

Entangled worlds: villages and political community in Timor-Leste

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This essay is about the interaction of different life-worlds, of different ways of understanding and constituting political community, and the challenges of working – and, for East Timorese, living – across these differences.¹ As with many formerly colonised states, Timor-Leste is characterised by the coexistence of fundamentally different socio-political cultures and logics of governance.² Timor-Leste's social, cultural and linguistic heterogeneity is often noted.³ Here, however, I am referring to the more far-reaching divergence between what could be called the customary or 'local' life underpinning the various clan networks and community structures across the country, and the forms of institutional governance and economic exchange underpinning the liberal state.⁴

To point to such difference is not to propose a binary disjunction between 'custom' and 'modernity' running across practices and places. Customary forms of governance are not static or fixed in the past, as such a polarity can suggest, but dynamic, adaptive and contemporary; state practices (in Timor-Leste or elsewhere) are not some ideal end-point of rational progression. Far from there being simply two factors in play, there are other significant socio-cultural formations shaping life in Timor-Leste, not least Catholicism, as well as the significant differences of local culture and historical experience mentioned above. More fundamentally, however, as this article argues, there is a complex enmeshment or hybridity among customary and state forms of governance.⁵ East Timorese negotiate across and inhabit these messy intersections in many domains of their lives.⁶

The coexistence of these different logics raises pressing, if often not acknowledged, practical questions about governance and how different constructions of community, personhood, authority, accountability and economy might come together in a shared nation-state.⁷ The nature of these interactions and of the relationships that take shape around them are fundamentally important to the character of political order and of the state emerging in Timor-Leste. Coexistence and enmeshment do not automatically entail the kinds of inclusion that are sought in democratic political life. As James Tully has argued in his discussion of constitutionalism in the context of profoundly different approaches to political community, participatory political life requires conscious engagement and dialogue between life-worlds.⁸ It is not only participation and inclusive citizenship that require

dialogue and conscious engagement. The intersection of divergent logics of accountability and obligation will bear directly on issues of corruption; different constructions of legitimacy and authority will affect leadership; approaches to political order that inadvertently (or consciously) exclude large sections of the population will encourage marginalisation, division, insecurity and corruption; and so on.⁹ International development agencies, as bearers of liberal governance norms, are also part of interactions between customary and liberal institutional values and forms of governance. How they engage, not only with government bodies but also with local, more customary forms of governance, can be critical to the quality and effectiveness of their assistance. International agencies' own capacity to take part in dialogue also, in its own way, contributes to the quality of political life evolving in the country.¹⁰

This discussion offers a brief account of research undertaken by a team of East Timorese and Australian researchers, and funded by AusAID. The project studied the interaction of systems of elected leadership and party competition at the village (or *suku*) level with pre-existing, local norms of socio-political authority.¹¹ It thus raised questions of leadership and legitimacy in the context of the new state, and offered an opportunity to engage with the interaction between broadly customary and elected forms of leadership at most people's 'everyday' site of governance: the village. For many East Timorese, elections are synonymous with democracy.¹² While this discussion problematises such a view, it at times quotes this use of terms. In a small way, the research also touched on the relationships between urban and rural Timor-Leste.

'Custom' and 'democracy' are broad, abstract terms, easily linked in an unreflective and eventually misleading narrative of progress. This research contributes to a growing body of work that seeks a more nuanced understanding of the interface of local and liberal democratic governance mechanisms.¹³ Much of this work is focussed at the local level. The village, with which most East Timorese (both rural and urban dwellers) interact, and which is the site of everyday efforts to negotiate both broadly customary and liberal governance practices, is a fertile field for such study. Greater understanding of these negotiations and interactions, it is hoped, will enable more conscious exchange between different but enmeshed logics of governance.¹⁴

Methods

Most of the primary research from which this article draws was undertaken by a team of eight East Timorese researchers.¹⁵ East Timorese researchers played a leading role in the conception and shaping of research directions; articles by team members appear also in this journal. A lengthy process of discussion weighed research questions, talked over methods and approaches, and considered the ethics, responsibilities and potential contribution of research in a society dealing with a legacy of occupation and violence. How field researchers encounter these realities can itself contribute to the context of exchange, respect and ultimately, peace-building.

The researchers travelled to forty-two *suku* drawn from all of Timor-Leste's thirteen districts and 442 villages. Over some months in 2009 and 2010 they researched urban and rural *suku*, geographically remote *suku* and those close to transport and market routes, *suku* with long histories of occupying their land and those formed through violent displacement under Indonesian control. In 2011, where possible, researchers returned to villages to report back, and gather follow-up information. Different researchers investigated different *suku* and brought different interpretations to bear; nevertheless, certain commitments were shared. The first commitment was to the value of East Timorese researching, writing and teaching about their own country, as it struggles with extraordinary political developments and transitions, rather than drawing only on material and models from distant continents. Few East Timorese have the opportunity to conduct research that they contribute to designing and analysing, yet such research is part of the process of grappling with the complex realities of their own country, through teaching, writing and public discussion. If dialogue across different socio-political cultures and state-making that engages with lived political realities are to be possible, then it is vital that students, teachers and others take political truth as flowing not only from models and experiences from elsewhere but also regard their own society's diverse practices, values and experiences as legitimate and valuable subjects of study and sources of insight and debate.

