TIMOR-LESTE

LOCAL GLOBAL Identity, Security, Community Volume Eleven 2012

LOCAL GLOBAL

Identity, Security, Community

Volume Eleven, 2012

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

Guest Editor
Damian Grenfell

Front Cover: Sorumutu, Dili, December 2006

This page: Handwoven cotton used for making Tais, Venilale, July 2011

LOCAL GLOBAL

Identity, Security, Community

Local–Global is a collaborative international journal concerned with the resilience and difficulties of contemporary social life. It draws together groups of researchers and practitioners located in different communities across the world to critically address issues concerning the relationship between the global and the local.

It emphasises the following social themes and overarching issues that inform daily life over time and space:

Authority–Participation
Belonging–Mobility
Equality–Wealth Distribution
Freedom–Obligation
Identity–Difference
Inclusion–Exclusion
Local Knowledges–Expert Systems
Mediation–Disconnectedness
Past–Present
Power–Subjection
Security–Risk
Wellbeing–Adversity

Workers at Cooperativa Cafe Timor, Dili, June 2004

FRETILIN rally, Dili, April 2012

the
PATRIOT

Damaged portrait of Alfredo Reinado, Becora, April 2007

Celebrations as Portugal makes the final of the European Cup, Dili, July 2004

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EDITOR FOR THIS ISSUE Damian Grenfell with editorial assistance from Emily Toome (RMIT University)

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Please email contributions as a Microsoft Word file to globalism@rmit.edu.au.

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Statue of Virgin Mary on top of Mt. Ramelau, June 2004

Filomena Fuca and Ambrosio Dias Fernandes undertaking interviews in Venilale, October 2009

TAUR MATAN RUAK
PRESIDEN (R.D.T.L.) 1975
NICOLAU LOBATO
MATE 1978
O DIA DA PROCLAMAÇÃO
28. 11. 75 2005
MATE 1998
PRESIDEN. R.D.T.L.
20. MAIO.
2002 2005

Bagia, November 2004

Contributors

M. Anne Brown is a Senior Research Fellow at the School of Political Science and International Studies, The University of Queensland. Research and applied interests focus on approaches to building political community across division and difference, peace-building and state formation in hybrid states, and social dialogue processes. She has been visiting and researching in Timor-Leste since 2002.

Sam Carroll-Bell is a graduate from RMIT University with a Master in Social Science (International Development). He has worked with the Globalism Research Centre and is now Research Co-ordinator for The Centre for Sustainable Organisations and Work at RMIT University. He is also President of the arts advocacy group Artists for Human Rights and Action and a founding member of the anti-human trafficking organisation Stop.Traffick Australia. Sam's research explores the framing and impact of international development activities.

Antonio Coa is a lecturer in Public Administration at the National University of Timor-Leste.

Jose da Costa Magno was formerly Dean of the Faculty of Social and Political Science at the National University of Timor-Leste. He has established with Mateus Tilman a local NGO, The Conflict Management and Action Research Centre, which is involved in a range of activities including renegotiating *tarabandu*. He has recently completed a higher degree in Portugal.

Deborah Cummins is an Associate at the Peace and Conflict Studies Institute of Australia (PaCSIA), a visiting lecturer and researcher in the department of Community Development at the National University of Timor-Leste (UNTL), and a consultant and trainer on local governance, decentralisation, democratisation, human rights and women's political participation. She has been working on local governance issues in Timor-Leste since 2008.

Damian Grenfell is the Director at the Globalism Research Centre at RMIT University, and regularly works in and visits Timor-Leste.

Alex Freitas Gusmao is Executive Director of the Anti-Corruption Commission of Timor-Leste. At the time of researching this essay, he was Director of Timor Aid and a lecturer in Community Development at the National University of Timor-Leste. Alex has written or co-authored a number of articles and book chapters, both about issues of corruption and about the interaction of local and national approaches to governance and peace-building.

David Hicks is a Life Member of Clare College, University of Cambridge, and Professor of Anthropology at Stony Brook University. He holds Doctor of Philosophy Degrees from the University of Oxford and the University of London and his scholarly specialisations lie in the fields of politics, oral literature, ritual, Indonesia and East Timor, in both countries of which he carried out field research.

He has published extensively, including *Tetum Ghosts and Kin* (2004) and *Readings in the Anthropology of Religion* (2010). Professor Hicks can be contacted at david.hicks@stonybrook.edu

Maria Madalena Lete Koten is a lecturer in Public Administration at the National University of Timor-Leste. She is currently undertaking a higher degree in Portugal.

Andrew McWilliam is a Senior Fellow in Anthropology in the College of Asia and the Pacific, The Australian National University. He has researched widely on the ethnography of Timor. Recent publications include the edited volume (with Elizabeth G. Traube), *Land and Life in Timor-Leste: Ethnographic Essays* (2011, ANU E-Press). E: andrew.mcwilliam@anu.edu.au

Gordon Peake is a Visiting Fellow at the State, Society and Governance in Melanesia Program, Australian National University. He is writing a book entitled *Beloved Land: Stories from Timor-Leste*. He lived and worked in Timor-Leste from 2007–11.

Martinho Pereira is Dean of the Faculty of Social and Political Science at the National University of Timor-Leste. His primary disciplinary focus is Study of Government.

Elda da Silva is a lecturer in Public Administration at the National University of Timor-Leste. She is currently undertaking a higher degree in Portugal.

Abel Boavida dos Santos was co-ordinator for the School for Activists at the Sahe Institute for Liberation from 2002–6. He is now Director of Community Development at the National University of Timor-Leste. He holds a Masters Degree from the Universitas Kristen Satya Wacana Salatiga, Indonesia.

Mateus Tilman is a lecturer in the Faculty of Social and Political Science at the National University of Timor-Leste. He formerly worked with the Ministry of Justice. With Jose da Costa Magno he started a local NGO, the Conflict Management and Action Research Centre, which was among other things involved in the process of renegotiating *tarabandu*.

