northern coast road that crosses the territory of the neighbouring province of East Nusa Tenggara (Indonesian: Nusa Tenggara Timur - NTT). From Pante Makassar, the centre of Oecusse District located on the coast, the most easily accessible city was Kefa, the capital of the North Central Timor Regency of the NTT province. In this period, many of the daily commodities came to Oecusse from Kefa, a city on the other side of the border most accessible from the district (Figure 1).

When it was decided in 1999 that East Timor would become an independent state, this movement of people and things was forced to change. After Timor-Leste became independent, the border between provinces became an international border. Kefa became a town of a neighbouring country, and transportation of goods from Kefa suddenly became an act of export and import involving two countries, thus requiring many new procedures like customs and medical inspections, and restrictions were imposed prescribing items that could be transported, their quantities, and prices. To travel from Oecusse to Dili and back, it was suddenly necessary to pass through a territory of the neighbouring country, Indonesia.

This international border cut right across ethnically, historically, and culturally related areas. Movements of people and things required for agricultural work, for economic activities in the market, or marriages and other rites of passage were previously conducted across the present border without notice. Such movements continue today, and people living in the vicinity of the border cross it on a daily

basis without obtaining formal permission of the state; they also often transport goods across the border. Such illegal movement is made possible by the so-called ‘mice roads’ (*jalan tikus*) (ICG 2010). Three times a week, at night on the ‘approved’ days of the week, the mice roads open and people transport fuel, alcoholic beverages, and other goods to Oecusse. Just as mice make holes in steadfast walls and move around in the night when the people of the house are fast asleep, the mice (*penikus*<sup>6</sup>) of the border between Indonesia and Timor-Leste cross it regularly (Morita 2016).

It is said that around the international border surrounding Oecusse, the traffic of people and things using these mice roads is the liveliest on the roads connecting Pante Makassar, the centre of Oecusse District located on the northern coast, to the town of Kefa in Indonesia. Two villages are located next to each other on this route with the border between them – Oesilo on the Timor-Leste side and Napan on the Indonesian side (Figure 1). Since independence, the Oecusse District has been plagued with shortages of many daily commodities, including fuel (gasoline, diesel oil, and kerosene). The supply of such commodities from other areas in Timor-Leste is limited, as the overland route requires transportation across the Indonesian territory, while the sea route is only serviced by two ferries per week, which is why supplies satisfy the demands of only a small part of the population. However, while the newly established border caused a shortage of daily commodities in Oecusse, it also provided Indonesian villagers with an opportunity to earn foreign currency. Villagers of Napan who previously lacked opportunities to earn cash can now do so by selling goods – smuggled goods – to people on the other side of the international border. In addition, the money they acquire on the other side is not Indonesian rupiahs but US dollars, the currency used in Timor-Leste<sup>7</sup>, which the villagers perceive as being ‘stronger than the Indonesian rupiah’ (Morita 2016).

### 3 Clash between Mice and Soldiers

#### 3.1 Incident and Criticism of the Soldiers

Normally, fifteen to twenty soldiers of the Indonesian army are stationed in the border guardhouse in Napan village to ensure border security. The unit stays there for about nine months, then relocates elsewhere, and a new unit comes to take its place. When the incident occurred, the guardhouse was garrisoned by a unit led by the young commander Y, who, as villagers said, had ‘just finished school’, and soldiers mainly from Java.

The event occurred in February 2016. Early in the morning, commander Y seized three Napan villagers (D, a man in his thirties, and two more men in their twenties). Late at night on the day before, the three men secretly transported a motorcycle to Oecusse using one of the mice roads. Commander Y learned about it and called them by mobile phone. They came to the guardhouse, were surrounded

by soldiers in an open space nearby, and were questioned in a way that made them feel intimidated. The soldiers stripped them half-naked, poured water on them, and took turns delivering punches. D, who played the central role in the group's smuggling activities, found an opportune moment and managed to break away from the circle of soldiers surrounding the three. The soldiers tied the hands of the remaining two with a string, and two of the soldiers, riding a motorbike, pulled the captives on a rope. They rode, revving their bike hard and scaring the residents who lived along the road. When one of the men who was being pulled fell over, the bikers lost their balance and nearly almost fell. They then got off the motorcycle and started beating the captives again as well as kicking them. People from the neighbouring houses came out and started protesting, upon which the soldiers stopped and took the two back to the guardhouse.