The second, related commitment was for the research process to contribute to exchange between villagers and researchers, and between researchers themselves. In its own way, the process of enquiry, and of returning to communities to discuss outcomes, has itself been one small instance of the interactions between centrally located, state-building, urbanised intellectuals and rural people. Engagement across rural and urban sectors, between villagers and professionals, between regions and even, perhaps, between different parts of an individual's own, divided experience, is not solely a matter for formal consultation processes. It involves the growth of networks of exchange and social habits of dialogue; institutions such as universities, museums or cultural centres can contribute significantly to these processes. As one researcher noted of his field research experience:

Sometimes . . . we felt that people had very high hopes for us, particularly when speaking about changes in their political and cultural lives. . . Some thought we had the ability to make these changes happen, some felt proud because their own East Timorese academics left the university campus and came to meet them, . . . because lecturers who teach the new generation came to meet them; some thought they could use the opportunity to express their concerns about the political process which they felt was like a bulldozer that will flatten and destroy the cultural aspects of their life.¹⁶

'Custom', 'democracy' and citizenship

Across all *suku* studied, the significance of East Timorese customary life to social order and cohesion was clear. The role of various forms of customary governance in providing social order at the grassroots level, indicated by a number of studies, was again underlined.¹⁷ The stability of the state depends to a significant extent upon this fundamental level of social order continuing. There was a widespread concern amongst those interviewed that 'democracy'¹⁸ might displace 'culture', 'the elder brother'; but at the same time there was a desire to be part of and help shape the new state – to hold on to both what was sometimes referred to as the 'old' and the 'new' democracy.¹⁹

'Culture' and electoral leadership systems as they work in practice at the grassroots, however, are not two uniform systems intersecting in a stable pattern. The variety of intersections between them are not settled accommodations. They remain in flux and contested – further legislation could be expected to change the mix. While there are certainly persistent themes in these interactions, there is a range of significant factors in play. Local history (touched on below) is profoundly important, from regional experiences under Portuguese colonisation, to local impacts of Timor-Leste's bitter civil conflict of 1975, to the history of the resistance. Nor is there a clear line separating electoral and customary options – at the simplest level, both paths to authority can come together in the same people while the forms of authority become entangled in a hybrid mix.²⁰ Despite the paradigmatic gulfs between liberal and customary constructions of governance and of the person, in reality 'there is ongoing interaction and inevitable entanglement as people grapple with the sometimes conflicting, sometimes complementary elements of their collective lives'.²¹

Indeed, the variety of ways in which more long-standing customary and more recent electoral patterns of leadership interact to shape local governance is striking. What you see (officially) is rarely what you get – the superficial uniformity of *suku* structures, by which the state seeks to render national socio-political order 'legible' from the centre, covers an extraordinary variety of accommodations and experiences, discussed more below.²² Local communities' ongoing efforts, under diverse and difficult circumstances, to shape their governance in ways that work for them – while certainly not always successful – underscore East Timorese as generators of political community rather than passive recipients of the state-building project. Taking forms of customary governance seriously is not simply a matter of respect for culture; it is a recognition of values and practices that in different ways, and to varying extents, shape the collective experience and identity of the majority of the population, and an acknowledgement of people as citizens and agents in their own political community.

Nation formation and dialogue

Elections for village leadership and councils were introduced across Timor-Leste over 2004 to 2005. The introduction of nation-wide local elections and party competition was widely seen by 'elite opinion' as integral to the assertion of Timor-Leste's independence and part of a vision of Timor-Leste as a democratic, modern nation. Free elections stand as an often passionately held symbol of the rejection of the violence and suppression of the Indonesian era and an assertion of what is to take its place: the self-determination of independence, nationhood and democracy. Local elections have been seen among elite opinion as an extension of, or a foundation for, developments in the newly declared 'national' space.²³

Alongside the powerful historical symbolism and significance of elections, however, is another, equally compelling, reality – one moreover that has its own links with self-determination and independence, democracy and collective identity.²⁴ That is the existence in Timor-Leste of complex, socially embedded forms of local governance, shaping social order and everyday life in varying ways around much of the country. The fundamental pattern of social order across the country is constituted through networks of extended families, *uma* (discussed below). The network of kinship relations reaches well beyond individual villages or regions, and the territory of villages no longer reliably matches patterns of kinship settlement. Nevertheless, the village remains the focal point for much grassroots governance. The national government is a new sphere of activity, and the site of profound hopes, expectations, struggles and, inevitably, disappointments. By contrast, the village or *suku* has a long history, with deeply embedded forms of leadership and collective order. It is community governance at this grassroots level²⁵ that shapes social order and underpins collective values for the majority of the population.²⁶ Within the context of the drive for Timor-Leste to become a state and a nation, villages have become sites of intense interface between national development and democratisation goals and local more or less customary ways of life, and so between often profoundly different ways of understanding and constructing legitimacy, authority, agency and community.

