Finding a new path between *lisan* and democracy at the *suku* level

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Introduction

The 1999 referendum marked a new beginning for Timor-Leste, attracting significant international attention and introducing democracy and independence for the East Timorese people. Since the referendum, East Timorese citizens have repeatedly proved themselves committed to the electoral process, from the national to the local level. Nonetheless, in the *suku* (villages) of Timor-Leste there are ongoing traditional governing structures that continue to shape people's daily lives. Our research indicates that while the 2004–05 elections for *xefe suku* (village chief) and members of the *konsellu suku* (*suku* council) were overwhelmingly considered to be a success, this is not necessarily indicative of the strength of the new electoral procedures. Rather, drawing on fieldwork conducted in ten *suku* across the districts of Ainaro, Manufahi, Cova-Lima and Dili, we argue that much of the credit for this should be given to communities themselves, as the potentially divisive impact of political parties was offset by the strength of family units that provide the basis for communal stability in East Timorese villages. In this article, we explore how these existing sources of communal stability can be capitalised on and strengthened in the future, through tying together the new democratic system with existing customary forms of governance.

Background

As explained elsewhere[2], within East Timorese *suku* power and authority is traditionally based in the *uma lisan* (sacred house), and traditional authority figures exercise their authority through the concept of *tarabandu* or 'ruling through prohibition'. This concept of 'ruling through prohibition' remains a strong symbol of cultural power in contemporary East Timorese *suku*. The *uma lisan* is both a physical and symbolic construct that is used to identify a family clan and their descendants, and to place each person in a hierarchical network of mutual obligation. Everyone knows their *uma lisan*, and understands their rights and their obligations to others through the broader relationships that are established within and between different *uma lisan*. Through this system, governance structures are established and maintained, disputes are settled, prohibitions are put in place, and the cultural practices of everyday life are maintained. For cultural reasons, traditional leadership structures are not written in documents, however the 'rule through

prohibition' culture remains strong, secure and full of dignity. Despite the fact that the history of the traditional leadership structure is unwritten, it has been meticulously passed down from generation to generation. People live in accordance with this system because of their cultural conscience, where the emphasis is on living in peace and friendship, and in a spirit of solidarity.

The Portuguese policy of indirect rule, through which they co-opted the traditional figure of *liurai* (hereditary ruler, 'lord of the land') for their own colonial purposes, subverted these traditional structures of mutual obligation. During this time, those *liurai* who were recognised by the Portuguese colonial government acted as the single central decision maker for their people. In effect, the legislature, judiciary and executive all existed in the *liurai's uma lisan*. Partly because of this subversion of traditional authority, and concomitant disruption of the traditional balance of power, there were many *liurai* who were assimilated into the Portuguese system who became extremely exploitative and inflicted many social injustices on their people.

When the Portuguese departed and the Indonesians invaded, this cynical use of traditional authority continued as the Indonesian government continued to give power to some of the old *liurai* in order to use their authority to pursue their own ends. The Indonesian dictatorial regime forced a number of traditional authority figures and others to vote in favour of Indonesia's act of 'integration'.[3] At the same time, many other *liurai*, or children of the *liurai*, became actively involved in the resistance. This situation continued until Timor-Leste finally achieved independence through the 1999 referendum. In contemporary Timor-Leste, the mandate of the *liurai* has changed significantly, where people continue to give respect to traditional authority figures but have nonetheless embraced the new democratic system. This change to democratisation has now led to various forms of political hybridity that exist in contemporary East Timorese *suku*.[4]

As discussed by Tilman in this publication, the relationship between formal *suku* authorities and traditional authorities varies significantly from one place to the next.[5] Generally, the *xefe suku* and members of *konsellu suku* give full respect to traditional leaders when there are cultural activities that require the presence of the *liurai*—particularly those that are related to the *uma lisan* and *tarabandu*, and when they eat *na'an lulik* (sacred meat).[6] In some *suku* the *liurai* continue to retain important decision-making powers; in others, their involvement in *suku*-level governance is largely symbolic.[7] These variations are highly dependent on the local politics, as well as the history of the *liurai* in the community—for example, whether prior to Indonesian occupation they were considered by their people to be good rulers.

