The 'dead' as agents of truth-telling: Lessons from Timor-Leste and the Indigenous repatriation movement

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Abstract

Truth-telling, as it is understood within the liberal discourse and practice of transitional justice, centres around the idea of an individual human subject telling a narrative of harms that occurred in a past that is assumed now to be 'past'. The 'dead' are important insofar as they provide 'evidence' of the suffering experienced by the living: the objects rather than subjects of truth-telling. This article draws on the cases of Timor-Leste and the international Indigenous repatriation movement to argue that decolonising truth-telling requires, in the context of Indigenous harms, an expansion of both the scope and the subjects of truth-telling. We ask: how might the dead become agents of truth-telling? We advance the argument that truth-telling needs to become a holistic and relational practice that does not disconnect the living from the dead. This is essential if truth-telling is to foster healing and justice and not perpetuate further violence.

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Ngarrindjeri Concern for Country

The land and waters is a living body.

We the Ngarrindjeri people are a part of its existence.

The land and waters must be healthy for the Ngarrindjeri people to be healthy.

We are hurting for our Country.

The Land is dying, the River is dying, the Kurangk (Coorong) is dying

and the Murray Mouth is closing.

What does the future hold for us?

(Tom Trevorrow, Ngarrindjeri leader [deceased] 2002)[1]

Introduction

Truth-telling, as it is conceptualised within the liberal discourse of transitional justice, centres the idea of an individual human subject telling a narrative of time-bound harms that occurred in a past that is assumed now to be 'past'. The 'dead' are regarded as inert and mute substances rather than agents who remain connected to the living. If they are invoked, it is to provide evidence of the suffering experienced by the living: they are the objects rather than subjects of truth-telling. Many First Nations peoples, however, such as recently passed Ngarrindjeri leader Tom Trevorrow, quoted above, hold different understandings of truth and truth-telling. For them, the lands and waters is a living body that is inseparable from their spirits, ancestors and their nations (Ngarrindjeri Nation & Hemming, 2019). The physical remains and the spirits of the ancestors must find peace as part of the lands and waters, where they continue to be part of the social world. In late liberal democracies such as Australia, the nation state overlays on Indigenous conceptions of Country bounded, 'inanimate' geographies that violently redefine and dissect bones, rocks, lakes and other categories of 'living' things like animals, plants, bacteria, and humans. In this act of 'colonial worlding', humans alone are positioned as intelligent, and agents of change (see Povinelli, 2016).

This article draws on long-term author experience in Timor-Leste and with the international Indigenous repatriation movement to argue that truth-telling requires, in the context of Indigenous harms, an expansion of the form, scope and subjects of truth-telling

(see Fforde et al., 2020; Viaene et al., 2023). We build this argument from observation of the locally grounded practices of recovering and caring for the dead in Timor-Leste in the aftermath of the Indonesian occupation, which respond to the truths of those who died 'bad' deaths and of their continuing suffering due to the lack of proper burial. We also consider the complex and extensive work of repatriating 'Old People' to Indigenous nations and communities in Australia, and internationally.[2] We highlight this work as a practice of truth-telling, peace-making and healing that identifies and challenges systematic injustices in liberal settler democracies, and requires new just relations between First Nations peoples and settler states.

We ask: *How can a new non-violent language and practice of truth-telling be created to respond to Indigenous harms and injured 'places'?* To answer this question, we bring our experiences into conversation with Indigenous philosophies and political practice and critical posthuman scholarship extending beyond traditional western constructs of agency, subjectivity and materiality. These ideas are beginning to percolate through the critical transitional justice scholarship (see Clark, 2023; Izquierdo & Viaene, 2018; Viaene et al., 2023). We advance the argument that truth-telling needs to become a holistic and *relational* practice that does not disconnect the living from what is designated the dead, the truth-teller from the listener, the human from the more-than-human, or the past from the future. This can assist with creating new safer spaces for dialogue between Indigenous and non-Indigenous communities that are grounded in respect and a centring of Indigenous voice, responsibility, agency and knowledge.