State-building in Timor-Leste, under the UN and then national governments, has been highly centralised.²⁷ Dili-based institution-building processes have dominated Timor-Leste's official efforts at nation formation and the government and international community have scrambled to import a raft of state structures. Inclusion of the rural majority of the country into the exchanges and processes that might make up an emerging national political community has been approached largely in terms of national elections, then extended into *suku* elections, and more recently through increased efforts at service delivery. (There are plans for larger scale local government at some time in the future.) The government and many international agencies have sought to pursue democratic participation through projecting outwards to the 'peripheries' a model of political life conceived at the centre in terms of liberal

institutions and elections. This model of political life is a long way from the practices and values that make up most East Timorese's everyday experience of political order.²⁸ *Suku* elections and the *suku* governance mechanisms – an elected village chief and an elected advisory council – could be understood as an effort to mediate local and central state approaches to governance at the village level. This and other essays in this volume offer some reflection on that effort. With little shared language of political exchange, however, voting offers only a thin mechanism for democratic engagement.²⁹ In effect, the ruling state structures and institutions have been cast as the primary source of national political community. The place in this of the values and practices that shape much of people's everyday life and through which the majority of East Timorese people seek to fulfil their needs is profoundly unclear.

To engage the population and enhance scope for participation, parliamentarians and public servants undertake consultation tours. Such efforts undoubtedly demonstrate good intentions, but the terms and the context under which consultation is conducted need to be examined. While consultation as such is worthwhile, there are entrenched obstacles to effective exchange. Genuine exchange requires some practical capacity to take account of the outcomes of the conversation – perhaps to adjust policy directions or processes. It requires people to grasp each other as interlocutors in conversations, and struggles, about how they shape their collective lives; it demands listening.³⁰ Timor-Leste's history of violent occupation and conflict has left a fractured, easily polarised political and social environment, without strong practices of or safe spaces for public discussion. Moreover, consultation processes can already implicitly presume a model of the 'public space of the state', in which (according to the model) already formed liberal subjects freely interact. The existence of such a public space is integral to the logic of the modern liberal state and at the heart of liberal conceptions of the nation. The potential for effective exchange, whether conceptualised in terms of a public sphere or in another mode, is not simply given, however, but has to be made. The challenges of creating sufficiently inclusive processes of exchange, able where necessary to hold fundamentally different conceptions of political community – such as those at work in Timor-Leste – can be profound.³¹ However hardworking and constructive a notional space the 'public sphere' may be, it is not the spontaneous product of a putative universal rationality, but the creation of political, social and economic processes. As feminist and indigenous critiques have made clear, these processes are themselves often exclusionary, leading to a public sphere not able to 'hear' marginalised voices.³²

In this context, it is noteworthy that urban or formally educated East Timorese commonly refer to fellow country-folk as 'backward'. This judgement is rarely a simple observation of poverty but suggests relative positioning on the dichotomy between modernity and custom which continues to influence approaches to nation formation and development. The effects of this dichotomy can be pervasive, reifying identities and

polarising the terms of possible exchange. Either liberal or customary norms and practices can be romanticised or demonised; in the case of the former, by identifying them as the automatic path of rationality, democracy, enlightenment and the future. Custom becomes then the dark shadow of irrational, unchecked power, overlooked except as an obstacle to the democratic state. To pit local patterns of sociality and value against liberal institutional models is to set up an unwinnable and mutually diminishing conflict. Such polarisation is not always predominant; exchange and genuine consultation can take place.³³ To the extent these dichotomies are in play, however, genuine exchange becomes impossible. Importantly, this polarisation cycles not only between but within people.

‘Culture’ and the *suku* – a brief background

While the *suku* (and its sub-category, the *aldeia*) is the most grassroots administrative unit recognised by government, it is not part of the formal institutions of the state, but is categorised as a ‘community organisation’. *Suku* do not provide an institutional pathway or representative channel up to government; they are administrative hubs and points of contact for government assistance and initiatives down into villages. For most people in Timor-Leste, the networks of governance radiating out from the village make up the forms of governance most directly relevant to everyday life. Over 70 per cent of East Timorese are rural, and depend on subsistence food production. Although there is some highly variable access to government, church or other external provision of services (such as education or health), rural people live in fundamentally self-help communities, providing their own food, many basic commodities, security and justice (except for the most serious crimes). *Suku* are a critical locus of food security, but also of conflict resolution and security management.³⁴ For rural people, the *suku* is the ‘base unit . . . that reflects local identity, . . . [that] has been a permanent feature of social organisation in the territory, and [that] provides the link between society and government’.³⁵ Urban areas are also organised according to *suku*.

The social, political and economic life of the *suku* has traditionally rested upon a network of kinship structures – ‘houses’ or *uma*. Houses, and their way of being in the world, are symbolised by a group of sacred dwellings which give form to the natural and mystical continuity of the extended family: *uma lisan* and *uma lulik* refer to the sacred, ancestral dwelling but also to the extended family itself, unfolding through time, and to its life ways (*lisan* or custom). *Lisan* incorporates governance, but it is governance embedded in what is grasped as an ancient unity with ancestors, the natural world and the unseen world of spirit.³⁶ Ancestors are understood as active foundations of community life: ‘Their spirits continue to live around us, and they are always close to us through *uma lisan*’.³⁷ House elders traditionally play key roles within the *suku*, while particular forms of authority and responsibility (for natural resources, conflict resolution, justice, policing, health care and so on) are traditionally associated with particular family lines.