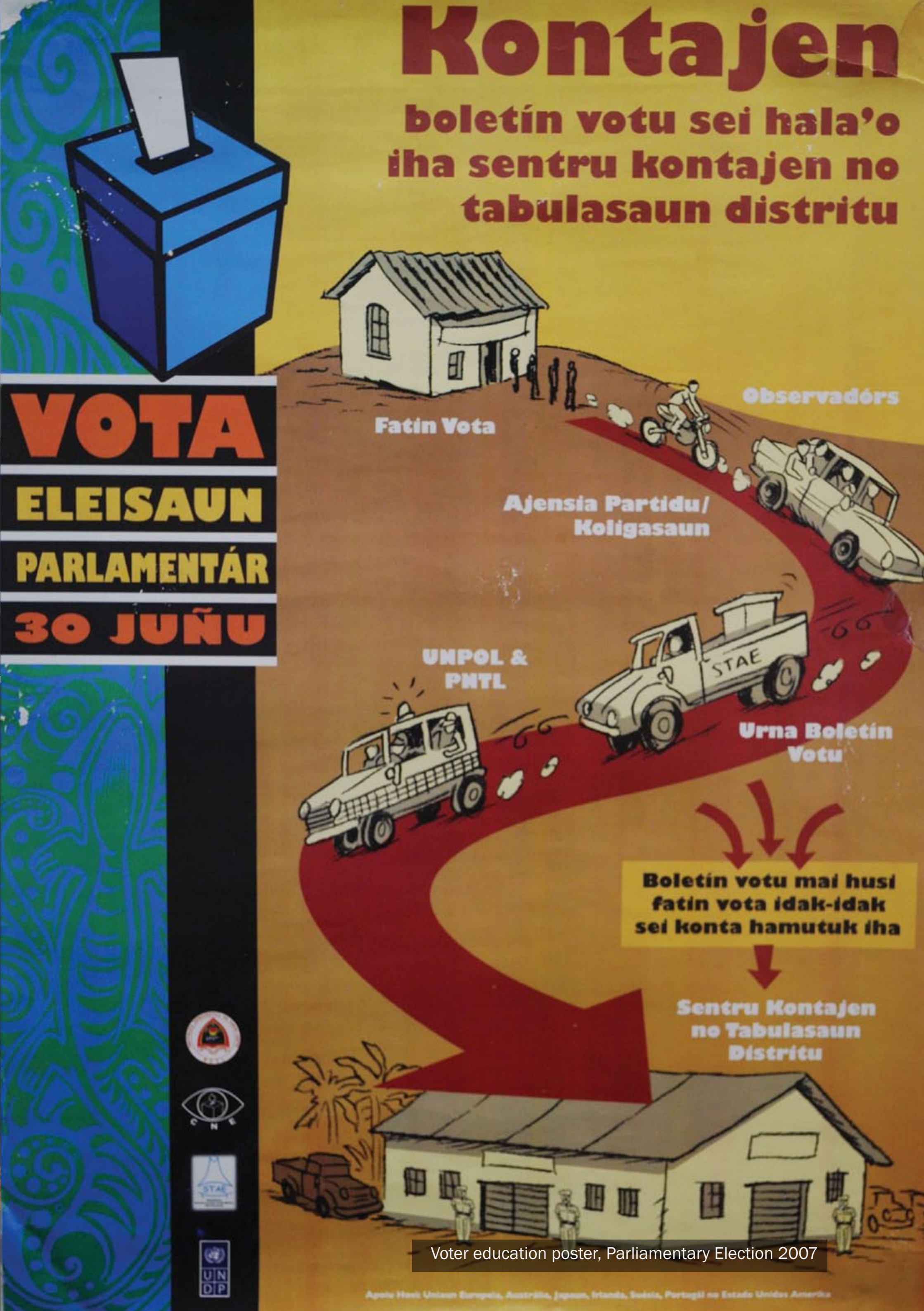
Emily Toome graduated with a Master in Social Science (International Development) from RMIT University in 2012 and has undertaken research in and published on Timor-Leste. She currently works for the Globalism Research Centre and the Centre for Sustainable Organisations and Work at RMIT University.

Lynsze Woon is a RMIT University, Master of Social Science (International Development) graduate. She is also a Matadalan Ba Malu committee member, a group established to facilitate scholarships for women from Timor-Leste to participate in English-language training in Melbourne. Through her research she explores gender and development in post-conflict Timor-Leste, and the various ways in which these concepts are framed and constituted at the state and local level.

Ceremony for new uma lulik, Fatumean, September 2008

Damaged statue of Indonesian soldier, back of Taibessi market, Dili, 2004

Loron Matebian, Santa Cruz Cemetery, Dili, 2008



Kontajen

boletín votu sei hala'o iha sentru kontajen no tabulasaun distritu

VOTA

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Fatin Vota

Observadórs

Ajensia Partidu/ Koligasaun

UNPOL & PNTL

Urna Boletín Votu

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Apoiu Husi Uniaun Europeia, Austrália, Japaun, Irlanda, Suésia, Portugál no Estadu Unidus Amerika

Voter education poster, Parliamentary Election 2007

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Thanks also to the authors in this edition—seventeen in total—who penned their ideas and have been especially patient as essays have moved back and forth through various edits, translations and clarifications.

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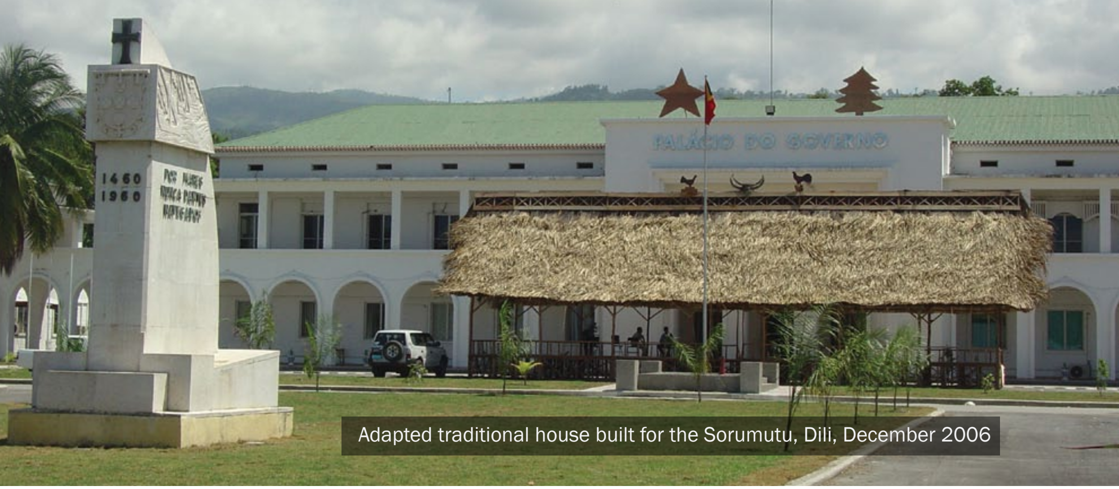
In terms of drawing the journal together, thanks to the various anonymous reviewers who helped so considerably with the six essays in the reviewed section. Emily Toome was first asked to assist with doing the style edits for the UNTL essays. However, this quickly grew into editorial assistance for all of the essays in this journal, and as such her contribution has been a very significant one. In turn, Michelle Farley at RMIT University has assisted tremendously with the final layout of the journal.

