

Traversing customary community and modern nation-formation in Timor-Leste

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Following twenty-four years of repressive and violent occupation, the Indonesian withdrawal in September 1999 gave rise to the possibility for Timor-Leste to finally achieve national independence. Since that time an enormous effort has gone into addressing both the devastation wrought during the Indonesian occupation as well as the task of forging a new national polity. The provision of security, humanitarian assistance and extensive development programs have occurred alongside an intensive effort at state-building so as to set in place a system of modern governance: a parliament, new judicial systems and a security apparatus, a bureaucracy, systems of law and so on. Extending beyond the state, consolidating the new nation of Timor-Leste has seen a more general shaping of a national identity through a myriad of processes such as the development of common languages, histories, discourses and a sense of common culture. 'Timor-Leste', as a nation, is then the result of a comprehensive attempt to fulfil the sovereign objectives of the long and bloody war for independence.

Looking from the outside in, over the last decade Timor-Leste has become like any other nation on the world map. From a distance, we can assume a whole set of atlas-like conventions; a capital, a flag, a political head of state, dotted borders, national dress, foundation dates, national holidays, languages, *et cetera*. We can start thinking on the 'traits' of Timor-Leste, of its system of governance, the 'East Timorese' and their culture, history and so on, in all those ways that an encyclopedia will tend to graphically categorise. Seeing it from this perspective is to see Timor-Leste join the world of modern polities – the 'newest nation of the millennium' as it has so often been referred to – and its status as such is confirmed by its representation in international forums and events.

And yet – just as anywhere else – the existence of a modern national polity does not mean a complete societal transformation to the modern. Across Timor-Leste, customary forms of community continue with a great vitality and dynamism, offering distinct ways of viewing the world, ordering society, and acting as a basis for identity. This journal has been drawn together at a time when ruptures elsewhere are creating new nation states, such as South Sudan, and as we witness the re-writing of the nations of the Arab Spring; there is much contemporary evidence to suggest that nation-formation occurs across very complex intersections of different 'life-worlds'. No matter

the variety of categories that we might employ – customary, traditional, indigenous, religious, modern, post-modern and so on – the point is that in Timor-Leste and elsewhere these continue to inform and shape the conditions of modern nation-formation, albeit in often contradictory and roughly-knotted ways. To write then of traversing customary community and modern nation-formation in Timor-Leste is in fact to reflect onto a far broader question of social transformation, negotiation, and adaptation that continues to occur across the globe.

In this journal edition our reflection on this topic is limited to Timor-Leste, and specifically to the period from 1999 onwards. And yet, even despite the relatively recent granting of political sovereignty, the formation of Timor-Leste has been a long-drawn out process. We can see and recognise the role of the independence struggle itself, but from a more generalised view the nation came into being caught up in the modernizing impacts of proselytizing Catholicism, of war, conquest and colonialism, and the increasing global flows of people, goods, and ideas. At an objective level, the process of nation-formation for Timor-Leste is then one that we might more accurately note as occurring over many centuries, even if its fulfilment has been relatively recent, and both Portuguese colonialism and Indonesian occupation have been central to that process.

Focusing on Timor-Leste, this journal edition is interested in the ways in which customary community has intersected with modern processes of nation-formation since independence. How has, for instance, the continuing strength of customary life within Timor-Leste impacted upon the contours and qualities of the nation in formation? How have the different demands for continuity and change been traversed in practice, in ways that have seen tensions and resistance emerge as well as sustainable patterns found and adaptations negotiated?

In asking such questions, the present edition of *Local-Global* builds on a longer line of academic inquiry and on-the-ground practice. Academically, the essays in this journal draw on a rich field of research that has highlighted the importance of the customary in Timor-Leste. Such literature has tended to come from within anthropology, or from authors outside of that discipline but who have engaged ethnographically. In terms of on-the-ground practice, a range of organisations – from local community-based organisations through to large institutions such as the Commission for Reception, Truth and Reconciliation – have adapted institutional practices in recognition of customary forms of social regulation and authority.

However, despite this tradition of enquiry and practice, up until more recently at least such work has still appeared to be held in the margins of consideration, as if it is ‘beyond politics’. This tends to be particularly evident in terms of elements of the international presence, especially where the emphasis on building a nation has served as the justification for demands that East Timorese must conform to some idealised notion of what a ‘modern

developed society' should be. In the process, customary culture (when given recognition) seems too often to be treated as either 'a hurdle to overcome' or as 'quaint ways' that will meet their inevitable fate and fade away. The sense of disconnect and mutual miscomprehension that can result when two very different worlds are brought into contact is captured by Gordon Peake as he writes in this edition of the international security presence in Oecusse:

The complex rituals and codes [of locals] are hard for the outsiders to understand, especially if they are only here for a short time and can't interact in order to find out more. No wonder so many international police officers find it much easier to retreat back to the pool table, baffled by and uncomprehending of the place to which they have been assigned.

Rather than retreat, the essays in this journal seek to bring a focus onto customary culture and traditional practices, emphasising their vitality and dynamism, and showing them to be something other than a rigid set of norms and practices. Importantly, none of the essays romanticise or valorise the customary. Instead, drawing attention to these different life-worlds is meant to allow space for considering different patterns of social integration, rather than the creation of hard typologies of difference. As Anne Brown argues in her reviewed essay:

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.