Power is patriarchal, but women can hold significant authority; custom is conservative, but it also tends to be consultative and can be pragmatic. *Uma lisan* remains fundamental to *suku* – directly through most of the country, but much less directly in urban *suku* or those otherwise created, generally as a result of occupation, from a wide mixing of people. As a fundamental form of social and moral order in the country, however, *uma lisan* in important respects reach beyond *suku*.

Given the continuing vitality of *lisan*, government officials and other commentators routinely acknowledge that customary authorities retain varying levels of leadership alongside elected chiefs (*xefe*). A common way to refer to the intersection of these authorities is that customary leaders manage ‘cultural’ affairs, while elected authorities deal with ‘administrative’ matters. When pressed further, however, a division of labour between ‘cultural’ and ‘administrative’ authority is revealed to be profoundly ambiguous. ‘Culture’ (as *lisan*) routinely includes a wide range of matters fundamental to governance, often including management of land and natural resources, social order and significant realms of justice. While villages may well negotiate a division of labour between zones of authority, its terms are highly variable.

As Mateus Tilman points out, the web of *uma lisan* is not the only form of customary authority within East Timorese communities. There is also ‘the *liurai* [hereditary ruler, sometimes translated as ‘king’], whose significance varies across *suku*’. *Uma lisan*, like patterns of family resemblances, reaches across the country, incorporating regional, linguistic and urban/rural differences. By contrast, the figure of the *liurai* has disappeared from significant parts of the country.³⁸ Revered, feared, or regarded with curiosity, the *liurai* is a contentious figure. The image of the *liurai*, however, is emblematic of culture, particularly when discussing governance, perhaps because it stands out more singularly than *lisan*’s network of elders. This symbolism is important. In the context of governance, elite opinion in Dili takes a deeply ambiguous but often negative stance towards ‘culture’. While influenced by a number of factors, including tension between customary and liberal norms, this stance may reflect the deeply chequered history of local ‘kings’, touched on below.

The diversity of *suku* reflects cultural, linguistic and geographic difference, but also the regional variation of historical experience. The *suku* has been an enduring unit of governance throughout fundamental changes of political regime; it has changed significantly in relation to those shifts, through time but also across regions, in ways that remain important. Indeed, *suku* may be a leading point of systemic articulation between locally established governance practices and successive waves of occupation by, or interpenetration with, powerful other forces – a key site of resistance, accommodation and re-interpretation. The historical experience of not only the more recent Indonesian, but also Portuguese (and even pre-Portuguese), rule continues to carry significant effects.

During the Portuguese system of indirect rule, *suku*, which pre-existed colonial control, came to function as limited grassroots colonial administrative units, while continuing as customary forms of social organisation. The political context in which they operated changed radically, however. Colonial control broke down the power of the larger pre-existing political territories that had served as the base for *liurai*. The *liurai* were pushed down to more local levels, but often given colonial rank and tasks of tax collection.³⁹ In some areas this led to two lines of *liurai* – those working with colonial powers and those who were not – who in some cases maintained a division of labour.⁴⁰ Where the Portuguese had a particular interest (for example, coffee producing areas) colonial intervention backed the emergence of despotic local rule by *liurai*, and subverted local mechanisms for maintaining limits of power.⁴¹ In some regions in particular then – but not in others – *liurai* became associated with both despotic rule and colonial power.

Portugal's sudden decision to withdraw colonial rule opened the way for the emergence of political parties. FRETILIN was the party of young reformers and revolutionaries, seeking to give political voice to the mass of East Timorese, while APODETI represented the interests of the *liurai* still identified with Portuguese power. The more centrist UDT became associated with Indonesian interests. Kinship loyalties also guided party affiliation. The civil war of 1975 between FRETILIN and UDT was bitter and bloody; it divided communities and provided the cover for Indonesian invasion. These parties continue to be prominent in political competition at the local level, even if they are now one step removed.⁴²

Following its invasion, the Indonesian military forcibly relocated large sections of the population. This profound disruption led to widespread famine and death; it also created new villages out of compounds of displaced and settled families. Larger cultural gatherings were banned and sacred houses often destroyed.⁴³ During the occupation '[m]ilitary force dominated all aspects of community life, and included the militarisation of the local governance system'.⁴⁴ Many *suku* became nodes in an extensive clandestine movement, drawing on kinship networks to counter Indonesian control.⁴⁵ These *suku* became the site of a dangerous double game in the face of entrenched violence and almost total marginalisation – political, economic, and social – by the Indonesian army. Village elections, but not party competition, were introduced during the occupation. While in some regions this resulted in the removal of *liurai*, elections often resulted in the election of leaders who fulfilled the requirements of both customary and clandestine systems, which often worked together.