Finally, if one thinks of all the people who provide input into research in the field, of the feedback given by students and academics as papers are drawn together, and of the support given by family, friends, and colleagues to those writing and researching, collections such as these are underpinned by and rely on a deep sociality that stretches across time and space. Thanks then to all those who in a myriad of different ways have made a contribution to the ideas that are reflected through this journal and such debates more generally, from Timor-Leste and beyond.

This edition is in memory of Vonnie Brown: 1953–2008.

Children’s game, peacebuilding ceremony, Liquica, June 2010

Laga, November 2004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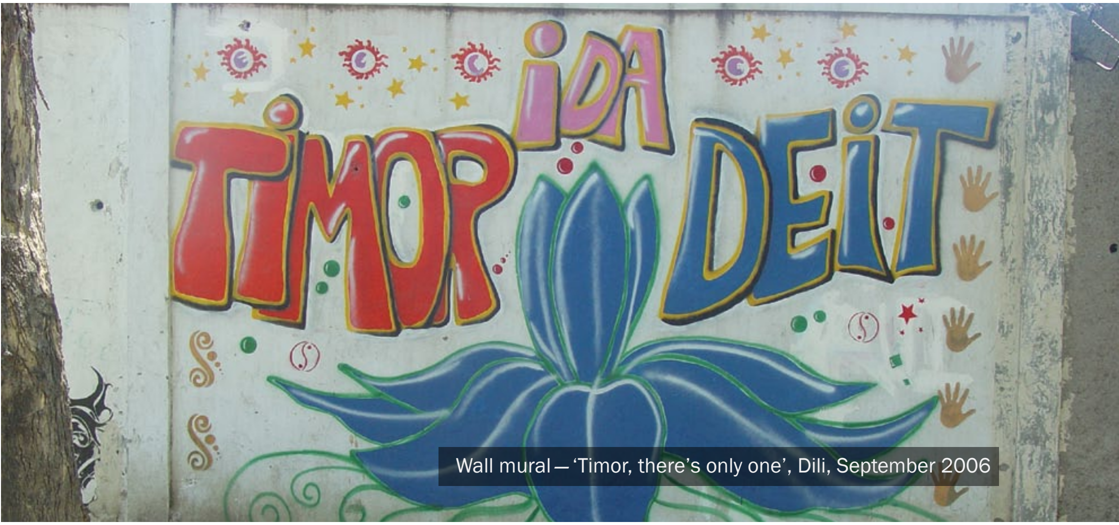
1960
PALÁCIO DO GOVERNO

Adapted traditional house built for the Sorumutu, Dili, December 2006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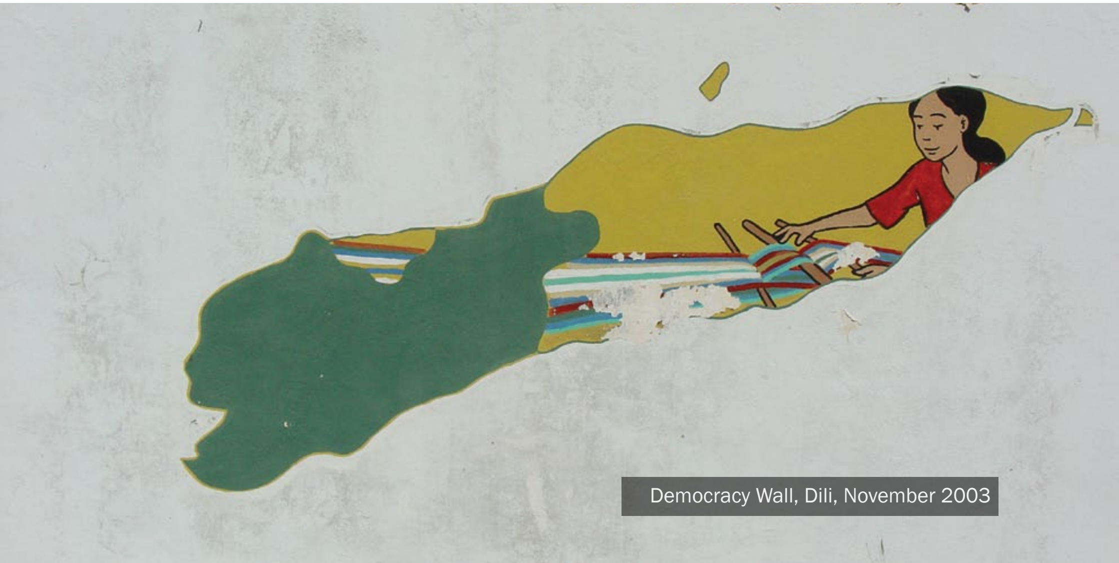
Wall mural — ‘Timor, there’s only one’, Dili, September 2006



Democracy Wall, Dili, November 2003

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

Damian Grenfell

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.