We write this article as a dialogue between non-Indigenous and Indigenous scholars who have worked extensively in the international Indigenous repatriation space and on everyday practices of social repair in Timor-Leste. Steve, Cressida (non-Indigenous researchers) and Daryle (a citizen of the Ngarrindjeri nation in South Australia) have worked together for several decades in support of the repatriation of Indigenous ancestral remains or 'Old People'. Lia has worked and researched in Timor-Leste for two decades, recently focusing on local memory practices (2015–19).[3] It builds from our recent conversations as part of a collaborative research project on reconciliation and heritage, in which we have been struck by the limited attention to Indigenous knowledges and ways of being in the critical transitional justice literature (but see Clark, 2023; Viaene et al., 2023).[4]

This article begins to reflect on our accumulated experiences with the goal of contributing to contemporary discussions in Australia and internationally on 'decolonising' truth-telling. We do not seek to compare and contrast these cases to identify patterns and draw out generalisable findings, but rather to explore what can be learned from bringing them into conversation. Our goals are necessarily scholarly, practical and political. We write in the context of growing calls for truth-telling in Australia following the Uluru Statement from the Heart and in the aftermath of a failed national referendum on an Indigenous 'Voice' to parliament. We seek to raise questions that might help to articulate the principles of new, less violent forms of truth-telling and truth-listening that support peace-making and diplomacy, and Indigenous regeneration, renewal and wellbeing.

The article unfolds as follows. The first section explores how an engagement with Indigenous philosophies and posthumanism extends existing critiques of truth-telling

and pushes for an expansion of its form, scope and subjects. It also introduces the case studies and their specific histories. The next sections explore, through examples drawn from Timor-Leste and Australia, practices of repatriation and reburial as forms of Indigenous-led healing practices that create conditions for new, non-violent relational truths. We conclude by offering some thoughts on what we can learn from these cases that might inform alternative, less violent approaches to truth-telling.

Expanding the scope and subjects of truth-telling

Transitional justice has become the prevailing international model for responding to mass harm and facilitating societal transformation. Truth-seeking and truth-telling are among its key goals. It is claimed that the official investigation and public exposure of past human rights abuses will promote a recognition of victims' experiences and foster understanding between victim and perpetrator groups, allowing for reconciliation and a transition to a new political order. Truth 'commissions' – official, temporary bodies designed to gather and present information on past injustices – have thus proliferated in societies emerging from conflict and authoritarian rule, and there are increasing calls for them to respond to the injustices of settler colonialism (see Balint et al., 2014; Barolsky, 2022).

The celebration of truth-telling has, however, emerged in tandem with critiques of its transformative assumptions. It is increasingly recognised that the discourse and practice of transitional justice rests upon liberal assumptions that constrain the kinds of 'truths' that can be told and heard. For instance, by giving attention to 'exceptional' harms conceptualised as part of a 'temporal response to political transition', transitional justice elides truths about the *structural* dimensions of violence and their continuation into the present (Balint et al., 2014; Hemming & Rigney, 2008; Jamar, 2022; Kent, 2015; Stoler, 2016). Furthermore, liberalism's emphasis on individualism and individual autonomy leads transitional justice to focus on individual victims and perpetrators, ignoring collective human rights violations and the responsibilities of bystanders and institutions (Brigg, 2018; Clark, 2023; Kent, 2012, p. 38; Mamdani, 2001).

These critiques are of particular relevance to the harms experienced by Indigenous communities in settler colonial contexts such as Australia, which stem from unjust societal arrangements and dispossession. While demands for national truth-telling have intensified following the Uluru Statement from the Heart (2017),[5] what has been missing from debates in Australia, suggest Balint et al. (2014, p. 199), is 'a thorough engagement with the historical and contemporary impact of the full extent of settler colonial governance, repression and exploitation of Indigenous communities since colonisation'. Indigenous Australian legal scholar and leader Megan Davis similarly cautions that truth-telling could become a smokescreen that avoids difficult debates about constitutional voice and structural reform. Noting that, for First Nations peoples in Canada, truth-telling has 'neither brought Indigenous justice nor shifted the state's preference for ritualism and performance' (Davis, 2022), she warns, with Gabrielle Appleby, of the risks of state-organised truth-telling in a context of deep distrust between the state and Indigenous communities. This is exacerbated by a 'legacy of state-based and top-down

social program[s] that can "reinforce colonial hegemonies"' (Appleby & Davis, 2018, p. 508; citing Edmonds, 2016, p. 8).[6]

While these critiques provide important insight into the limitations of liberal truth-telling frameworks for listening to and responding to Indigenous harm, we aim to push them further by moving beyond a *human*-centric conceptualisation of harm and agency, recognising the entanglement of human and more-than-human worlds (Braidotti & Bignall, 2019). This is an emergent and promising direction in critical transitional justice scholarship. For instance, in an important recent editorial in the *International Journal of Transitional Justice*, Viaene et al. (2023, p. 2) insist that:

> No longer can transitional justice uphold the view that questions and responses about justice, reparation, historical memory, reconciliation and guarantees of non-repetition begin and end with human beings, *their* rights and *their* interests. It is time to disrupt a hegemonic view across transitional justice scholarship – rooted in an anthropocentric dogma embedded in the human rights framework – that limits our understanding of the perpetrator, victim and survivor of gross human rights violations to human beings, while excluding consideration for more-than-human factors such as rivers, mountains, oceans, animals, plants and soil.