It is not surprising that the articles in this journal often concentrate on areas of social life where tensions and adaptations between the customary and the modern have been most keenly felt. This is particularly evident in the essays in the 'Hybrid governance' section, as well as those by Deborah Cummins and Anne Brown, each of which analyse the impacts that local elections have had on customary forms of authority and legitimacy. With different themes, approaches and emphases, these essays demonstrate that there is a space for negotiation that allows for sustainable systems of local governance to emerge, as argued for instance by Alex Gusmao in his essay:

East Timorese have given their suffering and their lives as the price for an independent and democratic country. The reality of the country, however, requires East Timorese to keep searching for what types of mechanisms are appropriate across this diverse society. While a uniform approach is needed at the national level, at the community level a living democracy needs to be grounded in the reality of community lives.

As with local governance, issues of gender regularly appear as a point of contestation where demands for modern forms of gender equity and universal rights are seen to be in tension with local customs. In her short essay, Lynsze Woon argues for the possibility of development strategies that help address issues of gender inequity without necessarily marginalising customary authority structures. David Hicks and Sara Niner counter and complicate depictions of ritual exchange at the time of marriage (known as *barlake*) as simply patriarchal. While distinctly different, both Hicks and Niner's essays challenge how *barlake* has tended to be depicted in a range of policy papers and in Western debates, and in doing so make their arguments in a way that give the topic far more depth and nuance than has thus far often been the case.

Developing the main themes of this journal edition, other essays engage in similar questions of how difference is negotiated, and how adaptations occur, not least in the day-to-day patterns of social reproduction and community sustainability. Emily Toome's essay considers how people in post-conflict societies are categorised in psycho-social terms. She argues that therapeutic pacification of people will not necessarily suppress future potential conflict, and to do so deeper issues of social, political and material justice must be engaged with. Sam Carroll-Bell takes us in a different direction as he considers how the Commission for Reception, Truth and Reconciliation drew the customary into its practices, and how in turn current development projects could do much more in terms of taking a similar approach. While my essay also converges with issues relating to justice and reconciliation, it reflects on how remembering the dead in Timor-Leste occurs in distinct ways from the customary to the modern. The key argument in the paper is that different patterns of social integration can potentially sit in sustainable connection with one other as the national polity comes into being. Moving us from the local and the national to the global, Andrew McWilliam considers the impact of increased mobility since independence as he traces the journeys of young people moving overseas to secure their livelihoods. The repatriation of income back to origin communities, the impact of their absences, and as McWilliam states, the question of their own return all demonstrate 'the complex interactions at work between local custom and nation-building, mediated through relations of long distance migration'.

Before concluding, it is worth pointing to some of the textual and editorial choices made when bringing this journal together (and how in minor respects this edition could not escape some of the points of contestation that have emerged through the demands for standardisation and mutual legibility that come to the fore over a period of nation-building). Firstly, while we understand that there are different spelling systems used for Tetun words, for consistency we have edited the essays according to the standardised national orthography. Secondly, we have resisted providing a glossary of Tetun terms on the grounds that it is better to read concepts in the context of the essays. While a term such as *lulik* is typically used to point to the sacred

quality of something (hence '*uma lulik*' for sacred house), and *lisan* is the Tetun equivalent of the Indonesian *adat* (meaning the customary regulation of social practice), in practice the use of such terms is far more contingent. For instance, these two terms can be used at times interchangeably in conversation or carry subtle but important differences in meaning. Thirdly, a point worth clarifying is the use of the country's name. Australians do use 'East Timor', though most of the rest of the world uses 'Timor-Leste'. Given that it is the name of the country and not difficult to pronounce in English, we have used the latter. In the original drafts authors used either 'East Timor' or 'Timor-Leste', or the ubiquitous 'Timor', which was again edited for consistency and on the grounds that the research was undertaken with reference to the national polity rather than the island as a whole. Lastly, we have reverted to the English 'East Timorese' for the demonym, rather than 'Timorese', again just to be clear as to which group of people are being spoken of in the context of the essays.

Finally then, through all their field material and encounters, arguments and theoretical assertions, together these essays help give an understanding to the theme of traversing customary community and modern nation-formation in contemporary Timor-Leste. As the essays in this collection demonstrate, questions of customary community in the context of nation-formation, let alone inquiries into the relationship between the two, are deeply complex and different approaches have their controversies. What is harder to contest, however, is that in both day-to-day life and more generally in the way in which Timor-Leste is becoming a nation, the customary is changing, adapting, being drawn anew into modern and even post-modern sets of relationships, and yet is still continuing to be resilient and fundamental to the lives of many people in terms of how the world is understood. As Mateus Tilman discusses in his essay, the absence of a state following the Indonesian withdrawal in 1999 did not mean an absence of political community. There was in fact, as Tilman points out, social practices that could regulate 'people's relations with each other, with the environment, and with the ancestors'. Even with the destruction of 1999, and for all the terrible effects of the Indonesian occupation, customary systems of social regulation, norm making and identity formation have continued and demonstrated a durability, even robustness, that have meant that even with the creation of a democratic polity, customary community continues to inform and shape the political and social fabric of Timor-Leste as a nation.