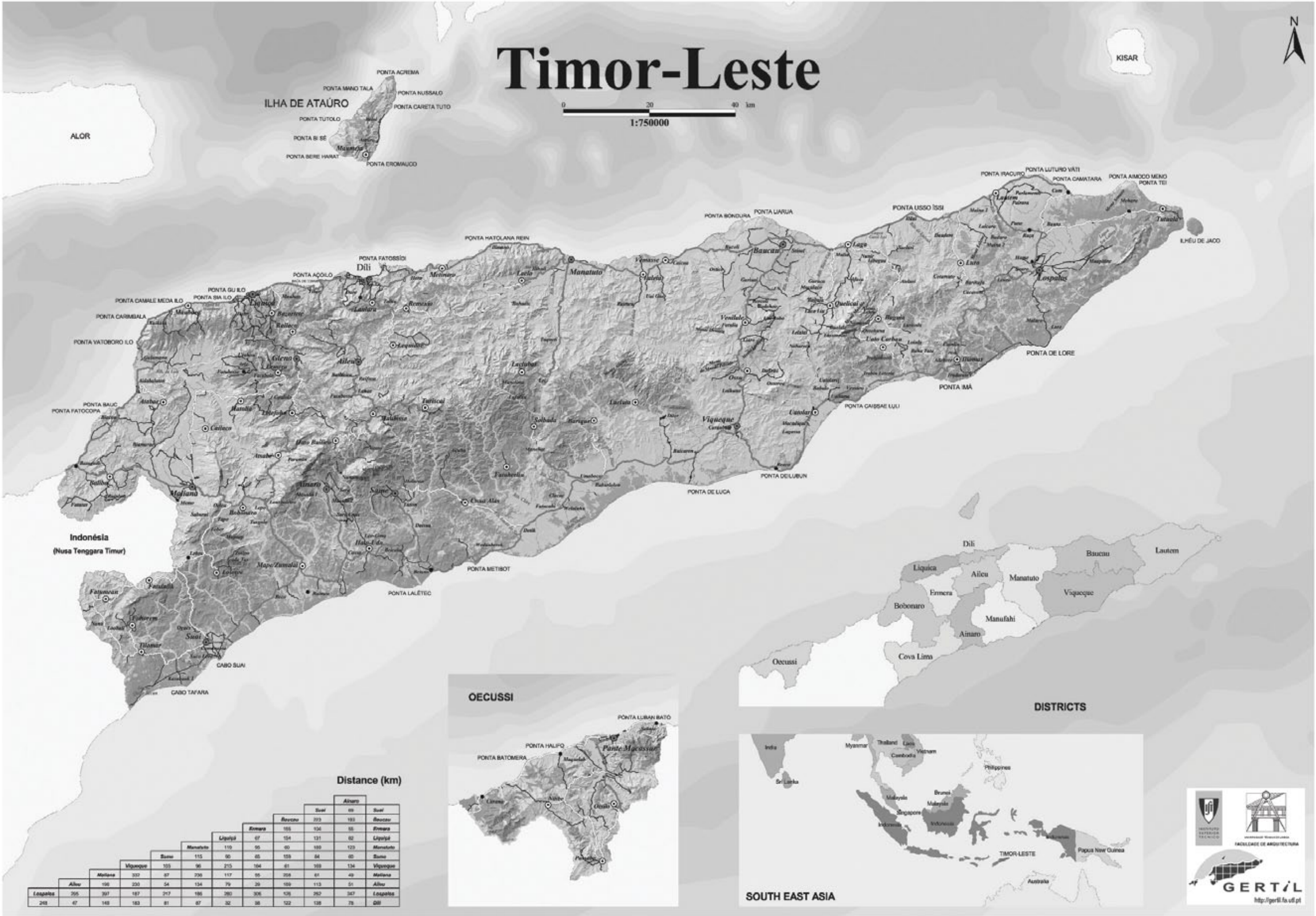
As with local governance, issues of gender regularly appear as a point of contestation where demands for modern forms of gender equity and universal rights are seen to be in tension with local customs. In her short essay, Lynsze Woon argues for the possibility of development strategies that help address 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.

Timor-Leste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PONTA TEI
PONTA DE LORE
PONTA IMÁ
PONTA CAISSAE LULI
PONTA DEILUBUN
PONTA DE LUCA
PONTA METIBOT
PONTA LALÉTEC
CABO SUAI
CABO TAFARA
OECUSSI
PONTA LUBAN BATÓ
PONTA HALIFO
PONTA BATOMERA
Pante Macassar
DISTRICTS
Lautem
Baucau
Viqueque
Manatuto
Manufahi
Dili
Aileu
Liquica
Ermera
Bobonaro
Ainaro
Cova Lima
Oecussi
SOUTH EAST ASIA
India
Sri Lanka
Myanmar
Thailand
Laos
Vietnam
Cambodia
Philippines
Malaysia
Brunei
Singapore
Indonesia
TIMOR-LESTE
Papua New Guinea
Australia
GERTiL
http://gertil.fa.utl.pt

Distance (km)

Lospalos	Aileu	Maliana	Viqueque	Same	Manatuto	Liquiçá	Ermera	Baucau	Suai	Ainaro	
										69	Suai
									223	193	Baucau
								155	134	55	Ermera
							67	154	131	82	Liquiçá
						119	95	60	189	123	Manatuto
					115	90	65	159	84	60	Same
				103	96	213	184	61	169	134	Viqueque
			332	87	236	117	55	258	61	49	Maliana
		198	230	54	134	79	29	169	113	51	Aileu
	255	397	187	217	186	280	306	126	262	347	Lospalos
248	47	148	183	81	87	32	38	122	138	78	Dili

Short essays

'Filling wounds with salt': the pathologisation of trauma in Timor-Leste

Emily Toome

Following dinner with some East Timorese friends in Dili mid-2011, one of the younger women started to tell her story of 1999 and of the violence and destruction inflicted against her village in the mountains along the East-West Timor border. Aged just ten years old, she was forced to flee with her family to avoid the attacks of pro-Indonesian militia while her family's house was looted and burned. Following her re-telling of these events, the conversation turned to the return of East Timorese who had sided with the Indonesians, and she was asked how she would feel about reconciling with those who had burned down her family's houses, or tortured or killed her relatives. 'If I saw those people who did that', she replied, 'I would tie them down with ropes and cut them up, but I would keep them alive. I would take a stick and poke holes in them, in their arms and legs and body, and pour turpentine and salt in their wounds'.

Given the failure of many peace-building operations to ensure a durable peace, it is perhaps not surprising that the prospect of retaliatory violence in post-conflict societies is identified as a security and development concern.[1] The kind of sentiment expressed by the young East Timorese woman above can be taken as just one example to justify the idea that those who were on the receiving end of violence may pose as much of a threat to long-term peace as do former perpetrators of human rights abuses. In this article I however want to critique what is in effect the securitisation of trauma and contest how suffering has commonly been approached in such circumstances. Writers such as Vanessa Pupavac and Michael Humphrey refer to a 'therapeutic security paradigm', namely the logic that depicts (post)conflict societies as 'traumatised' by their experiences of war and hence prone to partaking in irrational and self-perpetuating cycles of violence.[2] Drawing on their critique of such an approach, it will be argued here that such a framing is highly problematic in that it lends itself to a pathologisation of conflict-afflicted societies, effectively undermining people's entitlement to autonomy in favour of the therapeutic intervention of outsiders. Like Pupavac, in making this argument I do not wish to diminish the impact of war or the suffering associated with emotional ill-being, but instead agree with her contention that the therapeutic security paradigm pathologises emotions of unhappiness, anger and frustration, which might better be seen as legitimate and understandable responses to given circumstances.[3]