This emergent scholarship draws on Indigenous philosophies and what can be broadly defined as critical posthumanism.

Indigenous philosophies have always understood the self as constituted relationally with other people and with the natural and more-than-human world (Bignall et al., 2016, p. 457; Coulthard, 2014; Graham, 1999; Moreton-Robinson, 2007), disrupting the Cartesian binaries between mind and body, meaning and matter, subject and object that are inherent to much western thinking. Indigenous scholars write powerfully of how the wellbeing of all things, including land, water, sky and people, whether living or past, is fundamentally interconnected, and of how the maintenance of this interconnectivity is critical to Indigenous wellbeing (see Moreton-Robinson, 2015; RRR [Return Reconcile Renew], 2021; Whyte, 2018). Maintaining the health of Country and the interconnectivity between all things is a critical cultural responsibility.

Long-standing Indigenous understandings of relationality and connectedness share synergies with the work of posthumanist materialism scholars that are increasingly recognised (see Bignall et al., 2016; Rigney & Bignall, 2019). While working from very different staring points, 'western' scholars share a commitment to the project of decentring 'the human as the dominant subject of social inquiry' (Margulies & Bersaglio, 2018, p. 104). They are also concerned with the interconnections between 'beings, things, and matter', while recognising that 'neither relations nor entities are necessarily "fixed" or permanent in themselves' (Everth & Gurney, 2022, p. 51).

Bringing Indigenous philosophies and critical posthumanism into conversation opens 'new' perspectives on agency, and ways of knowing and being. Agency is recognised not as something that 'belongs' exclusively to the realm of the human (or to an individual) but as *relational*: 'distributed' between the human and the more-than-human and emerging through 'intra-action' (Barad, 2007, p. 185). As Karen Barad puts it, 'agency is a matter of intra-acting; it is an enactment, not something that someone or something has. Agency is doing/being in its intra-activity' (Barad, 2007, p. 235). Practices of knowing and being are

likewise 'mutually implicated' (Barad, 2007, p. 185). Just as agency is relational, so too is harm. The harms of colonialism and war are not simply harms experienced by living humans in a past temporality but harms that *continue* to reverberate in the present, undermining human and more-than-human relations amid conditions of 'colonial durability' (Stoler, 2016). For many Indigenous peoples, it is not possible to separate harms against humans from harms against more-than-human world, nor to separate the past from the future. Violence is experienced as a profound disruption to and damaging of these interconnections and relations (see Moreton-Robinson, 2007; Simpson, 2017; Smith, 1999; Whyte, 2018).

From these starting points it becomes possible to see that the *non-recognition* of these relational harms is itself a form of violence. This form of violence is powerfully illuminated in Elizabeth Povinelli's concept of 'geontopower.' Povinelli argues that geontopower is a form of power that is prominent in 'late liberalism' and works to maintain or shape a distinction between 'Life' (bios) and 'NonLife' (geos) (Povinelli, 2016). Indigenous truths about responsibilities to sacred places can only be recognised within the logics of geontopower as a traditional cultural belief, 'not an analytic of contemporary existence'. Put differently, these truths can only be 'recognised' where they do not challenge 'the ontological integrity of life and nonlife' (Tremblay, 2016). As fossils, bones, lakes, rivers, rocks and human remains are regarded as 'inert', geontopower facilitates the 'entwined logics of extractive capital and settler liberalism' (Povinelli, 2016, p. 173; Wright, 2017).

Liberal transitional justice and truth-telling frameworks reinforce this distinction between Life and NonLife even as they claim to be emancipatory. As Clark suggests, these frameworks, with their 'predominantly anthropocentric focus' and their treatment of humans as bounded, self-contained and autonomous, miss 'the intrinsic relationality between human and more-than-human worlds' (Clark, 2023, pp. 21, 25–6). Not only do they miss this intrinsic relationality: they can enact ontological and epistemological violence as they marginalise Indigenous knowledge and experience. Critical transitional justice scholars are only beginning to pay attention to these relational, more-than-human dimensions of harm, with recent articles examining harms to the environment, including the interconnections between land, bodies and water (Clark, 2023: Viaene et al., 2023). This article extends these analyses by generating new insights into the relational agency that emerges from the 'intra-actions' of the living and the dead in the contexts of Timor-Leste and the international Indigenous repatriation movement.