Suku and the kinship patterns underlying them tell a story of endurance: they have provided some basis for survival in the face of immense pressure – as the cornerstone of an often tenuous food security; some measure of safety in a violent occupation; a space for preserving cultural continuity and collective identity; the site of underground, persistent resistance. A detailed

study of selected communities found that despite extreme disruption, people in the communities studied were 'able to maintain a collective sense of identity' with a strong sense of agency and interconnection.⁴⁶ These experiences underpin the significance of culture to governance at the grassroots, providing a basis for managing everyday life, supporting collective meaning and surviving long hardship. This difficult history also means that *suku* are often the arena in which deep scars are held and betrayals remembered. All of these factors shape people's understanding and expectation of *suku* governance.

Accommodations and conflicts

Elections have introduced a potent and rapidly evolving dynamic into village communities. The positions open for election are the village chief or *xefe suku* and an advisory council (*konsellu suku*) consisting of two women representatives, two youth representatives, the head of each *aldeia* and a customary elder. The village council was itself introduced in 2004, although the position of *aldeia* chief (often, though not always, a clan elder) was well established. New legislation, touched on briefly below, was introduced in late 2009 and implemented with successive elections over the following twelve months. This has again changed the dynamic of *suku* elections and governance structures.

It was the norm across the *suku* studied for people interviewed to regard choice of village leadership positively (although this was not universal). Interestingly, choice was also associated with the opportunity to re-establish customary governance practices that had been prohibited by the occupation. In this sense both electoral choice and the resurgence of custom have been enabled by independence. The positive value of custom was emphasised across *suku*, but for most this did not rule out adaption and change. There was a notable desire to be part of and attuned to the new state and in some areas a wish to be 'modern'.

While choice of community leadership was valued, there was a pattern in many communities of using custom to identify leaders who were then 'confirmed' through a voting process. Elections involve a particular mechanism for community choice of leaders and indicate a particular pathway to legitimacy and authority. In rural areas, however, governance turns largely around intertwining agricultural, ritual and kinship cycles. Governance is managed at a fundamental level through the family network of the *uma lisan* and carries the power of the ancestors (as well as the living kin). The electoral process is not automatically tied into these prevailing customary institutions and so does not in itself deliver authority in fundamental areas of community decision-making. Its authority is differently located. In the context of the rural village, legitimacy and authority do not themselves derive from election. This applies to the *xefe* but also to members of the *konsellu suku*. In this situation, the election of women for example does not necessarily give them authority or a platform, unless they already have

significant standing from other sources (such as customary sources) in the community.⁴⁷ Nevertheless, election introduces a new, unpredictable element into the equation of establishing leadership.

A small number of communities emphasised that they elected their traditional *liurai* as *suku* chief (for instance, in Viqueque and Oecusse). It was far more common, however, for the process to be less direct and more flexible, so that there may be an element of genuine choice, while the outcome is still consistent with customary practices. For example, there may be a number of people (men or much less commonly women) from the senior customary lineage who have some position in the community. The selection of *xefe* from amongst them may then be described as the electoral system at work while the individual chosen was at the same time from the appropriate lineage.⁴⁸ By stark contrast, in Ermera there was concern that elections would enable the former, feared *liurai* clan to reassert control through use of economic influence and party positions. Alternatively, senior customary authorities may not stand for election themselves but nominate a person who would work closely with them.⁴⁹ In a process of 'wrapping up the old system in the new'⁵⁰, customary authorities might select a leader (of their own choice or from candidates put forward by the *aldeia*). In a *suku* in Ermera for example it was explained that:

We have many candidates for the *xefe suku* but the *lia-na'in* (elders and ritual leaders) will decide who should sit . . . Whoever the *lia-na'in* decide to be *xefe*, he will be elected. People still trust the words of the *lia-na'in*. People in this *suku* want the old system to remain.⁵¹

Customary authorities' involvement in the election of *suku* chief may be considerably less directive but still significant. In some villages customary authorities in effect 'anoint' the elected *xefe*, perhaps using the symbols of the *liurai*, so endowing the community's choice with customary legitimacy but enabling a full selection of candidates. In a Los Palos *suku* for example, the *liurai* formally hands power over to the elected *xefe*, and the two collaborate drawing on different bases of legitimacy. This action is not a formal gesture for a secular society; it is a ritual hand-over of authority that carries meaning for the community. Without this it can be very difficult in some communities for the *xefe* to operate. Whether or not they are *xefe*, customary authorities remain vital to the social order of many communities. Customary authorities, for example, are needed to establish *tarabandu*, a local community agreement governing key areas of behaviour, relationships and natural resource management.⁵²

Even some of the newer, but still rural, *suku* bring in customary authorities from related communities to inaugurate the *xefe* and establish *tarabandu*.⁵³ In the urban *suku* of Bairopite, by comparison, custom plays no part in the choice of *xefe*. Nevertheless, the *uma lisan* of the original inhabitants of that land is still called upon to play a 'role in . . . development, peace and stability in the *suku* . . . through the implementation of *tarabandu*'.⁵⁴ The wide mix of people in Bairopite, however, severely reduces the effectiveness of this form of social order.