Implicated in the therapeutic model is an understanding of war as necessarily causing psychological trauma, which if left unresolved poses a threat not only to individual wellbeing but also to societal security and long-term peace-building.[4] Thus we see commentators refer to the East Timorese as suffering the problematic effects of 'trauma' at either the level of the individual[5], or as a society as a whole[6], with the traumatisation posited to be a risk factor for 'explosive violence'.[7] In turn, it has been said that trauma has caused aversion to electoral competition[8], and has been implicated as a cause of the socio-political crisis of 2006.[9] Fear of people's potential desire to execute violent revenge is seen to legitimise claims that the East Timorese need to 'work through' the trauma of decades of war[10], and in particular the violence of 1999.[11]

However, critics of the therapeutic model caution against the medicalised discourse of 'trauma', disputing the allegation that distressful events will inevitability provoke what Western psychology has defined as a 'trauma response', and the supposed implication that this will necessarily cause dysfunction. In positing that trauma is both a consequence and a risk factor for the perpetration of violence, the therapeutic model is reductive as it 'tends to demean the human psyche to a reflex mechanism'.[12] A person's motives are reduced to the level of pathological psychology and individual retaliation, a simplified equation: was traumatised, will traumatise. The implication is that individual or community resilience that may mitigate adverse responses to violent events become undervalued, and alternative motivations for actions are deflated of their political content. However war and conflict are experienced socially, not only in the psyche, and this may be even truer in predominantly customary societies such as in Timor-Leste where to a significant level the communal weaves the fabric and meaning of life. To diminish the social and political in favour of the internal and individual is at once disempowering and disingenuous, working against the very strength of tightly knit communities.

It is not just that the effects of pathologising trauma can undermine the potential for local recovery, but there are also broader problems in this framing of analysis which can make such disempowering prescriptions more likely. For instance, Humphrey believes that the therapeutic model of security and governance arises from a more general understanding that 'new wars' occurring in the periphery are politically meaningless 'expressions of culturally embedded behavioral irrationality' that are not amenable to mediation or resolution.[13] One common way of distinguishing between 'old wars' and 'new wars' is to suggest that the former were driven by forward looking projects of ideology aimed at societal improvement, while the latter occurring in the increasingly globalised post-Cold War period, are regressive and based in exclusivist identity politics.[14] However as Duffield asserts, in contemporary conflicts (of which he includes Timor-Leste) 'the situation on the ground invariably proves to be more complex and ambivalent than the images of regression suggest'.[15] Indeed the fight for East Timorese independence might better be understood as the culmination of a long-overdue decolonisation struggle, more relevant to old wars than new. And yet some commentators continue to express their surprise to see Indonesian statues still standing in Timor-Leste[16], or Indonesians living within communities treated with friendliness[17], suggesting that a stereotype of ethnic forms of identity such as that found in the construct of 'new wars' inaccurately frames their interpretation of the conflict.

The dichotomisation of new versus old wars suggests a difference in the legitimacy and rationality of conflict, a point that can in turn serve to justify the intervention and governance by outsiders, supposedly bearing prescriptions for local malady. Thus in 1999 the widespread destruction and removal of most of Indonesia's overarching structures of governance in Timor-Leste led to a perception of the nation as a dysfunctional 'blank slate' or 'empty shell', a perception that legitimised the international intervention as fulfilling the role of a functional and remedial rescuer.[18] This is in accord with Humphrey's caution that within the therapeutic model 'Peace becomes the achievement of experts rather than the achievement of negotiations and agreements by a political community'.[19] That the East Timorese resistance held political aims and that indigenous social structures stood strong despite the occupation and preceding colonisation was seen by the early United Nations intervention as of little relevance to the state- and security-building project.[20] Sidelining the political aims of groups and individuals, or painting those aims as the product of 'trauma', serves to empower the outsider and undermine local autonomy, raising issues of ownership and legitimacy of peace- and nation-building projects.

The sidelining of local lifeworlds is a theme discussed elsewhere in this publication, but here it is useful to question the validity of the therapeutic model and its projection of one psychological lens through which all people in all places supposedly experience their suffering. Critics deny the universality of the Western bio-psychological model of suffering and trauma and draw attention to alternative ways of understanding health and wellbeing.[21] This is certainly of relevance to customary life-worlds in Timor-Leste, whereby as Andrew McWilliam observes of Fataluku culture, health is conceived of as socially embedded and relational, rather than biological and individual, and that these reciprocal relations extend to the embodied, spiritual and ancestral realms.[22] Accordingly, it should be unsurprising that locals are reportedly less inclined to seek assistance from health care professionals for emotional ill-being than they are to turn to customary healers who are able to assist with the restoration of balance.[23] Indeed as McWilliam notes, 'biomedicine for the most part can only alleviate symptoms of disease, not its cultural causes which so often lie in the moral dimensions of social transgression'.[24] While they may serve a need for some, counselling programs according to Western psychological models of trauma are likely to be less important to locals than are the autonomous efforts currently being undertaken to rebuild *uma lulik* (sacred houses), lay the dead to rest and pay tribute to ancestors who died in the civil war and resistance.[25]

This is not to say that the East Timorese are in unified opposition to modern medicine and Western approaches to psychology, or that in some cases these models wouldn't be relevant and responsive. Nor is it to say that East Timorese desire solely customary solutions for the conflict that beset their nation or more localised challenges. Indeed the complex layering of customary, traditional and modern ways of being in the world is evident in the perceived complimentarity of customary practices of reconciliation with modern practices of formal justice. As Kent found in her evaluation of the Community Reconciliation Program as run by the Commission for Reception, Truth and Reconciliation (CAVR), while the reintegration and reconciliation of low level perpetrators through largely customary local practices was for the most part well received, prosecution through the formal justice system was reported by nearly all respondents as being the appropriate and necessary process for perpetrators of serious crimes.[26]

However, instead of formal justice what has been pursued in Timor-Leste to date has been predominantly an attempt at pacification through reconciliation. As Pupavac observes, truth commissions and war tribunals have been promoted in post-conflict interventions as contributing to social catharsis, instruments of 'mass psychotherapy'.[27] In the absence of a local judiciary, the establishment of the CAVR in Timor-Leste was seen to have a role in transitional justice, clarifying past events and justified by the potential for stopping retaliatory cycles of violence.[28] The cathartic role of truth and reconciliation commissions is contestable, with some locals feeling that the processes of testifying and reintegrating low level perpetrators were serving to re-open wounds, particularly in the absence of formal justice and material reconciliation.[29] Again questions can be raised about the cultural appropriateness of psychological models that encourage revisiting and re-working through trauma rather than alternative coping mechanisms.