It is important to briefly set out the historical specificities of and distinct differences between these cases. Timor-Leste has a population of diverse ethno-linguistic communities composed of extended families and lineages connected to origin houses (*uma lisan*). For much of the predominantly rural-based population, local social and political life remains guided by customary protocols and practices, and communities remain deeply connected to land (Palmer & McWilliam, 2018, p. 267). Unlike Indigenous peoples in many parts of the world, including Australia, who for the most part have been compelled to pursue protection of their sovereign responsibilities through international and national rights-based frameworks or through treaty relationships with settler nation states, the East Timorese waged a successful struggle for independence (Palmer & McWilliam, 2018). Following 400 years of Portuguese colonial rule (from the 16th century to 1974), a

24-year Indonesian occupation (1975–99) and a period of United Nations Transitional Administration (2000–2), Timor-Leste was recognised as an independent state in 2002.

The practices of recovery and reburial of the dead that are taking place in Timor-Leste concern the recent period of Indonesian occupation, which is still in living memory. Many people are searching for their relatives who died 'bad' (untimely or violent) deaths in remote areas of the landscape. Until national independence, these bodies had remained neglected; searching for them was practically impossible amid a climate of surveillance and militarisation. While widespread, these practices have a grassroots, highly localised, flavour and are generally led by families of the dead with minimal resources. By contrast, demands for the repatriation of Indigenous remains in settler colonial contexts have evolved into a global political movement grounded in Indigenous resistance, resurgence and broader societal reconciliation. This movement is concerned with the bodily remains of hundreds of thousands of colonised people who, from the earliest days of colonisation, were taken from burial grounds, battlefields, massacre sites and morgues and sent to museums worldwide. Donated and often sold for commercial gain, they became part of collections amassed to investigate the variation and origins of humankind, occurring within the insidious paradigm of race and racial hierarchy. The traumatic impact of this theft and subsequent scientific misuse of ancestral remains continues today. In dangerous historical circumstances, First Nations sought to protect and secure the return of their ancestors' remains when it was possible for them to do so. By the 1980s, repatriation had become a global movement, and it continues to be a key priority for Indigenous people worldwide (Fforde et al., 2021).

Despite the differences between these cases, what is shared is the urgency with which communities and families express the need to bring the dead 'home' and rebury them in their ancestral land. For both East Timorese and Indigenous Australians, the dead are not passive or mute substances but agential beings who remain in an ongoing relationship with the living and the contemporary Countries or land of their descendants. The restless spirits of the not-properly-buried and cared-for dead have an effect on the present and the future. In the following sections we explore how practices of recovery, reburial and repatriation in both these settings are working to restore relations between the living and the dead. This healing and relational work entails complex forms of truth-telling, truth-hearing and support for those experiencing the traumas of these encounters with this unresolved violence.

Recovering the dead in Timor-Leste

The family- and community-led practices of recovering and reburying the remains of the dead that are taking place across Timor-Leste are initiated by people from diverse points on the socio-economic spectrum, from ordinary people to senior former resistance fighters who are now part of the political elite. Many are searching for those who died during the first five years of the occupation, a time when tens of thousands of civilians had been displaced from their villages. This was a period marked by continual movement, as people attempted to evade aerial strafing and gunfire from the Indonesian military. The dead had to be abandoned, hastily buried in shallow bush graves, covered with *dut* (grass) and marked with small rocks.

Although some forty years have now passed, there are still many people with memories of the anguish of abandoning relatives and close friends.

In a context where bodies have decomposed, memories of the sites of provisional graves are hazy, landscapes have altered and peoples' resources are scare, people are pooling their funds, hiring 4-wheel drive vehicles, and organising expeditions to remote areas of the landscape to search for fragments of bone, clothing and other material residues of the dead, digging with rudimentary tools. The knowledge of ritual experts (who use a range of techniques to interpret signs from the spirit-realm about the location of human remains and the identity of those remains) is often enlisted.

The inability to recover and give bodies a proper burial is not simply experienced as a traumatic event that occurred in the past. The dead, who have been violently dismembered from their communities and divested of their social identities (see Fontein, 2022, p. 112), are understood to be in a state of continuous suffering, their spirits trapped in an ambiguous liminal realm, not yet able to transition to the realm of the ancestors (Kent, 2020; Kent, 2024). Local people tell of dreams in which the dead visit them and remind them of their unfulfilled burial responsibilities, of illnesses and other misfortunes caused by the unhappy spirits of the dead, and of parts of the land that have been rendered 'hot' (*manas*) – dangerous and potent – by restless spirits. These experiences index how the suffering of the living and dead is entangled and ongoing in a new era of national independence, felt as the continuing disruption to relations between the living, the dead, landscapes and other more-than-human beings. *Re*-membering the dead, re-enfolding them in their networks of kin and community, is critical to peace and intergenerational wellbeing in the aftermath of the profound disruptions of the occupation.