Such roles for customary authorities speak directly to the different sources of legitimacy in play and the character of authority they generate. As well as customary authority, another significant source of legitimacy is leadership during the resistance.⁵⁵ An individual without customary standing may have risen during the occupation, perhaps to the position of village head, and continues to hold the authority and respect to be chosen as *xefe*. In some, but not all, regions this is also associated with membership of FRETILIN. This may also be more likely in a village that, either through displacement or urbanisation, is a mixture of different custom groups. Capacity, effectiveness and commitment also contribute to legitimacy. While not sufficient in themselves, these qualities are an important complement to other sources of authority in rural villages. As an Ermera *xefe* noted 'I was elected *suku* chief because I have shown commitment to fight together with community members to get access to land'.⁵⁶ Very local factors are at play in these interactions. In some villages, for example, *lia-na'in* may have died before being able to pass down key areas of ritual knowledge, leaving the community to rely more on non-customary governance pathways.

While forms of accommodation between customary and electoral approaches to identifying leaders are diverse there are also many instances where effective accommodation had not been established. One *xefe* in Oecusse described how his *suku* ignored his efforts to organise necessary agricultural activities, with similar accounts from Manufahi and Liquica. 'When there is a problem in the village, people will still listen to the *liurai* . . . [but regarding the *xefe*] when he speaks people don't listen'.⁵⁷ Elected leaders who fail to respect traditional norms may 'face difficulties in maintaining and exercising authority'.⁵⁸ At the same time, customary leaders who stood for election associated with a particular party in communities with a range of different party loyalties can be severely discredited and lose their authority by being associated with the interests of one section of the community rather than with the village as a whole. (Customary authority can thus be seen as better kept apart from electoral competition, particularly when identified with a party.) Inability to articulate customary and electoral forms of leadership can generate confusion and dysfunction. For villages that are largely self-help, subsistence communities, this outcome can represent a heavy burden.

Elections and an elected governance body were also not associated more strongly with levels of participation than customary practices – in some villages elections were considered to have reduced participation.⁵⁹ Elections are once-in-four-years affairs and councils did not always have a mode for relating to the community or supporting participation. Lack of co-operation and increased friction resulting from party differences, or the view that the *xefe* no longer worked for or was answerable to the whole community were some factors contributing to lack of participation. By contrast, customary governance arrangements generate ongoing consultative demands and forms of participation, although women often have little voice. Some

drew comparisons between the 'old' and the 'new' democracy: '[B]efore modern democracy came to Timor-Leste there already existed an original and organic democracy that organised members of society with both responsibility and rights'.⁶⁰

Perhaps the strongest outcome regarding responses to elections held under the 2004 legislation, however, was the rejection of political party competition, although this was not universal. Some communities fervently upheld party involvement, but these *suku* tended to be dominated by one party – few if any communities actually welcomed *competition*. Elections at the *suku* level have been peaceful (in contrast to party-based violence following the 2007 and to a lesser extent the 2012 national elections). Despite this, rejection of party competition was persistently tied to people's experience and fear of violence, their perception of parties as divisive and desire for leadership that supported co-operation across the whole community. Political parties were repeatedly seen as self-interested 'ghosts' that were neither committed to nor interested in the welfare or the views of the community, and that favoured the interests only of their supporters. 'Political parties come to see their members whenever there is an election . . . [but] leave when the election is finished. They lose contact after that'.⁶¹ They were perceived as unreliable, and accountable to the party hierarchy but not to the community.⁶²

East Timorese moreover carry the wounds, betrayals and divisions of the civil war and the long occupation. Political campaigning can open these wounds as candidates struggle for advantage. In many *suku* investigated people considered that the parties had created a situation where individuals and families were humiliated publicly, deepening distrust and undermining co-operation.⁶³ By contrast, prevalent cultural ideals and expectations of leadership emphasise co-operation within the community – the kind of co-operation that has enabled survival through hardship, natural disaster and political upheaval. Parties were repeatedly associated with trauma. The violence of 2006 only underlined these concerns:

I don't want to talk about elections and political parties. I am just an old man. I just want to live in peace and tranquillity . . . Please don't talk about parties in this place; I don't feel safe.⁶⁴

With the legislative changes in late 2009, direct party competition has now been removed from *suku* elections. When research was being undertaken for these articles it was still too early to say how the relationships between communities and parties would be changed by this, but some reduction in tension within villages marked by electoral friction could be expected. Another major legislative change concerned the *konsellu suku*. Under the 2004 legislation each council position was voted on independently. Under the 2009 legislation the council members stand for election as a block with the *xefe suku*, with the councilors owing their positions to the *xefe*. While this may mean that the council works well together, it also weakens the council members' independence and the *xefe's* accountability, and may encourage

domination by a single family. There is a very real danger of reducing respect for the office of *xefe suku*.

The *Xefe* of Wa'imori, active during the resistance, from the *liurai* clan, committed to electoral systems as part of democracy but equally committed to upholding the ethics and identity seen as held by community elders, is indicative of the delicate interplay of culture, history, and the significance of the new national reality that communities are struggling to shape:

I refuse to say *liurai*, otherwise people will say I am arrogant; I leave it up to the people to decide . . . It is best if the *liurai* and those who are not *liurai* co-operate to do good work for the future. The *liurai* position passes from the old generation to the new generation. My interest is in continuing to respect the elders so that my leadership is strong. A leader who does not respect the elders will at some stage have to step down, and the elders will not choose someone who does not respect them.⁶⁵

Reflections

This brief study indicates many East Timorese desire to retain what are locally determined to be fundamental elements of community life, and at the same time desire to be an active part of their new, independent state. In suggesting the variety, vitality and effort of experiment and negotiations underway to achieve these goals, the study points to East Timorese as active contributors to and, with government, shapers of political community. Equally, it is clear that custom is not static, that customary authority cannot be essentialised into the figure of the *liurai* as 'king' and dismissed as 'merely' feudal, and that people's suspicion of party activity and competition is not a sign of 'backwardness', but instead indicative of consistent and recent historical experience. There is also considerable confusion, friction and scope for manipulation in the interaction between custom and liberal institutional order, including local elections.