Within a number of *suku* across subdistricts Ainaro, Suai and Same, community members described the authority of the old *liurai* as diminishing, mainly because of the modern democratic system and the advent of *suku* elections. Many communities see that with democracy and independence, the monarchical rule of the *liurai* has passed, particularly in those areas

where the *liurai* were despotic rulers. Nonetheless, in many communities the people continue to trust their *liurai's uma lisan* to build a positive culture, to lead traditional ceremonies, and to strengthen the community. The respect shown to the *uma lisan* of the *liurai*, together with the clear statement that the monarchical power of the liurai must end, demonstrates the complexity of people's connection to their culture and their past in independent Timor-Leste. Previous decisions that were made by the *liurai* continued to be raised as important issues, as in communities where people stated that the *liurai* divided the land, plantations and rice fields predominantly in favour of themselves.[8] During these times, the people were required to give agricultural products, animals, and labour in the *liurai's* fields in exchange for use of the land.[9] It is very rare to find people who express a desire to return to this system of governance.

Since independence and the introduction of democracy, however, new opportunities have opened up for the people of Timor-Leste to create a political culture that is responsive to East Timorese needs and that reflects local history and culture, including the importance of *lisan*, the *uma lisan*, and the place of the *liurai* and other traditional leaders. However, as we discuss throughout the remainder of this chapter, the impact of democratisation at the local level, where communities continue to be governed according to the principles of *lisan*, has opened up an entirely new set of dynamics and challenges. These challenges need to be understood and met, and the strength of *lisan* needs to be capitalised on, in order to successfully pursue democratisation in Timor-Leste.

Competition and collaboration in the *suku* elections

In recognition of the importance of local authority figures and the need to bring decision-making closer to the people, the government of Timor-Leste created the *konsellu suku* in 2004–05 through Decree Law 5/2004.[10] Through the creation of *konsellu suku,* communities now have the opportunity to choose their leaders in the *suku* through direct, democratic and secret elections. Given the extent of organisation needed in implementing elections across all 442 *suku*, and the challenges posed in the context of a newly independent, democratising state, the *konsellu suku* elections were an ambitious undertaking for the new government. Nonetheless, according to the Comissão Nacional das Eleições (CNE), various international election observer missions, and confirmed by our own fieldwork with community members, the 2004–05 *suku* elections were overwhelmingly regarded as free and fair, and were conducted largely without violent incident.[11] The fact that the *suku* elections were calmly conducted provides an opportunity to make the following generalised observations.

The *suku* elections for community leaders, first held in 2004–05, are still very new in Timor-Leste. Despite concerns to the contrary, the potentially divisive influence of political parties did not lead to conflict in the communities during these elections. The lack of conflict could be put down to two factors.

First, *lisan* continues to be strong within communities, so that people live as part of networked relationships of mutual obligation through their *uma lisan*, with the norms of traditional law prioritising communal cohesion and social stability, and working against social and political conflict in the community. And second, the position of *xefe suku* is an administrative role that is essentially voluntary, with elected leaders receiving only a small monthly stipend. As such, it did not attract significant conflict between parties when competing for the position.

Across the *suku* in which we conducted research, it was clear that the people support the democratic principles of community elections and have embraced their right to vote for their preferred candidates; all respondents made the point that this system was a major improvement on the symbolic elections that were run by the Golkar party during Indonesian times. As fieldwork respondents explained, while sometimes conflict arose between families from one household, *uma lisan*, or *aldeia* (hamlet), this was generally not because they were struggling over a political position.[12] Most often, what occurred was fighting among young people or between husband and wife because of social issues—the types of problems that are always occurring in a community. These conflicts were generally resolved through existing community processes.

In the 2004–05 elections, political parties nominated their candidate for the position of *xefe suku*, *konselu suku* and *xefe aldeia*. This has since changed, with political parties being excluded from participating directly in the 2009 *konsellu suku* elections. The influence of political parties in *konsellu suku* elections has been an extremely contentious issue. While some argue that political parties are positive in that they act as a bridge to the governing power, others see them as unnecessary and potentially divisive. This is particularly an issue in rural communities that are largely governed according to the principles of *lisan*. By contrast with the consensus-based decision-making process that prevails in traditional governance, democratic competition can appear conflictual and may in fact lead to violence. However, as many research respondents pointed out, in reality elections need not bring violent consequences. While the interaction between political parties in the electoral process may be essentially competitive, the potential for conflict can be removed through mutual co-operation between the community leadership candidates, and between the candidates and the community. This approach, emphasising the family and community-oriented spirit through which traditional governance operates, appears to have had a positive impact. While the impact of national-level political parties had negative effects on communal cohesion in some *suku* during national elections, the 2004–05 *konsellu suku* elections did not see serious violence.