Practices of recovery and reburial of the dead also need to be contextualised against a backdrop of official truth-telling processes that have been unable to respond to damaged relations between the human and the more-than-human world. The most comprehensive of these was undertaken by the Commission for Reception, Truth and Reconciliation in East Timor (CAVR). Established with United Naitons (UN) assistance in 2001, the CAVR was envisaged as a key transitional justice mechanism for responding to the violence of the Indonesian occupation. Its mandate included 'establishing the truth regarding past human rights violations' and presenting 'factual and objective information' (CAVR, 2005, ch. 2, p.1). This truth was generated from the findings of testimonies gathered nation-wide and from statements delivered at public hearings on themes including political imprisonment, women and the conflict, children and the conflict, forced displacement and famine, and massacres (Kent, 2012). The CAVR produced a 2500-page report based on its findings entitled *Chega!* (No More! Stop! Enough!), which was presented to Timor-Leste's President and Parliament in 2005. A key goal, as with many other truth commissions, was to 'draw lessons from the past which can nurture a culture of peace and respect for human rights and the rule of law' (CAVR, 2005, ch. 1, p.9).

While the CAVR enabled many important truths to be told, its liberal transitional justice framework could not address the 'entanglement of human stories and experiences within larger ecosystems' (Clark, 2023, p. 26). The CAVR limited its understanding of victim and survivor of human rights violations to living human beings (see Grenfell, 2020), treating the dead as inert and mute substances rather than agents who influence the present. This

inadvertently caused its own violence. These limitations can be glimpsed in the narrative of Angelo, whom Lia first met in 2007 and who has since remained in touch. When she talked with him in 2017, Angelo had recently completed a process of recovering and reburying the remains of sixteen relatives who had been cut down by machetes in 1976, in a remote location in the forests in Los Palos. The impetus for these efforts was Angelo's experience of a ten-year long debilitating illness, which he had interpreted as a sign of the dead's unhappiness and their demands for proper burial. This illness had first manifested in 2003, soon after Angelo had participated in a CAVR public hearing on the theme of 'massacres.' By naming the dead publicly Angelo had in effect made a promise to help them by searching for and reburying their bodies, a promise that, for over a decade, he was unable to fulfil. The dead's suffering was only addressed once Angelo had painstakingly amassed, over a period of more than ten years, the substantial sum of US$200,000 and organised an expedition to search for and recover the bones of his relatives in 2016. While no 'bones' were found in this case, ritual experts were enlisted to call the spirits of the dead to enter rocks and soil taken from the site of the killings, which were then ritually reburied in a new cemetery in the family's ancestral village. This allowed the spirits of the dead to find peace and forge new, reciprocal relations of care with the living. And as the dead's suffering was alleviated – as they were given a 'good place' – so too was Angelo's. He recovered from his debilitating illness.

In the years since the CAVR, the Timor-Leste state has engaged in its own projects of selective truth-telling that distinguish Life from NonLife, which form part of the broader project of postcolonial nation- and state-building. The enormity of the task of moulding a cohesive national political community from the ruins of colonialism and occupation is in fact giving rise to new forms of violence against entangled human and more-than-human worlds. A postcolonial story of heroism and collective resistance has been crafted and emplaced in the landscape through monuments, memorials and Heroes cemeteries. This story creates hierarchies of the dead and demarcates the publicly grievable from the ungrievable (see Butler, 2004). The dead who were part of the formal resistance structures have become transformed into 'martyrs': symbols of the sacrifices made for national liberation, to be celebrated and rewarded through medals, pensions and commemorative events. While some effort has been made to search for the bodies of the most senior resistance leaders, very little state attention has been paid to lower-level resistance fighters, and even less to the bodies of civilians. The symbolic commemoration of a few national martyrs is offered as a vehicle for collective mourning that, it is assumed, will allow the violence of the Indonesian occupation to be placed firmly in the past and orient the living to the future.

These truth-telling and nation-building projects can be partly understood as a form of resistance to the imposition of liberal human rights norms upon the state by the UN, which reinforced colonial imaginings of the East Timorese as passive and vulnerable, in need of external assistance (Arthur, 2018, p. 177). Yet they also index the tenacity and durability of colonial categories among the Timorese political elite, including the Portuguese distinction between *assimilados* (assimilated natives) and the *indigenas*, which viewed the latter group as primitive and backward (Palmer & McWilliam, 2018, p. 265; Roque, 2010). In the pursuit of urban-based development and the creation of a modern nation state there is, for Palmer and McWilliam, 'a lingering sense of the

backwardness of ignorance (*beik*) still clinging to the old term, *indigenas*'. Customary forms of sociality, including sociality between the living and the dead, are regarded as "backward looking" practices mired in ignorance and superstition, ill-suited to the challenges and opportunities of the modern nation' (Palmer & McWilliam, 2018, pp. 273–4, 265–6).