At the societal rather than individual level, the critique of therapeutic governance problematises the way in which truth and reconciliation commissions, such as CAVR, are used to legitimise the rule of new governments through their recognition of past abuses, claiming to bring closure to the old regime and the effects of violence.[30] Jose Ramos-Horta and Xanana Gusmaõ in particular have promoted reconciliation over prosecution for both crimes committed during and prior to 1999, and more recently the crisis of 2006 and the assassination attempts of 2008.[31] As Kingston has commented, Timor-Leste is in a difficult geopolitical situation, lacking the resources or international backing to push for the extradition, trial and punishment of Indonesian perpetrators of abuses under the former regime.[32] However the pursuit of reconciliation, no matter how pragmatic, is problematic when it comes at the expense of local desires for justice.

In such circumstances reluctance to let go of the past does not necessarily indicate a psychological blockage impeding rationality and functionality. The frustration and anger expressed in response to perceptions of impunity need not be read as signifiers of pathological maladjustment. Rather, if indifference to local demands continues and perceptions of impunity grow it is likely that feelings of anger will be fostered, irrespective of previous experiences of violence or 'trauma'. What's more, it is troubling that as Grenfell notes pushing 'reconciliation without justice' has the effect of 'put[ting] the onus almost exclusively onto a community that has already suffered enormously'.[33] In effect, pressure is exerted downwards onto local communities who are expected to open their wounds to reveal their trauma or confess their sins, to appreciate the soothing salve of therapeutic reconciliation, and to passively accept the failure of the state and international community to deliver on their expectations for justice, enhanced material security, and greater self-sovereignty in their new nation.

In light of the importance of the social and political, it is important to revisit the vignette at the opening of this piece. As Humphrey and Pupavac contest, a danger of the therapeutic security paradigm is that it seeks to 'manage conflict therapeutically by adapting the individual to fit in with their war altered environment rather than change the environment to match individual expectations'.[34] In the narrative at the opening of this article then, rather than expressing her individual traumatisation, it could well be that the East Timorese friend was through her storytelling making her claim on the social territory, on what's right and wrong in how people live together. Accordingly, the expression of her own pain and desires to inflict pain back is not necessarily proof of her damaged psychology, but instead is a social demand that the world be set right. Instead of trying to adapt her—and others like her—to fit into prescriptions designated from above, perhaps it is the system which needs adaptation and challenging, with greater attention to the social and political than the individual.

Endnotes

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Playing pool at the Hard Rock Café

Gordon Peake

From its ritzy new headquarters overlooking Lake Geneva, the World Intellectual Property Organization is the arm of the United Nations dedicated to ensuring that patents and trademarks are respected. On four occasions in the last decade, the Hard Rock Café organisation has asked the Organization to arbitrate when they learn of restaurants that pinch their name and logo.

What, I wondered, would the World Intellectual Property Organization make about the case of a Hard Rock Café operating in Oecusse, the exclave of Timor-Leste surrounded on all sides by Indonesia? The restaurant has the distinctive circular emblem and red lettered font on its frontage; it even sells Hard Rock Café Oecusse t-shirts (that are approximately the size of a small tent) but doesn't appear to be an official member of the franchise. Some questions should probably be asked of the owner and he shouldn't be too difficult to track down. He even comes relatively regularly to Geneva. And what is the name of this gentleman whose organisation shows such callous disrespect for copyright protection? His name is Ban Ki-Moon and he is the head of the United Nations.

The imposter Hard Rock Café is located inside the compound of one the United Nation's farthest flung outposts. It is a place where bored international police officers challenge each other to game after game of pool for want of anything else to do.[1] One day I went there for lunch and came back five hours later, only to find the same two colleagues still locked in combat on the heavily scuffed felt. I have been there a bunch of times over the years and always marvel at the oddness of the place, serving pizzas, fries and tuna spaghetti. The free condom dispenser in the men's toilets seemed to be forever out of XL size and I never had the courage to ask anyone whether there was a good story behind this. It was a place of comfortable English-speaking familiarity in a land where that language is not normally spoken.

Tuesday night is DVD night and on almost every weekend there seems to be a send-off that takes place in an atmosphere of forlorn jollity. Hangdog talk about how the efforts of the United Nations and donors are coming to naught is the conversational mainstay. 'We're just not getting any *traction* here', said one woman using one of the favourite words in the development lexicon to bemoan the failures of East Timorese housewives to see benefits in the Orwellian sounding Community Mobilisation for Poverty Alleviation and Social Inclusion in Service Delivery project. 'It's just so hard convincing them to come to meetings', she continued, clearly figuring that cooking, cleaning and feeding an army of kids—the average household is comprised of nine people—with few means wasn't work enough. She excused herself immediately after dinner; she needed to finish a report back to headquarters on how well the project was working. I fell into a conversation with a chain-smoking police officer who told me about his last trip to Bali.

It is in places like Oecusse where airy proclamations in the United Nations and faraway conference venues—talk of 'capacity building' and 'skills transfer'—meet uncomfortable reality. The demented pool players and their co-workers are the public face of what is called 'peace-building' or 'state-building', shorthand for rebuilding countries broken by internal conflict. There is a large industry of peace institutes and think-tanks around the world that produce earnest, jargon-filled manuals, toolkits, standards, guides and other procedural remedies to be used by those sent to places like Oecusse. Few of their products seem to have made it. The only reading materials I saw in Oecusse that evidenced signs of being read were tattered copies of the *Qantas* in-flight magazine. My unscientific survey of the denizens of the Hard Rock Café about which handbook they found most useful turned up blank looks and an appeal to shut up as the *Shrek 3* DVD was about to start.

The United Nations Police are stationed in the nearby station that they share with their East Timorese colleagues. The UN's role is to 'build the capacity' of the East Timorese law enforcers, but this is easier said than done. For a start, the United Nations Police and the East Timorese do not share a common language, which means they cannot even have a simple conversation with each other. Few skills seem to be transferred from one to the other beyond how to excel at smoking and mooching around. Although they shared the one building, there was oftentimes little interaction between them. The East Timorese police worked in their own offices or lounged outside under the shade of a eucalyptus tree, and their United Nations 'counterparts' sat in their own sections with better air conditioning and lamented the sluggishness of the internet connection. 'This slow net really is a drag', said one officer to me, taking a cigarette break from the hard work of calculating when he would accrue enough days to next go on holiday.