A useful insight into the difference between potential for party-political conflict in the national elections and the lack of party-political conflict in *konsellu suku* elections was offered by a senior resident from *suku* Ogues, Suai district, who stated that:

… people who are candidates are put forward by the political parties, but choosing the community leader is done through a broad agreement according to whichever leader is a strong personality in the community... There is a stronger community consensus regarding figures who the community trust, without considering political parties.[13]

The fact that candidates for *xefe suku* are themselves part of the community means that they are commonly assessed according to the leadership that they have already demonstrated for the good of the community. This is not to say that political parties had no influence, as they were clearly influential in choosing and putting forward candidates. However, it nonetheless changes the influence of political parties in the electoral process by shifting attention to the individual strengths of each of the candidates, beyond their political party affiliation.

Following this process, while there was strong campaigning and debates between the candidates for community leadership positions, the objective behind *suku* level campaigns was to see which candidate's program was better and who co-operated well with people. With this information the voters could make an informed decision and choose their desired candidate. This shift in emphasis to consider an individual's leadership potential was also affirmed by a senior resident of *suku* Uma Berloic, who stated that:

The presence of political parties enables the consideration of democracy because each party provides political education to its followers. According to what we have seen the political parties have provided education saying that the electoral process is not based on parties, rather it is based on the candidates who come from a party, so people can choose or give their vote to someone.[14]

During group discussions in two *suku* within the Ainaro district, participants made it clear that one of their primary concerns was that the influence of political parties should not cause divisions in their *suku*.[15] According to them, the role of *suku* authorities is to always get people to work together, and the primary mandate of the *xefe suku* is to 'lead in order to serve' all people in the community. As they explained, in order to achieve this ideal elected leaders are expected to forget their political affiliation in order to remove any potential discrimination, and civic education is needed for the whole community so the people are not separated according to party-political interests.

The focus of traditional governance on promoting communal cohesion and the strength it provides in withstanding potentially divisive situations was clearly evident in a *suku* we visited within the Suai district. In this *suku*, the elected *xefe suku* had a large following in the community because of his previous role as *Nurep* (clandestine resistance leader[16]) during Indonesian occupation. However, when he left his post to join the political group Kolimau 2000, the government appointed a new *xefe suku* — but without election. Given the undemocratic

nature of this decision, and the large following that the previous *xefe suku* was able to command, this was a potentially explosive situation. However, despite allegations that the new *xefe suku's* appointment was unconstitutional and unjust, the supporters of the previous leader did not react violently but instead accepted the government's decision. As a community member explained, this was largely because the new *xefe suku* was also part of the same community, and therefore part of the network of *uma lisan* that binds everyone together in a system of mutual obligation.[17]

The cohesive strength that is provided by the network of *uma lisan* also has its limits. In the *suku* in which we conducted research, people overwhelmingly described the influence of political parties during the 2004–05 elections as minimal. However, there have nonetheless been divisive political party influences that have entered from outside the community, including the violence that spread throughout Timor-Leste in 2006–07. An issue raised numerous times during fieldwork was the impact of government decisions on community cohesion. Throughout the various *suku*, people expressed concerns around government incentives being offered that appeared to favour particular political parties over others, which had a very divisive impact on their community. These concerns were expressed about both the FRETILIN government and the coalition government (current at the time of writing).

That in some situations communities have been able to withstand potentially divisive influences and in others community cohesion has been weakened indicates both the strength that exists within communities as well as the limits to that strength. While community members have been able to take a nuanced approach in choosing their elected representatives in the *suku* in which we undertook research, moving beyond the ideology of political parties, they are nonetheless vulnerable to external influences. This is particularly the case where resources are unevenly distributed in under-resourced communities, whereby communities are extremely sensitive to the possibility, or even the perception, of discrimination.