The villagers – both those who actually witnessed the event and those who heard about it from others – were outraged. They understood very well that the punishment their fellow villagers suffered at the hands of the soldiers was not at all a retribution for motorcycle smuggling, but solely because they had smuggled without receiving the soldiers' 'permission' (*ijin*) first.

Smuggling, which became possible in the first place because of the independence of Timor-Leste, has become an 'open secret' (*rahasia umum*) in the village, an everyday affair people barely notice. It is, in fact, so 'open' that it is known not only to those who actually smuggle goods using 'mice roads' but also to all the other villagers who are not directly involved in illegal transactions, as well as soldiers, policemen, and immigration control officials who must guard and administer the border. The soldiers and policemen are especially aware of the smuggling, as they receive cash and commodities from the 'mice' corresponding to the content and quantity of the goods smuggled across the border and in exchange, 'permit' the transactions and ensure their 'safety'. Among villagers, such exchanges are referred to with the word 'coordinate' (*kordinasi*). Since the border arrived and began playing an important role in their lives, people in many positions created an order for 'safe' trade using mice roads, and that order has been maintained as an 'open secret' for many years.

The incident meant that the delicate relationship between the 'mice' and the soldiers concerning the mice roads was in peril. One of the villagers described the situation as follows.

Ever since the independence of Timor-Leste, the army has been making money off of the mice roads. Without soldiers coordinating smuggling the way they do, there would have been no mice road trade. The only problem this time was the coordination payment, which didn't go well – that's all.

Who says it's wrong to smuggle? The soldiers themselves have always been selling bikes and cars to people from Oecusse and making money! We are not the only ones, you know, they've done the same thing hundreds of times!

In fact, ‘mice’ have always perceived soldiers as more troublesome than the police<sup>8)</sup> guarding the border. The policemen ‘just sit there in the guardroom and never bother us’, while the soldiers ‘always have to say one word too many’. There are three mice roads in the village, and the army has a post (*pos*) next to each of them. These additional posts are not proper guardhouses; they are simple arrangements with merely a single chair set in front of a house near the road. The soldiers stop the people wishing to pass by and check whether the goods transported have been given ‘permission’ as a result of prior ‘coordination’.

D, who played a central role in the smuggling group in the incident, later explained that before transporting the motorcycle to Oecusse, he first went to pay the usual visit to the soldiers and produced a certain sum for ‘coordination’. Commander Y, however, demanded a sum much higher than is common in such cases. The sum was in fact even larger than the commission D was to receive from the person he was smuggling the motorcycle for. D therefore gave up on negotiation for the time being and decided to move the motorcycle to Oecusse secretly on another day, which he did with two others after waiting until it was late at night and the guards watching the mice roads were already back in the guardhouse. Despite his secrecy, the soldiers learned of this ‘unauthorised’ transaction.

From the point of view of the villagers, the soldiers had no right to punish D and his party for private reasons. If the punishment were for a crime of smuggling, then it would only be reasonable if the soldiers themselves would have been punished as well, as they ‘coordinate’ smuggling and engage in illegal transactions. The problem occurred not because someone engaged in an illegal act of smuggling but simply because this act was not properly ‘coordinated’, and this failure of proper ‘coordination’ stemmed from the soldiers and their unreasonable greed – nothing to blame the villagers for.

The news of the early morning beating travelled quickly and many villagers gathered in front of the border gate and then surrounded the army guardhouse building at a distance, condemning the soldiers. Although the villagers spoke among themselves rather than talking directly to the soldiers, they spoke freely, not at all concerned with who might hear them. The following excerpts are taken from such conversations.

There is no war going on here. And, yes, today it’s two different countries, but we speak the same language, look the same, dress the same, and have the same customs (*adat*) on this side of the border and on the other. People over there are our relatives, they have always been our family, and we have good relationships with them.

The soldiers’ duty is to keep the peace on the border, and this should be why they are here in the first place. But there is no war here. This is peaceful land, and it’s them, not us, who are disturbing the peace. We don’t need an army here anymore. They should leave and take their guardhouse with them. The police should stay, but the soldiers

should get the hell out. Is it their work to bring war into the village? Is it their duty to wage war against us peaceful folk? If they want to bring war to the village, we'll get them out!

This is a human rights problem. It's not the New Order time<sup>9)</sup> any more. We have taken pictures with our mobile phones of the two, naked, with their hands tied, and commander Y holding the end of the rope. These pictures are already on Facebook, so journalists will come for a story. People in Jakarta learned about what's going on here hours ago. Information is already all over the world.