However, the restless and unhappy spirits of the dead continue to find spaces to make their presence and truths known. Their calls for the active, ritual intervention of their relatives and communities to redress desecrated and damaged relations between people and places, ancestors and the yet-to-be born are not easily ignored. Their demands continue to activate practices of recovery and reburial that unsettle the authority of both international transitional justice practitioners and the Timor-Leste state to mark a separation between the past and the present, the living and the dead, the human and the more-than-human. Yet, for the time being at least, it seems that these practices will remain highly localised.

Repatriating Indigenous ancestors

Our focus on Indigenous repatriation centres on several decades of international work by First Nations and their allies to recover the 'remains' of their ancestors stolen from their resting places, or from hospitals, battlefields and sites of massacres, and placed in museums and other institutions as scientifically important specimens for racially oriented, natural history research (see Carroll et al., 2023; Fforde et al., 2020). Many of these institutions are European, but there are also institutions of nation states in South and North America, as well as Australia, New Zealand, Japan and India. Through repatriating their ancestors Indigenous peoples are restoring their dignity, respecting their continuing suffering and linking them to the voices and experiences of the Elders today, in the future and recently passed.

As explained on the Return Reconcile Renew website:

> Repatriation is an exercise of Indigenous rights and sovereignty, as expressed in international instruments such as the United Nations Declaration on the Rights of Indigenous Peoples and the United League of Indigenous Nations Treaty. (RRR, 2021)

The RRR collective's website is a product of collaborations between leading First Nations in Indigenous repatriation and allies working in museums and universities across the world. The website provides a guide for Indigenous peoples searching for their stolen ancestors, produced by leading Indigenous and non-Indigenous researchers in the field of repatriation. It is intended to bring together the best knowledge and practice so that the traumatic and complex journey of bringing the ancestors home can be travelled in the safest possible way for the generations that embark on this process of healing. The RRR database and website provides a First Nations framework for truth-telling and taking action. It gives agency and voice to the stolen ancestors.

On the RRR website Indigenous ancestors are given voice in a context that does not seek to silence them as inanimate 'specimens' disconnected from their Countries and their peoples. Their voices, histories and experiences are accessible through discussions, documents, museum records, photographs and artwork. Influential leaders who have

recently passed continue to provide leadership to present generations through their recorded actions and the words they have shared.

The RRR website brings international stories and histories of Indigenous repatriation into the public space where Australian debates about the Referendum, the Voice, treaties and truth-telling are circulating (see Davis, 2022). For First Nations involved in repatriation, truth-telling requires complex practices grounded in Indigenous ways of being, relations and diplomacy (see for example: Hemming et al., 2023; Western Apache NAGPRA Working Group, 2020). To bring the Old People back into injured Country that has been desecrated, and often remains colonised, must be done by addressing contemporary injustices (Rigney et al. 2021). The very act of returning highlights what has been lost and what continues to be unjust and violent.

Questions of compensation and healing, truth-telling and repatriation, occupy the dominant space in the processes surrounding repatriation in African nations and former European colonial states such as Australia. The dead are more than agents of truth-telling, they require action to address violence and damage because of their original theft. The 'ground' has to be prepared for all to speak and to be heard – this requires political negotiation, agreement-making, peace-making, translation and the creation of new, less violent ways of speaking. New ways of living together, respecting differences, need to be spoken into existence.

Indigenous leaders have worked hard to guide the repatriation research of the RRR collective and this guidance is reflected in a co-developed philosophy and set of principles.[7] The work of the RRR collective takes the position that colonialism and its aftermath does not mean the wiping away of sovereign First Nations and Indigenous peoples. Its starting point is that repatriation should be a 'sovereign act of healing' and requires complex realignment of existing colonial relations to support just and healing forms of repatriation. Within this setting, the act of truth-telling is not an isolated event but a complex negotiation of new relations, continuing research and hard political work.

We include a focus on the Ngarrindjeri nation, who are critical founding partners in the RRR website project and continue to be international leaders in the Indigenous repatriation movement. Daryle Rigney is a Ngarrindjeri leader with a long experience in repatriation and he draws on the experiences, wisdom, guidance and leadership of his ancestors. The following excerpt on the RRR website, from a public speech on Ngarrindjeri Yarluwar-Ruwe in 2004 by Tom Trevorrow, Ngarrindjeri leader and elder (deceased),[8] clearly articulates the histories, the issues and challenges for his people that repatriation seeks to address. He is engaging in a public act of truth-telling that speaks to the violence of colonialism and the importance of bringing the first Stolen Generations home to find peace in their Yarluwar-Ruwe – their lands and waters. He spoke lawfully as Country, as a Rupelli (leader), a Pelican (Ngori) – representing the Old People:

> All those Old People and all the people we got here, they are all our family. We know where they were taken from, illegally taken from their burial grounds; their resting places and we know that they are our Ancestors we are connected to them. They were taken away from us. Where they've been and what has happened to them, we don't know, we can only guess. But we've got a good

idea that they've been taken, they've been looked at, they've been studied, they've been examined, all those things have happened to them. We know that their spirit has been at unrest, ours has been at unrest. We believe that the things that happen around us, our lands and waters is all connected. It's a part of it and what's happening here is a part of the healing process, when we bring our Old People home. (Tom Trevorrow 2004, Welcome Home Speech, Camp Coorong)[9]

First Nations apply their own processes of negotiation, diplomacy, lawful ways of being and judgement to this difficult process of return. Minimising the harm that this crucial truth-telling and peace-making practice can have is a primary goal of First Nation leaders (see, for example, Fforde et al., 2020; Hemming et al., 2020a, 2020b, 2023; Western Apache NAGPRA Working Group, 2020).

Ngarrindjeri, for example, argue that the repatriation of Old People needs to be done according to Ngarrindjeri laws and cultural principles. Like other First Nations working in the traumatic space of repatriation and reburial, Ngarrindjeri leaders and allies have followed a 'traditional' decision-making framework that is shaped by Ngarrindjeri lawful principles and is used to determine the best ways of engaging in interactions (intra-actions) with external interests. This approach is called Yannarumi and it has been used as a collective decision-making process by Ngarrindjeri leaders since before the European invasion. It has been adapted to determine the effects/affects of engaging with ongoing colonisation and making decisions that inform the best practices for minimising harm or producing wellbeing for Ngarrindjeri as part of the living body of Ngarrindjeri Yarluwar-Ruwe (lands, waters, body, spirit and all living things) (see Hemming et al., 2019, 2020a, 2020b, 2023). Indigenous diplomatic decision-making processes must frame engagements in activities such as truth-telling in the context of addressing ongoing Indigenous harms. This is essential to ensure that these acts produce wellbeing, positive structural transformations and non-violent relations. Ngarrindjeri leaders have a responsibility to ensure that the Old People are treated with respect and care and that their 'return' helps to heal the wounds of colonialism rather than exacerbate suffering.

In Australia, this approach to truth-telling and healing is competing with other forms of western, legally based 'truth-telling', such as native title processes that seek to redefine the 'past' and present in terms of the anthropological and historical discourses that continue to attempt to map First Nations into and out of existence. The return of the ancestors, or for Ngarrindjeri, the Old People, bring Ngarrindjeri back from Australian-declared extinction and raise unique, materially based questions of justice for the settler state when attempting to address the injustices of the past-present-future (see Hemming & Rigney, 2008). These Old People are not just reducible to written records or oral accounts of massacres, racist policies, and genocidal practices. They embody the People themselves, their Countries, their Ngartji (closest friends 'totems'), their relations. They need to return to their Countries and burial places to allow their spirits to be at peace.[10]

As Ngarrindjeri Old People return to Ngarrindjeri Yarluwar-Ruwe, they are part of the process of Indigenous nation (re)building through empowered cultural and political governance. Their spirits continue to unsettle the authority of colonial collecting institutions,

such as museums and universities. Their Ngarrindjeri descendants maintain the responsibilities for their Old People through sovereign acts of repatriation.

Truth-telling as an ongoing, relational praxis

Despite the many differences between the international Indigenous repatriation movement and the grassroots practices of recovering human remains in Timor-Leste, what is shared is the way in which communities are addressing the ongoing impacts of colonial violence that are experienced as disrupted relations between the living and the dead, and with ancestors, landscapes, and other-than-humans. These actions need to be understood as relational truth-telling practices that respond to the continuing suffering pf the dead and the imperative of re-membering or 'rematriating' them within their networks of kin, community and Country (see Simpson, 2016). More than agents of truth-telling, the dead embody and trigger emotions, stories, and histories that prompt actions to the redress the violence and damage that was a consequence of their original and ongoing theft or 'bad death'.