Participation and representation in the *suku*

The participation of people in calmly conducted electoral processes has given a positive image to the public, who have begun to recognise that the candidates for community leadership positions have the ability to maintain peace during the electoral process. This situation is possible when we consider the structure of society in Timor-Leste. Throughout almost all the *suku*, people are related by blood from one *uma lisan* to another. Because of the strength of family ties that are bound together via *uma lisan*, as well as the fact that *konsellu suku* positions attract minimal remuneration, there was no indication that candidates attempted to influence their constituents' vote through violence. Another very positive outcome from these elections is that they have provided the political space for women's increased participation in formal leadership roles, with the opportunity to run as candidates for *xefe suku*, *xefe aldeia* or one of the three reserved seats on the *konsellu suku*. However, this formal participation has

not yet translated into real power for many of these women on a day-to-day basis.[18] Nonetheless, it is a step in the right direction.

However while it was acknowledged that the 2004–05 *konsellu suku* elections were a success, it was also recognised that there has been very little guidance regarding the conduct of *suku* activities following election into office. Decree Law 5/2004 which established the *konsellu suku* gave minimal guidance on the conduct of *suku* activities following election. As a result *konsellu suku* members have largely been left to govern according to their own views of rights, obligations, law and order, which has in turn raised issues of political consent and the maintenance of legitimacy in the community. While in some *suku* the elected *xefe suku* has been very active in involving community members in various development activities, in other *suku* significant portions of the community have been marginalised and have not benefited from investment in the *suku*.[19] This has been for a variety of reasons, including issues around overlapping leadership within the *suku* and broader issues of political economy.[20]

Nonetheless, during our fieldwork we also noted a number of positive steps taken by local leaders in attempting to mitigate these negative aspects of local-level governance. In *suku* Cassa Bauc in the Suai district, for example, the candidates for *xefe suku* deliberately implemented a developmental and policy-driven approach to the electoral competition, which then led directly into the creation of a development plan following the elections. As was explained by a senior resident during a group discussion:

> All of us as contestants in the election encouraged each other to create a development plan for the *suku*. By having all groups participate in the planning process, the political party and individual's plans during the campaign could include the *suku* development plan that we created.[21]

Following the election, the *xefe suku* then gathered all of those who did not win to get their input into how to move the *suku* forward. While each *suku* varies significantly in terms of local politics, the strategy that this *xefe suku* applied can potentially become an example of good practice for other *suku*. While it is undoubtedly difficult to gather together the people who lose in the electoral competition, such an inclusive approach provides the space in which many different people can participate and give significant contributions to the development process. The *suku* plan is also enhanced because everyone's participation in planning means that it gathers together all the interests and visions for development from different parts of the *suku*. As a senior resident of Cassa Bauc put it, 'we try to gather together and involve all people in the *suku* work program and [through this process] we have achieved maximum participation from the community in the *suku* development process'.[22] By focussing on shared visions for the future, rather than the potentially divisive competition between different political parties, people are not left to distance themselves from the *suku* program following the election outcome.

In *suku* Cassa Bauc, the people have therefore transformed the idea that an election is just a mechanism for placing people in power, instead making it a broader instrument to ensure the accommodation of all interested parties in development. It has been noted by numerous commentators that long-term, sustainable development requires leaders to open up possibilities for the participation of development agents from many different sectors of rural communities[23], and based on our discussions this is certainly true of development in East Timorese *suku*.[24] As Kuswartojo argues, if communities orient themselves towards building a consensus, a space is created for community leaders to collect different interests, points of view and personal ideas from the community and transform them into communal interests that better serve the *suku's* development process.[25] By incorporating the ideas and interests of many different sectors of the *suku*, the leadership in this *suku* has endeavoured to turn what was potentially a source of division into a major strength for the community.