In almost fifteen years since the independence of Timor-Leste, we have not seen anything as awful as this. This is the first time. Y and the other Javanese soldier boys, they should get out.

This is a Javanese invasion, that's what it is. They did not come to protect us, they came to torture us, raid us. I bet even when they catch a terrorist, they don't go around dragging the guy on a rope. If they catch someone, they should pass the guy to the police and leave the matter with them to do the proper investigation and all. If that's what they do to us, we should do the same thing to them, tie them up and drag them around. Make sure these fellows get a taste of their own medicine.



**Figure 2** An article printed by a local media website (Teras NTT 2016) on the day of the incident with the headline, 'Bike smugglers are bound and dragged around by Indonesian army soldiers'.

Using such words as ‘human rights problem’ and ‘invasion’, the villagers voiced their opinion that they no longer need the army and that the army is creating problems instead of solving them. These remarks touched on the deep-rooted problems of the power the national army has held in Indonesia ever since independence and the close association of politics and violence in Indonesia. The villagers were saying that the time of despotic rule of the ‘New Order’ instituted by the second president Suharto is already a thing of the past and that the new era of ‘reforms’ and ‘democratisation’ has arrived. They sang praises of freedom of speech they should be entitled to and mentioned the role of social media, which in recent years rapidly spread among them, supporting the right to freedom of speech and serving as a tool for its exercise.

One of the villagers went even further, saying ‘Don’t they have faith? Don’t they fear God? This is same as PKI in 1965. No, it’s even worse than PKI.’ The villager was referring to the so-called September 30<sup>th</sup> Movement, the (claimed) abortive coup attempt by the Indonesian Communist Party (*Partai Komunis Indonesia*, PKI), and the merciless and nationwide killings of and violence against those related to the PKI and those who were suspected of being related to the party. According to the estimates, 500,000 to more than one million people were killed, and the entire picture of what happened is still unclear<sup>10)</sup>. During the authoritarian presidency of Suharto that spanned thirty years, propaganda labelled the victims of the mass-killings as ‘godless’ and ‘cruel’, ‘traitors that tried to overthrow the government’, at the same time painting the Indonesian National Armed Forces as heroes who saved the country from the terrible traitors of the PKI. This stereotype is still strong in Indonesia today. Referring to this (largely manufactured) page of Indonesian history, the villager stated that the behaviour of the soldiers was even more ‘godless’ and ‘cruel’ than the actions of the PKI<sup>11)</sup>.

Before noon, the headman of Napan, a member of the prefectural assembly who was born in the village, the local chief of police (*Kapolres*), and the vice commander of the local military district (*Wakil Komandan Kodim*), who heard news of the incident, all came to the guardhouse. Many villagers were there watching how the talks were going, talking amongst themselves with much agitation. Several journalists also came over from the town of Kefa.

After some time, one of the men, a member of the prefectural assembly, stood up to explain the situation to the villagers. He said that the talks would continue in the afternoon at the village office, and that the villagers should return to their homes. When he finished talking, one of the women standing in the group of villagers raised her hand and asked for permission to speak. This was M, a woman in her 30s who said the following in a confident voice loud enough for everyone to hear.

I am sorry to be taking your time like this, but let me say a few words.

What happened was awful. A while ago, I asked one of the soldiers why they did

such a monstrous thing. He explained to me that they had to search for the one (D) who got away, and that they did not want the other two to escape while they were searching for him, which is why they tied them up. Well, let me tell you something, if you want us to believe this kind of explanation, you are admitting you are nothing but a bunch of fools (*bodoh*). Look at how many of you there are here, and you are saying you cannot guard just two men? If that is truly so, I am sorry to say it, but you are fools who cannot do your jobs. Now, there is a police box right next to you. You could have taken the two there and have the police guard them for you, but you didn't. Is that because you do not trust the police? That makes you fools too.

Us farmers, we pull our cows with ropes. And we always pull very carefully, so as not to hurt the poor animals. That's how we treat our cows, and we cannot imagine what kind of savages, what kind of cruel people would drag a human being around with a motorbike. We need to make sure that we never see this kind of cruelty again.

But let me tell you one more thing. I think that we need to solve this problem by ourselves, in the village. If we take it outside for the outsiders to deal with, I am sure that the story will get twisted around, that people will come up with their own wayward ideas about what happened and what should be done about it, bringing nothing but shame on us villagers. That is why we don't want this problem to be taken elsewhere out of our hands so that we cannot participate in its solution. It has to be solved right here, by us. For the sake of ourselves and our children, we need to make sure it will never happen again. And for me that is the most important thing now.