These cases also invite reflection on the cramped political space in which Indigenous truth-telling practices are taking place. This is a space in which knowledge systems founded on colonial worlding are unable to recognise, and in fact also conceal, the enactment of epistemic and ontological violence. In Australia, First Nations peoples are leading the processes of identifying the histories of original theft of Old People, the locations of ancestors and then developing the political strategies for securing the return of their ancestors. This ongoing process requires diplomacy and the realignment of relations; it also centres the interconnected agency of the ancestors, their Country and ongoing generations (see Hemming et al., 2020a, 2020ba, 2020b). Indigenous relational truths must be continually asserted to a settler state that has not yet recognised, through an agreement or treaty, the violence of colonial dispossession. In Timor-Leste, grassroots practices of recovering and reburying the dead of the Indonesian occupation are taking place in a postcolonial state, where a political elite is deeply invested in a forward-looking project of nation- and state-building, and where the logics of colonialism, which once rendered East Timorese 'backward and uncivilised', are now applied to the practices of its own peoples. This project is also creating hierarchies of death and rendering some dead ungrievable. In both Australia and Timor-Leste, dominant modes of knowledge regard the dead as not having an agential presence.

How do these cases push for the imagining of new, less violent languages and practices of truth-telling and truth-hearing to respond to Indigenous harms and injured 'places'? As a starting point, they call for a recognition of the colonial durabilities and geontopower that disguise the depth and continuing nature of harms experienced by the entangled human and more-than-human realm. They also call for a serious engagement with Indigenous knowledges and peace-making practices. How might the more-the-human realm, including rivers, rocks, trees, and the spirits and bones of the dead, become agents of truth-telling? How might the coexistence of multiple temporalities and the interpenetration of harms into the present be recognised? How can truth-telling become an ongoing, relational *practice* that goes beyond discourse to involve the recalibration of *material* relations? Put differently, there is a need to disrupt the

separation between speaking and doing, recognising that truth-praxis involves ongoing practices (such as the repatriation of human remains) to redress desecrated, damaged and obliterated relations between people and places, ancestors and the living and the yet-to-be born.

Other critical transitional justice scholars are raising similar questions. Clark argues that 'new storytelling spaces' are needed that 'encourage and enable individuals to tell their stories with the more-than-human-world – and to articulate and express their feelings about harms done not only to themselves, but also to the environments and ecosystems with which their everyday lives are deeply interconnected' (2023, p. 29). However, truth-telling must also be accompanied by processes that enable new forms of truth-*listening*. '"Listening" – and knowing how to listen – to sentient more-than-human worlds and what they themselves are communicating … requires humility and receptivity in the face of local understandings, subjectivities and ways of knowing' (Viaene et al., 2023, pp. 11–12).

What is clear is that the kind of truth-telling that is required for healing and peace-making exceeds the possibilities of recognition and redress available through the liberal framework of transitional justice. Nor is it possible within a modernist, forward-looking project of postcolonial state-building. It requires truth-telling to be recast as a relational, politically negotiated arrangement that decentres western knowledges. It is only when the ground is set for all to speak and to be heard – the living, the dead and the more-than-human – that we might begin to find a new kind of speaking that disconnects the old languages and practices associated with colonial relations and the geontopower of late capitalism. Truth-telling, in this context, is an ongoing process of becoming, of political negotiation and finding new non-violent ways of being in relation to each other, of speaking together to bring peace and peaceful relations.

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Notes

1. Tom Trevorrow made this statement about Ngarrindjeri Yarluwar Ruwe (lands, waters, spirit, and all living things) during the Murray Darling Basin's devastating Millennium Drought. The opening quote from Tom Trevorrow is from Hemming et al. (2002).
2. We use the term Old People because this is the term used in Australia for the ancestors.
3. Funded by an ARC Discovery Early Career Researcher Award (DE150100857).
4. We have had these conversations as part of our collaborative ARC project (DP200102850): Heritage and Reconciliation, led by Cressida Fforde.
5. The Uluru Statement from the Heart 'is the largest consensus of First Nations people on a proposal for substantive recognition in Australian History' see https://ulurustatement.org/the-statement/
6. The *Yoorrook* Justice Commission, co-designed by the Victorian government and the First Peoples' Assembly of Victoria, is a notable attempt to address these critiques (see Morris & Hobbs, 2022).
7. These principles are available at https://returnreconcilerenew.info/ohrm/biogs/E002445b.htm (accessed 8 May 2023), RRR website second edition, 2021.
8. Uncle Tom Trevorrow was the first Partner Investigator on the Australian Research Council (ARC) Linkage project Return, Reconcile, Renew (LP130100131).
9. Tom Trevorrow uses the term 'First Stolen Generations' to distinguish between the Old People stolen from their burial grounds and the children stolen from their families by the Australian settler state as part of a systematic, racist and genocidal policy. The latter generations of stolen people are referred to as the Stolen Generations and were given a formal, public apology by the Kevin Rudd Labor government in 2008.
10. One way that Ngarrindjeri are part of the living body of their lands and waters is through their Ngartji – particular fish, birds, living things and other 'environmental' elements such as smoke. Families and groups are identified through their Ngarti and as such have a unique relationship with and responsibility for each other. Ngarrindjeri embody their Ngartji.

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