Tying together democratic and traditional systems of governance

East Timorese communities have clearly embraced the electoral process, and democracy is a very important aspect of their political culture. However, democracy is grounded in the community, and communities live within their culture. As such, a very strong theme that emerged from our fieldwork was that the process of democratisation needs to reflect the importance of traditional systems of governance in the *suku* of Timor-Leste. As a senior resident in *suku* Suai Loro, stated 'the nation of Timor-Leste can adopt a democratic system from anywhere but it needs to be integrated with community customs'.[26]

To date, there has not yet been a strong tying together of traditional systems of governance with the state-based, democratic system of governance. Because of this, communities are coming up with their own ways of bringing together the two systems to satisfy the requirements of both. There is thus a hybridity of leadership that operates at the local level, which can be seen in how authority is obtained and also how it is exercised in the *suku*. Across the *suku* of Timor-Leste, there are many elected *xefe suku* who are also from the *liurai's uma lisan* and who thus can claim legitimacy through the traditional system, as well as through election. However, there are also many elected *xefe suku* who are not from the *liurai's uma lisan*. In this situation, the elected leaders will go to the *liurai's uma lisan* to be blessed by the traditional *liurai*, who will speak *lia lulik* (sacred words) and ask the ancestors of the *uma lisan* to strengthen the capacity of the *xefe suku* during his governing period. Important rituals such as these have also been noted in other studies[27]; through such mechanisms, elected local leaders who traditionally would be unable to take up the position can claim legitimacy through both the electoral process and through *lisan*.

The hybridity of local governance can also be seen when we consider how power is exercised in the *suku*, for example through local dispute resolution processes. According to our experience there are four pillars in the *suku*

that people draw on when they are faced with a conflict among themselves. The first pillar is the family leadership structure, which is the initial place where family members look for justice when they are faced with a conflict within the household or extended family. Second is the *uma lisan*, for when a solution cannot be found for a problem between family members. Here the *lia-na'in* ('keepers of the words') elders will arbitrate the dispute through the cultural practice of *biti bo'ot* (literally 'big mat').[28] *Biti bo'ot* is a dispute resolution practice that is part of the *tarabandu* and exists in all *uma lisan*. A prohibition that is established using traditional prayers and sacrifices carries with it an obligation which everyone in the community must then follow. Problems that are often taken to the *uma lisan* are fighting between husband and wife or conflict between family members from one *uma lisan* with people from another *uma lisan*. The third pillar, the *xefe aldeia* (hamlet chief), provides an alternative place for people to complain about their conflict. Beyond the *xefe aldeia*, the *xefe suku* is the highest level of leader in the *suku*. Problems that can be taken to the *xefe suku* are generally civil cases, however they also have a duty in regards to criminal cases such as domestic violence or burglary. The police are also very important in the *suku* because of the role they can play in ensuring calm. Serious problems such as murder or a car crash in which the victim dies will involve the police and the courts, but these often attend to the issue through local *suku* mechanisms.

Identity, democracy and culture

Questions around appropriate systems of governance in East Timorese communities are closely linked with questions of identity for the people, both their ongoing connection to their culture and their vision for a democratic political system in which everyone can engage. With independence and democracy, there are now many influences from other countries that have been incorporated into East Timorese communities. However the *uma lulik* culture continues to exist as the origin of traditional beliefs. As one senior resident in the district of Dili explained, many of the younger generation seem to regard culture and tradition as something that takes them backwards, because it does not place enough attention on the development of their identity as East Timorese citizens in an independent, democratic state.[29] This idea that culture is something that takes them backwards seems to be the result of a conflation of democratisation with 'modernisation'.

However, while the process of democratisation in Timor-Leste has gone hand-in-hand with a strong 'modernising' agenda, it is clear that people in many communities continue to feel a strong connection to their culture and traditions. This has resulted in a number of challenges in East Timorese communities, and for the government more generally. On the one hand, there is a real concern that the positive aspects of East Timorese culture and identity will be lost if they are not supported by the national government, for example through the educational system. This requires taking an approach that is more sensitive to the particular history, culture, and traditions of

different communities, as opposed to an approach that seeks to homogenise East Timorese culture and identity. As a senior resident of *suku* Cassa Bauc said, 'The resilience of East Timorese culture depends on the government's capacity to realise the education system and curriculum. Uniform material about culture and history in the curriculum will become a significant threat to the development of cultural values'.[30]

According to this viewpoint, there is a need to give some freedom to the districts to include educational material that is based on local knowledge and wisdom. Without making an effort to protect the unique cultures and traditions of different parts of the country, there is a real risk that the new generation will not know the history of their own land. From one generation to the next they will not know or will not remember how to make a *tota* (invoke spirits in a chant), perform the *bidu* (a dance performed by man), or tell stories about their *suku* and know which local knowledge originates from their ancestors.