M, who makes a substantial income from smuggling liquor and household goods, is one of the most prominent actors among the village mice. Several years after the border was established, she built a new building for her roadside shop frequented by people coming from the Oecusse side of the border, who stop there to shop and exchange currency. When the incident occurred, she was having a new lodging facility built across the road from her shop, a fine three-room affair.

Her speech was made very skilfully. She spoke for the whole village, voicing the anger the villagers felt towards the soldiers, and also proposed an important principle that she felt should be used to solve the problem. What is more, she proposed this solution while everyone was still present. In the end, her proposal was prudent enough to keep the problem safe from the intrusion of outsiders. The village did not look to public institutions for mediation or judgment and instead solved the problem with the parties involved in the small area it really concerned. Her opinion was important in the light of interests of both the villagers and the soldiers. If, as a result of this incident, the state decided to instil 'proper' border control and if 'proper' government rule reached the village, the traffic of people and things on the mice roads would have to stop. Neither the villagers nor the soldiers would want that to happen.

### 3.2 Ritual of Reconciliation and Aftermath

A member of the prefectural assembly announced to the villagers that they should break up the gathering and that in a couple of hours everyone should reassemble at the village office for a ‘ritual of reconciliation’. This ritual (called *Acara Damai* in Indonesian) is a process required to reach reconciliation on the basis of a custom (*adat*) called either *Ma’enu* (to reconcile, to pacify) or *Tiun Tua* (drinking liquor) in Dawan, the language spoken by the villagers’ ethnic group. Attempts at reconciliation on the basis of this *adat* have been made across Timor-Leste after independence and have gained international attention (Belun and The Asia Foundation 2013; Hicks 2007; Tatsumi 2014). In Timor-Leste, the ritual of reconciliation called ‘*Nahe Biti*’ in Tetun (spreading a mat on the ground) gained popularity around the time of the East Timorese independence referendum. The ritual requires the leaders of opposing groups to forget their grudges, lay down their weapons, sit on a large piece of mat spread out on the ground, and eat in each other’s company (Tatsumi 2014: 50–51). After the independence of Timor-Leste, the new government established the Commission for Reception, Truth, and Reconciliation in Timor-Leste (CAVR) to reconcile those who were pro-independence and those who were against it. This initiative attracted much attention outside the country, as the idea was not to punish people for their crimes based on the letter of the law, but to encourage different members of the population who saw varied futures for their country to reach amicable settlements by following a customary practice of reconciliation.

According to the villagers of Napan, ‘rituals of reconciliation’ are held to solve many different problems in the village, including pillage of livestock, violence, adultery, or the unwanted pregnancy of unmarried women. If the police or courts of justice intervene, the villagers, whom the incident concerns the most, end up being cut off from the solution process. Relying on such institutions usually also means that it takes an unreasonably long time for the case to be solved and that the villagers must repeatedly travel to the town, engage in complicated procedures, and incur unnecessary expenses. They thus tend to see outside intervention as bringing more trouble than benefits, as in addition to an increase in the effort they need to make, it is much harder to get the matter solved outside than it is in the village. The ritual of reconciliation helps people keep such problems in the area and quickly resolve them without relying on the force of the law, but instead by having the parties involved talk to each other and reach reconciliation based on *adat*.

The afternoon came and the parties directly involved in the incident as well as the representatives and the witnesses of both sides gathered in the assembly hall in the yard of the village office. D, who had fled immediately after the incident, also participated. Many villagers gathered around to watch the proceedings. Representatives of the village, including a member of the prefectural assembly, the village headman, and a young man who served as a secretary in the village office,

stood up one by one and related their opinions on the matter. The headman of Napan spoke first:

Once, a soldier stopped me on the street without even getting off his bike and said: 'Who are you? And where do you think you're going?' What kind of talk is that? Who is he to talk to me like that? I would like to ask him and his kind the same question! Who are you people? Where did you come from to this village and what for? As long as you are here, you should follow the ways of the village just like everybody else.

The young secretary of the village office also rebuked the outburst of the soldiers in harsh words. The member of the prefectural assembly, who stood up next, calmly described the situation in the village and proposed a compromise as a way to reconcile the parties:

I would say that there are not more than twenty percent of people living in the village who are not in any way connected to the mice roads – well, thirty at the most. People go to the other side and back, get paid for transporting goods across the border, and almost the entire village gets some sort of profit from these roads. Almost all of us, including women and children, have been living like this for years.