The study points also to the complexity of different sources and forms of legitimacy and authority and their interaction. In many, perhaps most, parts of the country, elections in themselves may not bring authority; this has important ramifications for stability and security if a structure is being built that relies largely on elected office. As Pereira and Korten's and dos Santos and da Silva's articles in this volume make clear, the simple equation of democracy and effective participation with elections is reductionist and overlooks the challenge of establishing ongoing processes of engagement and participation across political community at various levels. Effective government and reasonably participative or inclusive democracy itself involves habits of exchange and dialogue across these different constitutions of political order.

There has been little sustained effort by those pursuing state-building at the centre in Timor-Leste to take either more locally embedded forms of socio-

political order seriously as inevitable players in the shaping of national political community, or to consider local communities as central to national political community. Yet forms of customary governance clearly underpin much of the stability and social order upon which the state implicitly draws. Moreover, customary governance and formal government are inevitably entangled in practice. The interaction of different modes of accountability and obligation, for example, will either occur out of view and unrecognised, opening ambiguous spaces for corruption and manipulation, or through more open, acknowledged interaction. At the village (and often the district) level, there are ongoing efforts to manage the interaction across very different sources of leadership and legitimacy. Assisting the incremental emergence of workable paths of engagement between village and centre and constructive forms of interaction between customary and liberal governance practices is likely to be profoundly challenging. Recognising the role of customary governance and the cultural and moral authority of *uma lisan* in collective order does not require the integration of custom into national government, but it does underline the need for mutual recognition and pathways for exchange between these different but coexisting forms of social order. How these relationships are handled will be fundamental to the development of inclusive political processes and the character and legitimacy of national political community and government. As Abel dos Santos and Elda da Silva note, 'it is profoundly important to continue to study the reality of people's lives, and to use this as the basis for the ongoing pursuit of democratisation in Timor-Leste'.⁶⁶

Endnotes

- 1 I would like to express my gratitude to AusAID for making this research possible. The project was funded under the AusAID Development Research Awards and undertaken with colleagues from the National University of Timor-Leste (UNTL), including Martinho Pereira, Jose Magno, Abel dos Santos, Alex Gusmao, Maria Madalena Koten, Antonio Coa, Mateus Tilman, and Elda da Silva. Drs Volker Boege and Deborah Cummins were also involved at different points of the research. The views in this article are my own and do not represent the views of AusAID, UNTL or its staff.
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- 8 J. Tully, *Strange Multiplicity*.
- 9 M.A. Brown, 'Security, development and the nation-building agenda'.
- 10 Mark Duffield's 'unscripted conversations' are relevant here, *Development, Security and Unending War: Governing the World of Peoples*, Polity Press, Cambridge, 2007.
- 11 The research also looked at the impact of party competition at the local level on security and social resilience. The focus of this discussion, however, is on the interface of local and liberal democratic governance mechanisms.
- 12 See A. dos Santos and E. da Silva, this volume, for a discussion of substantive and procedural democracy, or M. Tilman, also this volume.
- 13 For example, see M.A. Brown and A. Gusmao, 'Looking for the owner of the house: who is making peace in rural East Timor', in O.P. Richmond and A. Mitchell, eds, *Hybrid Forms of Peace: From Everyday Agency to Post-Liberalism*, Palgrave Macmillan, 2012; D. Cummins, 'Democracy or democracy? Local experiences of democratization in Timor-Leste', *Democratization*, vol. 17, no. 5, 2010, pp. 899–919; D. Grenfell et al., *Understanding Community*; A. McWilliam, 'Customary governance in Timor-Leste'; R. Nixon 'The crisis of governance in new subsistence states', *Journal of Contemporary Asia*, vol. 36, no. 1, 2006, pp. 75–101; L. Palmer and D. de Carvalho, 'Nation-building and resource management: the politics of "nature" in Timor-Leste', *Geoforum*, vol. 39, 2008, pp. 1321–32; L.M. Yoder, 'Hybridising justice: state-customary interactions over forest crime and punishment in Oecusse, East Timor', *The Asia Pacific Journal of Anthropology*, vol. 8, no. 1, 2007, pp. 43–57.
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- 17 Asia Foundation, *Law and Justice in East Timor: A Survey of Citizen Awareness and Attitudes Regarding Law and Justice 2008*, prepared by S. Everett, Dili, 2009, <<http://asiafoundation.org/resources/pdfs/2008LawJusticeSurvey.pdf>>; M.A. Brown and A. Gusmao, 'Peacebuilding and political hybridity in East Timor', *Peace Review*, vol. 21, no. 1, 2009, pp. 61–9; D. Grenfell et al., *Understanding Community*; McWilliam, 'Customary governance in Timor-Leste'.
- 18 Not surprisingly, understanding of democracy is low. It is frequently reduced to elections and electioneering.
- 19 M. Tilman, this volume.
- 20 V. Boege et al, 'On hybrid political orders'.