On the other hand, the government can only play a small role in the protection of cultural values and traditions in East Timorese communities. Much of the responsibility must go to the *lia-na'in* elders, who need to socialise their cultural values to the new generations through telling stories and ensuring this knowledge is passed down from one generation to the next. In addition, the intervention of government in attempting to protect and support culture and tradition can have both a positive and a negative impact, so these interventions need to proceed carefully. This can be seen, for example, in discussions of an initiative by the Ministry of Education, Culture and Sport, supported by various international agencies, to provide financial support for building *uma lisan*.[31] On the positive side, the communities who participated in this program have welcomed this intervention, as it can create a positive space to encourage the community's and young people's understanding about culture.

However, there was also concern expressed by a senior member of *suku* Dare, Dili district, around the fact that only some *suku* received financial support for the reconstruction, which could potentially create social jealousy within communities.[32] In addition, as discussed elsewhere by Tilman, much of the value to the community in reconstructing *uma lisan* comes from the peace-building process that accompanies it, where different families come together to contribute financially and by giving labour, working together to rebuild the sacred house.[33] As such, interventions such as these need to carefully take note of potential negative aspects, which could destroy the spirit of prayer and the sacredness of the *uma lulik* that already exists and is a source of strength for East Timorese communities.

Conclusion

Since independence, communities have embraced the system of democratic elections for local leaders in Timor-Leste. Despite concerns to the contrary, the introduction of elections for *suku* leaders were conducted freely and

fairly, attracting very little conflict within communities. However, as many interviewees explained, much of the credit for this needs to be given to the ongoing influence of traditional systems of governance, which emphasises community cohesion through tying families together through their *uma lisan*. While the introduction of political parties could potentially have led to serious problems within communities—as occurred at the national level—the fact that elected *suku* leaders are part of the network of *uma lisan* effectively protected the communities we visited from similar problems occurring at the local level. In addition, some communities have also built on the communal values that are embedded within *lisan*, for instance by using the campaigning process to bring together different ideas to create a more inclusive and participatory development plan for the *suku*.

The coexistence of lisan and the modern democratic system has meant that within the *suku* of Timor-Leste there are now various forms of political hybridity at the local level that tie together traditional and state-based systems of governance. This can be seen in how legitimacy of authority is obtained in the *suku*, where elected *xefe suku* who do not have traditional legitimacy commonly seek a blessing from the *liurai's uma lisan* to enhance their capacity to govern. It can also be seen in local systems of dispute resolution, where traditional and elected leaders can work together in a systematic manner to resolve disputes that arise in the community.

The process of democratisation since independence in Timor-Leste has gone hand-in-hand with a strong modernising agenda, with various cultural contradictions arising as a result of incorporating systems of governance from other countries. However, the ongoing importance of *lisan* and the *uma lisan* in East Timorese communities holds significant implications for democratisation. The close connection that systems of governance have with people's identity and culture means that the process of democratisation in Timor-Leste needs to reflect the changing identity of the East Timorese people. This is an iterative process, as communities navigate the different requirements of *lisan* and democracy in order to find a system that meets their needs, and as the government explores various options for how to give value to the social connections within a community that are concentrated around the *uma lisan*.

Endnotes

1   This article draws on research undertaken for and funded by an AusAID Development Research Award. The authors would like to express appreciation to AusAID for making this research possible.

2   See M.A. Brown's article in this volume.

3   J.M.D.S. Saldanha, *The Political Economy of East Timor Development*, Pustaka Sinar Harapan, Jakarta, 1994, see pp. 100–1.

4   V. Boege, M.A. Brown, K. Clements and A. Nolan, 'On hybrid political orders and emerging states: what is failing—states in the global south or research and politics in the West?', in *Berghof Handbook for Conflict Resolution Dialogue Series: No 8 Building*

Peace in the Absence of States, Berghoff Research Centre for Constructive Conflict Management, Berlin, 2009, pp.15–35.