Solving this problem for good will require quite some time. What we need to do now is to find a way out of this situation, out of the conflict. I propose that we promise each other that we shall not let anything like this happen ever again. Let us stop at that and not demand anything else from the other party, because no matter what we do, right now we cannot truly resolve the problem once and for all.

M's father was also present as a representative of the villagers' side, standing in the centre of the assembly hall. He had once served as the village headman and was very knowledgeable of customs. His role was to see how the talks went, find an opportune moment, and take the floor to represent the villagers' side.

To put this matter to rest, the army should pay 25 million rupiahs<sup>12)</sup> to each of the young men who fell victim to their actions, or they should present a cow or a pig to the village. We shall then serve the animal as an offering to the ancestors.

The most talking during the meeting was done by people speaking for the village. The speakers voiced the villagers' anger and eloquently stated everything that could be said. The soldiers listened quietly without ever interrupting the speakers and the ritual progressed without a hitch<sup>13)</sup>. After these addresses were finished, bottles of liquor and glasses were passed around and several men from each side sat in a circle (Figure 3). True to the name of the ritual in Dawan – *Tiun Tua* (drinking liquor) – the reconciliation is seen as completed when the conflicting parties have finished drinking. As the liquor went down, large applause broke out in the crowd. The village headman declared, 'As we have now reached reconciliation, we shall not hear anything about this incident ever again'. He then continued, 'Those who have gath-



**Figure 3** Ritual of reconciliation (Photograph by the author, February 18, 2016)

ered here today have accepted the apology. There shall be no raking over old ashes, and no leaking of wrong information outside the village’.

Although as the parties poured each other drinks and drank together, the formalities of the ritual of amicable settlement were over, one military policeman suddenly started reading a document he had in his hand:

To be sure, we reached an amicable settlement in a friendly way (*perdamaian secara kekeluargaan*). Neither of the parties will rake the old ashes. No penalties based on the customs will be imposed either. For the ritual of amicable settlement, three bottles of beer, one bottle of whiskey, and 500,000 rupiahs were offered. Neither of the parties shall ever demand anything else from the other.

The military policeman asked those present whether there were any mistakes or omissions in what he read out loud. Someone pointed out that he made a mistake regarding some names of the parties involved, but, other than that, there were no objections. Although M’s father had stated the sum of 25 million rupiahs per person (about 3,000 US dollars), the amount listed in the document was 500,000 rupiahs (about 55 US dollars), but there were no objections. D and the other two who were involved in the smuggling, commander Y, and the witnesses of the both parties signed the document, and a certification stamp was attached to it. As the document was certified, both parties shook hands again and had their photo taken. Commander Y gave a formal speech closing the proceedings and the gathering broke up.

On the following day, army-run medical care services for remote rural areas were offered at the office of the regency located at some distance from the village office. A tent was put up in the yard, and not only the army’s medical team but also

the local military district commander, who had not attended the previous day's ritual of amicable settlement, was present. On that day, six journalists came to the village. When the incident happened, one of the villagers took a photo of commander Y and two young men stripped half-naked with their hands tied using his mobile phone and had already posted it on his private Facebook account on the morning of the day of the incident. This photo was published on the websites of several local newspaper companies on the day of the incident and was accompanied by articles describing what happened (Figure 2).

Journalists went to the village office to get their story first, but the village headman and the secretary, who had subjected the soldiers to harsh criticism during the ritual of amicable settlement, refused to talk about the incident with an expression of 'what is done is done'. The journalists did not press the matter; they thought that a villager had video footage of the soldiers dragging the two young men with a motorbike and wanted to obtain that footage, but in fact, the photo that they had already used in their articles was the only existing piece of evidence. After that, they went to the medical team and interviewed the local military district commander and commander Y. They started by questioning the district commander regarding the significance of the army-run medical care services for remote rural areas, and then turned the conversation to the incident, but both the questions and the answers were harmless and could be considered small talk. Their interview with commander Y was also quite perfunctory. When they were ready to leave, the commander said, 'Keep this story out of your newspapers, will you?' The commander's secretary gave each journalist a white envelope and they received them with smiles.

The journalists were all born in the neighbouring villages and understood the relationship between the villagers and the army regarding the border. Some articles accompanying the photo that were published on the day of the incident went as far as mentioning the involvement of the soldiers in smuggling. However, no articles were published that would explain the circumstances that led to the incident and get to the core of the matter in a way that would enable ordinary readers, that is, outsiders, understand the situation. Still, no one was unhappy about this attitude – neither the army nor the villagers, who had already consented to let it go.