There were few common frames of reference even when conversation was mediated through an interpreter. I remember once watching the face of an East Timorese officer grow ever more bewildered as he heard tales of just how hard it is to keep a backyard swimming pool sufficiently chlorinated. The cost of the pool cleaning service was more than the East Timorese cop's monthly salary. The police in the main station were veritable paragons of industry compared to their partners located on the borderline with Indonesia. I went looking for a toilet at the frontier post one afternoon, walked in the wrong door and found the entire contingent of United Nations 'border police advisers' fast asleep at their desks.

The main challenge for both UNPOL and PNTL commanders is devising tasks for their officers to do. They have a parade and prayers every morning at eight o'clock which passes about twenty minutes but, even allowing for a languid lunch, there is still a lot of time to fill until five in the afternoon. There is very little reported crime in Oecusse, a place with a population of 60,000 people; on average the police deal with less than one incident every two days. I once went out on patrol with the twenty member police 'Task Force' that is trained to respond to public order challenges. We clambered onto the back of their little pickup truck, drove the length and breadth of the wide boulevards of Pante Makassar, the main town in Oecusse, stopped to buy cigarettes along the way, and returned to the police station about ten minutes after we left it.

Not that there isn't any crime in Oecusse. There are sky-high rates of domestic violence and land dispute that can occasionally turn vicious. But victims rarely ask police officers to get involved. The majority of everyday disputes in Oecusse—as in other parts of the countryside—are still dealt with largely by informal and traditional means, rather than through a court. Ingrained allegiances and a dynamic mix of rituals, taboos, protocols, payments and social relationships remain more important than any uniform in enforcing order. So strong is the adherence to these injunctions that most Oecusse people maintain the prohibition on eating fish, eggs and coconut, even though these are among the most plentiful foods in a district in which people often go hungry. Their family name determines which foods they can eat and which foods they cannot. Some families don't consume fish out of deference to a bargain that warriors from Oecusse made in olden days with a sea monster that helped them across a swollen river. The creature—a freshwater kraken with the horns of a bull—helped them return to their lands safely in return for extracting a promise that neither the warriors nor their descendants would eat food that came from the river or the sea. I heard of everything from severe itching to calamitous injury being visited upon those who broke the promise. 'Can you believe that people eat fish from a can?', said one East Timorese police officer to me one day, clearly perplexed by the menu at the Hard Rock Café. 'I'd rather not eat than eat fish'. I relayed these stories to the denizens of the pool table and it was the first they'd heard of this. They rarely stepped out beyond their English speaking bubble.

Every time I visited Oecusse, I would learn a little more about these beliefs. They were hard to rationally square, but more deeply held and binding than any formal law or edict issued by the district administration or the government in Dili. Some articles of faith, such as the fish, had some parallel to Catholicism, the dominant religion, but much of the beliefs and customs have origins long before the arrival of missionaries. Most people in Oecusse have communication with their ancestors at least once-a-week, whose views on matters often take precedence to what official superiors might say.

As soon as I thought that I sort of understood the codes and customs in Oecusse, I would learn more stories and find myself entangled once more. This interplay between ancestors, land arrangements, prohibitions, and superstition was often oblique and changed according to unseen rules to which I was not privy. Its logic was as opaque as the notion of ‘capacity building’ through osmosis that the UN was undertaking at the police station, albeit that custom appeared to deliver much more tangible results. The complex rituals and codes 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.

Endnotes

1 After thirteen years, UNPOL are scheduled to withdraw from Oecusse in late 2012.

Re-interpreting customary practice as a framework for development: lessons of Timor-Leste's Community Reconciliation Process

Sam Carroll-Bell

Among the many challenges that confronted the newly liberated nation of Timor-Leste in 1999 was how it should begin to address the widespread human rights violations so inextricably intertwined with its recent past.[1] Ultimately, the nation's transitional justice system would forge a hybrid system of 'complimentary' mechanisms, comprising both retributive and restorative processes, working across two jurisdictions and drawing together both customary and modern forms of law.[2] While there has been a great deal of analysis of the transitional justice system as a whole, this article is interested in exploring how some of the strengths of that process—in particular the Community Reconciliation Process (CRP) undertaken by the Commission for Reception, Truth and Reconciliation (CAVR)—can inform contemporary development practice. The article is concerned with the ongoing challenges that face development in Timor-Leste and identifies several factors critical to the CRP's success that could provide a more sustainable way forward for development activities.

Following the havoc of 1999, the CRP was a unique attempt at resolving thousands of so called 'less-serious' crimes[3] and reintegrating victims and perpetrators[4] back into their communities.[5] At its conclusion in late 2004, the CRP had successfully completed 1,371 cases and attracted the participation of some 40,000 people from across Timor-Leste.[6] While not without its detractors, many of those who participated in the CRP felt that it had significant benefits, with observers noting the CRP's contribution to re-establishing community-level cohesion and stability.[7] In all, the CRP can be taken as a durable process of reconciliation, due at least in part to the way in which the process drew together different patterns of political-cultural authority.

Notably, the CRP drew from East Timorese custom in a range of ways, including using *nahe biti*[8] to inform, instruct and facilitate a process of reconciliation and reintegration within local communities. Structured around an unfurled woven mat, *nahe biti* brings together aggrieved parties to discuss and debate issues, resolve conflict and ultimately mend relationships. The significance of the mat is that once unfurled, it would not be rolled up again until a resolution had been found or consensus reached.[9] This use of *nahe biti* in the CRP was partly in recognition of the importance of the customary world in dispute resolution but also because of the prospect of an 'overloaded, inexperienced and under-resourced' formal legal system collapsing under the weight of numerous challenges.[10]

While *nahe biti* had traditionally been the preserve of familial and social domains, its application expanded during the civil war of 1974 to include political divisions and acts of violence.[11] The CRP incorporated and synthesised many of the ceremonial procedures associated with *nahe biti* including: the reception of perpetrators and victims; facilitating testimony, admissions and questions; encouraging humility and expressions of remorse; establishing community consensus; and proscribing symbolic acts of contrition.[12] Critically, the CRP drew together both customary and modern forms of leadership. This included a community panel made up of local elders who held customary sway as well as representatives drawn from modernised institutional forms, local offices (such as local government, education and so forth) and the CAVR itself. Working at times in tension with each other, the representatives helped facilitate resolutions between the victims and perpetrators that led to the creation of a Community Reconciliation Agreement, which inturn, would be registered with the state.[13]