5   See M. Tilman's article in this volume.

6   Also referred to as *na'an rai*, or meat of the land. During particular ceremonies, there are special parts of the sacrificed animal that can only be eaten by the traditionally-legitimated leaders. If others eat the sacred meat, they can be cursed.

7   D. Cummins and M. Leach, 'On democracy old and new: the interaction of modern and traditional authority in local government in Timor-Leste', *Asian Politics and Policy*, vol. 4, no. 1, 2012, pp. 89–104.

8   Interview with a senior resident, *suku* Mulo, Ainaro district, 28 September 2009.

9   ibid.

10   This was implemented as bridging legislation and has since been replaced by Decree Law 3/2009.

11   For example USAID Timor-Leste, 'Timor-Leste's first round of local elections draws thousands of voters', USAID, Dili, 6 January 2005, <http:// timor-leste. usaid.gov/programs/DG/DG_2005- January06.htm>, but see also Centre for International Conflict Resolution, 'Electoral violence in Timor-Leste: mapping incidents and responses', *Timor-Leste Armed Violence Assessment*, Issue Brief No. 3, Columbia University (CICR), 2009, <http://www.cicr-columbia.org/wp-content/ uploads/2011/09/Timor-Leste-Violence-IB3-ENGLISH11.pdf>.

12   Interview with senior resident, *suku* Ogues, Suai district, 16 September 2009.

13   Interview with senior resident, *suku* Ogues, Suai district, 15 September 2009.

14   Interview with senior resident, *suku* Uma Berloic, Manufahi district, 27 September 2009.

15   Interview with senior resident, *suku* Suro, Ainaro district, 28 September 2009 and senior resident, *suku* Mulo, Ainaro district, 26 September 2009.

16   NUREP, the acronym for *Nucleos de Resistencia Popular*, village and hamlet based clandestine resistance networks operating during Indonesian control. The local central organising figures of the network were also referred to as '*Nurep*'.

17   Interview with former-*xefe suku*, Suai district, 15 September 2009.

18   For example, see D. Cummins 'The problem of gender quotas: women's representatives on Timor-Leste's *suku* councils', *Development in Practice*, vol. 21, no. 1, 2011, pp. 85–95.

19   C.J. Shepherd, 'Participation, authority, and distributive equity in East Timorese development', *East Asian Science, Technology and Society: An International Journal*, vol. 3, no.2–3, 2009, pp. 315–42; D. Cummins, 'Democracy or democrazy? Local experiences of democratisation in Timor-Leste', *Democratization*, vol. 17, no. 5, 2010, pp. 899–919.

20   D. Cummins, *Local Governance in Timor-Leste: The Politics of Mutual Recognition*, PhD thesis, University of New South Wales, Sydney, 2010.

21   Senior resident speaking during a group discussion, *suku* Cassa Bauc, Suai district, 17 September 2009.

22   ibid.

23   See, for example, A. Sen, *Development as Freedom*, Oxford University Press, Oxford, 1999.

24   Interview with senior resident, *suku* Suai Loro, Suai district, 16 September 2009.

25 T. Kuswartojo, *Inovasi, Partisipasi dan Good Governance, Yayasan Obor*, Indonesia, 2004.

26 Interview with senior leader, *suku* Suai Loro, Suai district, 16 September 2009.

27 See for example D. Cummins and M. Leach, 'On democracy old and new'; M.A. Brown and A. Gusmão, 'Looking for the owner of the house—who is making peace in rural East Timor?', in O. Richmond and A. Mitchell, eds, *Hybrid Forms of Peace*, Palgrave MacMillan, New York, 2012, pp. 107–30.

28 For a comprehensive exploration of *nahe biti bo'ot* see D. Babo-Sores 'Nahe biti: the philosophy and process of grassroots reconciliation (and justice) in East Timor', *The Asia Pacific Journal of Anthropology*, vol. 5, no. 1, 2004, pp. 15–33. For an outline of continuing usage of the traditional justice system across a wide range of issues, see 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 >.

29 Interview with senior resident, *suku* Dare, Dili district, 4 October 2009.

30 Interview with senior resident, *suku* Cassa Bauc, Suai district, 17 September 2009.

31 Interview with senior resident, *suku* Dare, Dili district, 4 October 2009.

32 ibid.

33 See M. Tilman, this volume.