Nonetheless, the problem between the villagers and commander Y's soldiers continued to smoulder. Starting on the day after the ritual, the unit substantially strengthened border security. Until then, soldiers would sit on chairs in leisurely attire, dressed in t-shirts, short pants, and sandals next to the makeshift posts placed along the mice roads and only occasionally check what was being carried across the border. After the incident, however, soldiers began wearing uniforms and carrying weapons and engaged in border patrol 'in a proper way'. Maybe the soldiers suddenly decided to get serious at last about their proper duties, but the villagers quite rightly felt that at this border with no indications whatsoever of any sort of

conflict between the two countries, such patrols were highly unnecessary. Villagers had no choice but to pause their smuggling activities and decided that the soldiers' change of attitude was their 'retaliation' for the shame to which the soldiers were subjected. This 'retaliation' meant that smugglers were forced to cease their operations – not only the major 'mice' wielding sizable capital and dealing in large quantities of fuel and liquor, but also much less prominent actors such as women who went to the weekly market on the Oecusse side to purchase lontar palm gin and then sold it on the Indonesian side, making a meagre income at best.

D, the main culprit in the motorcycle smuggling incident, was still receiving phone calls asking him to do some work on the mice roads:

People said they wanted to come over to the Indonesian side and asked me to meet them at the border as I always do. But I told them it's too dangerous now, that they should sit tight and give it some time. That if they can't wait, they should give up on Napan but take a different route along the coast instead. The soldiers are waiting for an opportunity to get back at us. That's why we have to lay low now and make sure we don't give them the pleasure.

M, who had made such a commanding speech in front of the crowd, said, 'We do not want confrontations to drag on like this; we are ready to sit and talk to them again. But we can see that they do not feel like that at all, they are all emotional and set against us'. Speaking of the soldiers' attitudes, M's younger brother J, who was a central figure in village smuggling, said, 'They are still mad at us, because everybody gave them a proper piece of mind, we did'. Still, disrespecting the ritual of amicable settlement that is carried in the presence of the ancestral spirits is not something people forgive. J said:

The power of customs is very strong in this village. The ritual of reconciliation was completed yesterday. Because both parties drank in the end, it's simply unacceptable to steam over the past like that. If someone does not follow the custom and goes against it, he'll go mad. He'll start running all of a sudden, run all the way to the top of the mountain, then roll on the ground there laughing, or start talking to the trees.

The soldiers are not following the rules now, they are angry at us and are going on patrols armed to the teeth. We don't need to do anything – just quietly go about our business and wait. Even if they try to shoot us, their rifles won't fire because the ancestors are watching over us, making sure that there is no more fighting.

I finished my fieldwork and left Napan shortly after the incident, so I was not able to observe the environment in the village afterwards. Two weeks after the incident, however, an acquaintance of mine who was born and raised near Napan and is now living in the main city of West Timor told me that he had recently visited his home and talked with M, J, and others, all childhood friends of his. According to him, the relationship between the soldiers and the villagers had still

not normalised, and the mice roads were still closed. He also added that many soldiers had accidents riding their motorbikes, sustaining injuries, and that these misfortunes occurred because soldiers disobeyed the customs. He stated that because the soldiers were not observing the decision that was made by the ritual of reconciliation, the village elders gathered in the *rumah adat* (building for ancestral worship) and prayed to the spirits of the ancestors of the 'meo' (fighters), heroes of the wars between kingdoms on the island. He said that the soldiers continue to have accidents because of these prayers.

As time passed, smuggling on the mice roads returned to what it used to be. Soon after, commander Y completed his term of service and a new unit came in its place. When I visited the village again half a year after the incident in August 2016, D, J, and the rest spoke highly of the 'tolerant new bunch' that came instead the 'awful old bunch', and everyone was busy using the mice roads again.

#### 4 Conclusion

As we saw above, 'mice' made holes in the wall of the border and, going back and forth between the two countries, profit from illegal transactions. The safety of and the justification for their actions is maintained by 'understanding' soldiers.

Right after the incident, one could hear harsh words about the soldiers and the army in almost every conversation between villagers, and some of these words were thrown right in their faces. Their statements drew a lively picture of the political and economic peripherality of the villagers – a burden they have been carrying all of their lives – the contradictions inherent in their daily activities, and the deep-rooted problem of politics and violence in Indonesia.