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- 23 M. Pereira and M. Korten, this volume.
- 24 A. McWilliam, 'Houses of resistance in East Timor: structuring sociality in the new nation', *Anthropological Forum*, vol. 15, no. 1, 2005, pp. 27–44.
- 25 The village is also a point of intersection of the sub-village (*aldeia*) and, more loosely, the local clan networks.
- 26 J. Fox, 'Repaying the debt to Mau Kiak: reflections on Timor's cultural traditions and the obligations of citizenship in an independent East Timor', in D. Mearns, ed., *Democratic Governance in Timor-Leste: Reconciling the Local and the National*, Charles Darwin University Press, Darwin, 2008, p. 124; A. McWilliam, 'Houses of resistance'.
- 27 See for example J. Chopra, 'Building state failure in East Timor', *Development and Change*, vol. 33, no. 5, 2002, pp. 979–1000; S. Soux, D. Gairdner and S. Marstein, *Review of Development Cooperation of Timor Leste: Final Report*, Scanteam, Norad, Oslo, 2007.
- 28 T. Hohe, 'The clash of paradigms'; A. McWilliam, 'Houses of resistance'.
- 29 M.A. Brown, 'Security, development and the nation-building agenda'; A. dos Santos and E. da Silva, this volume.
- 30 J. Tully, *Strange Multiplicity*; M.A. Brown, *Human Rights and the Borders of Suffering: The Promotion of Human Rights in International Politics*, Manchester University Press, Manchester, 2002.
- 31 W.E. Connolly, *Identity/Difference: Democratic Negotiations of Political Paradox*, University of Minnesota Press, Minneapolis, 2002.
- 32 For example W. Brown, *States of Injury: Power and Freedom in Late Modernity*, Princeton University Press, Princeton, 1995; W.E. Connolly, 'The liberal image of the nation', in D. Ivison, P. Patton and W. Sanders, eds, *Political Theory and the Rights of Indigenous Peoples*, Cambridge University Press, Cambridge, 2000; J. Tully, *Strange Multiplicity*.
- 33 There are examples of policy changes informed by consultation processes. Directly relevant to this paper are changes to party involvement in *suku* electoral processes introduced in late 2009, partly as a result of communities' disquiet over the effects of party electioneering on community stability.
- 34 D. Grenfell et al., *Understanding Community*.
- 35 T. Hohe, Ministry of State (AGLD), *Local Government Options Study: Final Report*, Ministry of State, Dili, 2003, p. 76.
- 36 A. McWilliam, 'Houses of resistance'; M. Tilman, this volume.
- 37 Interview with *Xefe Suku* Lautem district, 12 September 2008, in M. Tilman, this volume.
- 38 As Tilman makes clear, however, even where the *liurai* has disappeared, the *uma lisan* of the *liurai* may continue to be significant and revered.
- 39 D. Cummins, *Local Governance in Timor-Leste*; M. Tilman, this volume.
- 40 M. Tilman, this volume.

- 41 D. Cummins, *Local Governance in Timor-Leste*; see also A. dos Santos and E. da Silva, this volume.
- 42 See the reference to political parties from 1975 in A. Gusmao, this volume.
- 43 A. McWilliam, 'Houses of resistance'.
- 44 A. dos Santos and E. da Silva, this volume.
- 45 A. McWilliam, 'Customary governance in Timor-Leste'.
- 46 D. Grenfell et al., *Understanding Community*, p. 157.
- 47 D. Cummins, *Local Governance in Timor-Leste*.
- 48 A. Gusmao, this volume.
- 49 A. McWilliam, 'Customary governance in Timor-Leste'; A. dos Santos and E. da Silva, this volume.
- 50 A. dos Santos and E. da Silva, this volume.
- 51 Interview with senior resident, *suku* Lihu, Ermera district, 21 November 2009, in A. dos Santos and E. da Silva, this volume.
- 52 M. Tilman, this volume.
- 53 *ibid.*
- 54 *ibid.*
- 55 A. Gusmao, this volume.
- 56 A. dos Santos and E. da Silva, this volume.
- 57 Interview with *Xefe Suku*, Manufahi, March 2008.
- 58 A. dos Santos and E. da Silva, this volume.
- 59 M. Pereira and M. Kote, this volume.
- 60 M. Tilman, this volume. See also D. Cummins, 'Democracy or democracy?'
- 61 M. Tilman, this volume.
- 62 D. Cummins, 'Democracy or democracy?'
- 63 A. Gusmao, this volume.
- 64 Interview with *Lia-Na'in*, Liquica district, 17 July 2009, in A. dos Santos and E. da Silva, this volume.
- 65 Interview *Xefe Suku*, Viqueque district, 27 September 2009, in M. Tilman, this volume.
- 66 A. dos Santos and E. da Silva, this volume.