Compared with the agitation of those statements, the settlement through the ritual of reconciliation may seem to have lacked decisiveness. Although the villagers were very harsh in their critique of the soldiers, in the end, their anger was not taken up by the mainstream media and did not develop into anything bigger, nor did it leak outside to be picked up by some democratic movement questioning the present relationship between the state and the army. The soldiers, who treated villagers so roughly, were not taken to court or subjected to a critical media campaign. The compensation the villagers managed to obtain from the army was a far cry from the 25 million rupiahs they demanded – merely a couple of bottles of liquor and some 500,000 rupiahs. This may seem to be a compromise rather than a reconciliation, as the villagers were relatively powerless against the state-backed army.

The similar question of whether it is a reconciliation or a compromise was asked about the reconciliation programme that was carried out in various places after the independence of Timor-Leste. When the new government of Timor-Leste had to deal with the serious confrontation between those who wanted independence

and those who advocated remaining a part of Indonesia, it chose to take the policy of appeasement, valuing ‘forgiveness’ in keeping with the forms of traditional reconciliation rituals. The government did not wish to subject its citizens to a trial by an international tribunal, nor did it demand that the perpetrators be punished or made to pay compensatory payments, and declared that ‘forgiveness’ is the very cornerstone of the ‘unique culture of Timor-Leste’. This attitude aroused indignation among the members of international civic movements, which supported Timor-Leste’s independence and subsequent nation-building. They claimed that humanitarian crimes must be severely punished, that the policy of the new government is nothing but compromise, that they turn their backs on the past violations of human rights, and that all this talk of ‘forgiveness’ is an excuse to hide the real truth – that they have no backbone to stand up to Indonesia (Tatsumi 2014).

Hicks has pointed out a similar discrepancy between the demands of the people of Timor-Leste and the philosophy of modernisation proposed by the United Nations. For example, the idea of social equality irrespective of age or gender and many other similar concepts are often at odds with the customs of Timor-Leste and simply cannot take root in spite of efforts made by various international organisations. Hicks, on the other hand, asserts that there is a need for adjustments between the ‘universal’ sense of values and the modern system of law on the one hand, and the local laws (customs) of various parts of Timor-Leste on the other, and that international organisations should not place too much confidence in the top-down model of development but rather try to rely on grass-roots models (Hicks 2007). Tatsumi sees the very confrontation between the East Timorese government and international civic movements regarding how to perceive the ritual of reconciliation as questionable, arguing that the either-or perception of the issue, leaving only two options of either trial by court or forgiveness, is problematic, and that the wall between the two arguments can be surmounted not by choosing one of the methods, that is, trial or forgiveness, but by placing greater emphasis on the process of the ritual of reconciliation (Tatsumi 2014: 64–66).

For the villagers, the most important problem was whether the punishment of the three villagers by the soldiers was just. During the ritual of reconciliation, they said what they wanted to say to the soldiers, clearly showed to all those who gathered on the occasion that there was no justification for the punishment inflicted upon them, ‘put the soldiers to shame’, and made them pledge that they would never make the same mistake again. There was no ‘timidity’ or ‘compromise’ on their part, and they fully achieved what they wanted.

It is vital to understand that the ‘mice’ did not have any intentions to resist the state or rebel against it. They continuously showed their ‘loyalty to the nation state’ throughout their smuggling activities and, in a sense, continued their activities under the green light of the nation state (‘permitted’ to smuggle and guaranteed ‘safety’ by the soldiers). They have never perceived this relationship with the

nation state as problematic, and have never wanted the status quo to change into one with sound rule of the law encompassing every aspect of their existence.

The incident presents a situation in which the interest in the area by the centre is negligible and the government does not properly function, but despite this – or, rather, because of it – the villagers are given 'permission' to 'safely' cross the border, a state of affairs that is kept as an 'open secret'. Because of their peripherality, the villagers can make money right where they are, without going anywhere far, which was impossible before the independence of Timor-Leste. They value this newly acquired life too much to risk it all by challenging the authority head-on, preferring to maintain their peripherality and preserve their status quo of livelihood based on smuggling. The attitude we see in smugglers working across the national border of Timor Island is a perfect example of street wisdom and life based on it, which Sekine refers to as 'survival both inside and outside of power systems enforcing homogenisation, devised by people living on the fringes of such systems' (Sekine 2004: 12).

A villager once told me, 'That's how life on the border is. And you can never tell when it'll end'. It is very clear that even one small change in the policy of Indonesia or Timor-Leste may easily bring drastic changes to their lives. They do not know themselves how long they will be able to smuggle goods using mice roads and they understand that there are no guarantees that their present way of life will continue. They will probably continue to smuggle on a daily basis as they do now as long as it is possible. Some may get arrested, some may have their goods confiscated, some may suffer humiliating violence of the kind we saw here, but surely they shall continue for the time being at least, making sacrifices but always getting something in return on this border between two nations.

The soldiers guarding the border are the embodiment of the power of the nation state in the village, and smuggling has been carried out for years as something fair and proper because they have approved it. However, when the soldiers decided to engage in a personal act of violence against the villagers, they lost the support of their patron, the nation state. The ritual of reconciliation was a means for the villagers to confirm it. As a result, the problem was appropriately solved, and those who did not obey the decision made by the ritual were punished by successive accidents. The villagers that live in the border regions are regarded by the state centre as periphery and have created and maintained their relationship with the state based on this understanding of themselves as underdogs. It is undeniable that the nation state is an important presence in their lives, and its rule – although by no means encompassing every aspect of their lives – still has a number of functions; this is why smuggling paradoxically becomes possible by smugglers expressing their loyalty to the nation state rather than negating it.

At the same time, villagers often rely not on customs rather than the rules of the nation state for decision-making. In such cases, to correctly perceive the prob-

lem and decide on the way it should be handled, the villagers switch from a nation state-centric worldview to one centring on their village. When the soldiers used their state power to inflict personal punishment, they lost the backing of their patron, the nation state, which was the ‘justification’ of their existence in the first place. From that time on, they became defenceless in this land, their position became highly vulnerable, and they were driven to the periphery. In the process of solving the problem, the villagers managed to flip their peripherality around, and up to the conclusion of the ritual of reconciliation, they never failed to occupy the central position in this newly reversed power relationship.

## Notes

- 1) There is no standard name for the district, with Oecussi, Oecusse, Oe-Cusse, Oecussi, Oekusi, Oecussi-Ambenu, Oekusi-Ambenu, and many more used to refer to it. The origin of the word ‘Oecusse’ is ‘water in a jar’ in Dawan, the language spoken by the local ethnic group.
- 2) For the history of Timor-Leste and the process that resulted in its independence, refer to (Durand 2016; Fox and Soares (eds.) 2003; Molnar 2011).
- 3) Although here I shall refer to them as ‘villagers of Napan’, including people who recently moved to the village from Oecusse after East Timor gained independence, some of whom rely on their relatives living on the Indonesian side, it is problematic to categorize all of these migrants as ‘refugees’ (Tatsumi 2007).
- 4) In 2014, however, Oecusse was chosen as a pilot site for a social and economic sustainability development project (Zonas Especiais de Economia Social de Mercado de Timor-Leste, ‘ZEESM’), and the coastal part of the district is now being developed at a rapid pace.
- 5) As previously mentioned in footnote 4 above, a large-scale economic development project is currently being implemented in Oecusse. As this national-scale project advances, the lives and movements of people living in the border region, which is the stage for the events analysed in this chapter, are expected to undergo certain changes. However, the incident we discuss here occurred in August 2016, and as of that time, villagers in the mountainous areas, including the areas near the border, had not been influenced in any substantial way by the development. It should also be noted that the project has received much criticism both in the country and outside it. One aspect often mentioned is the tendency of the financial administration to give priority only to large-scale projects, turning a blind eye to the fact that the country is overly dependent on limited oil resources. Another cause for criticism is corruption among the officials involved.
- 6) The author heard the word ‘*penikus*’ from an informant. The word uses the prefix ‘pe-’ that is used to create derivative nouns to the noun ‘*tikus*’ (mouse) and means ‘those who go back and forth on the mice roads’.
- 7) Since independence, East Timor has opted for currency substitution and has mainly used U.S. dollars as its national currency.
- 8) Both regular policemen and riot police (*Brigade Mobil* (Brimob)) are stationed here.
- 9) The era of the dictatorial regime of the second president, Suharto.
- 10) Refer to Kurasawa (2014) for more information regarding the September 30<sup>th</sup> Movement.
- 11) Villagers of this and neighbouring villages both on this side of the border and in Oecusse are Catholic, but the soldiers stationed at the border at the time were predominantly Muslims from Java.
- 12) Approximately 3,000 dollars. As the average monthly salary in Jakarta, the capital, is about 200 dollars, this is quite a considerable amount of money for everyone involved.
- 13) Apart from the moment in which M’s father mentioned ‘25 million rupiahs for every person’ and the commander stopped bowing his head in assent.

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