It is this sense of drawing together different patterns of authority, even when in tension, that I suggest could be used more regularly in development practice. Ten years on from independence, the development record in Timor-Leste, even when measured against its own terms of reference, is mixed to say the least. The United Nations Development Programme 2011 *Human Development Report* states for example that while there has been some progress (predominately in urban environments) 'much of the population remains poor, and there is considerable scope for improvements in human development'.[14] The report's use of the Multidimensional Poverty Index—an index drawing on education, health and standard of living data to identify multiple deprivations in the same household—also provides a sobering account of achievements in Timor-Leste; 68.1 per cent of the population still suffer multiple deprivations while 18.2 per cent continue to be vulnerable to multiple deprivations.[15] Consequently, 'there remain significant human development problems, notably in the areas of energy provision, food security and nutrition, access to education and health services and high levels of employment—of concern particularly for the country's youth'.[16] Progress toward Timor-Leste's Millennium Development Goals is equally partial as each of the positive achievements are undermined by continued challenges elsewhere. Despite 5.5 billion dollars[17] of programmatic assistance—equivalent to $5,500 for every man, woman and child—Timor-Leste is unlikely to fulfil a number of its 2015 targets. These include specific reductions in the:

> …proportion of population below the poverty line, prevalence of underweight children under five years of age, the proportion of children reaching fifth grade, proportion of children immunized against measles, maternal mortality ratio, proportion of population

> with comprehensive correct knowledge of HIV/AIDS, incidence associated with malaria, and proportion of population using an improved sanitation facility.[18]

In presenting the above scenario, my intention is not to denigrate the commitment and passion so evident in the work of development practitioners and agencies operating in Timor-Leste. Nor is it designed to deny or obscure the severity of the challenges they face, or the multiplicity of approaches they have adopted in response to such challenges. Indeed, as we shall see, a number of organisations have responded to different challenges, and as will be discussed this includes a recognition of the importance of the customary world. Instead, the above detail is used more generally to highlight how the modernising practice of development has in many instances struggled to gain traction in Timor-Leste. Consequently, the scenario asks us to think upon two questions. First, why has development practice generally struggled to adapt and culturally situate itself within the socio-cultural norms of the East Timorese in the same way as a process such as the CRP was able to? Second, why, given all of their apparent strength and flexibility, does development tend to view customary systems unfavourably?

In considering the first of these questions, and more specifically how the practice of development could be re-configured or re-caste, it is worth coming back to reflecting on the CRP once again. For instance, the single most important factor driving participation and involvement was that the practice underpinning the CRP held intrinsic value and meaning for people. Moreover, the CRP drew upon and was integrated within prevailing social values and practices. This approach contrasts with what often appears to be an un-reflexive modernity on the part of the development industry which still often attempts to introduce and operationalise external practices through a myriad of integrative means.[19] Indeed, the key aspects of the CRP were found not in newly constructed and predominately imported institutions, but in a deeply ingrained customary practice which, as Babo-Soares has argued, has been a part of the East Timorese 'ways of being and doing' since 'time immemorial'.[20] Constituting 'reconciliation' across the customary and modern meant that much of the disjuncture and dysfunction associated with drawing from one form (typically the modern) in the place of, or with a disregard to, customary 'ways of being and doing' was reduced.

Another factor underlying the CRP's ability to connect with local populations lay in the redistribution of power and control. Crucially, the CRP was critical in restoring and reaffirming many of the social norms, practices and structures prohibited or marginalised under Indonesian rule.[21] In so doing, even if in a small and momentary way, the CRP helped to re-establish the community's locus-of-control as well as its capacity to interpret and mediate change and answer to a desire for social cohesion.[22] This is in part because the CRP understood customary practice to be a vibrant, constantly evolving and capable of adaptation. For instance, while the term *nahe biti* can be found in almost all ethno-linguist groups in Timor-Leste, even within the relatively localised domain of Timor its application and form varies from one place to another.[23] It was therefore quite unlikely that a 'universal' approach to reconciliation—something which writers like Escobar and Esteva have long argued frames development 'planning' and 'practice'[24]—would allow communities to interpret the proceedings with different levels of adherence, recognition and legitimacy. Consequently, a key to successfully re-casting development in Timor-Leste—much like the positioning of the CRP itself—can be found in:

> ...the extent to which local people and organisations are able to appropriate development interventions to their own ends... by relocating them in constructive ways within their local and social terrains.[25]

In responding to the second of these questions, namely 'why does development tend to view customary systems unfavourably', I draw from the CDA's *Listening Project* in order to outline aspects of development practice which limit a practitioner's engagement with the customary world.[26] The first lies in the short-term, cyclical and programmatic nature of development practice itself. For instance many interviewees in the *Listening Project* felt that development practitioners were more interested in completing the project associated with their deployment than 'getting close to the community and building sustainable relationships'.[27] Moreover, they expressed frustration at a perceived unwillingness to learn about their ways. In other words, 'they just come, do their project, go back, and there is no change'.[28] The second relates to the notion of pre-set 'development outcomes' and the perceived externalisation of the community's 'priority-setting' and 'decision-making' functions. This in turn appears to be further complicated by the need to meet the ongoing expectations of donors, technical advisors and political actors.[29] As one participant noted, 'sometimes NGOs want to implement their own projects, and don't really see the problems the community confronts'.[30] Encapsulating the complexity of this challenge another added:

> The target groups don't care for the targets of the donors or international politics. They want to see their situations improved. The NGOs or the implementing organizations are in between the two, managing the expectations of both sides. The expectations of our target groups may differ from those who give us money. We just have to admit that there may be a gap.[31]

Taken individually, each of the above pressures represents a significant challenge to the adaptive capacities required for effective development practice. Taken as a whole however, they also seem to conspire against the identification, recognition and comprehension of other 'ways of being and doing'. Consequently, customary forms—despite their robust nature and capacity to adapt—are often ignored, overlooked or dismissed.[32] Such an appraisal is broadly consistent with the more critical views of development's discursive framing.[33] Put in their simplest form, these critiques posit that the modernist discourse of development 'encourage[s] people to see themselves as being underdeveloped and in need of capacity building'.[34] Critically, this discourse also promotes 'others' to recognise and meet the needs of the 'underdeveloped' through the application of modernist systems. Spurred on by the desire to construct modern structures, the resultant intersection generally leaves both the 'developed' and 'underdeveloped' closed to reflection, learning and adaptation.[35]

Again, in presenting the above discussion, my intention is not to provide definitive statements that cover all development related activity in Timor-Leste. Indeed, documentary and anecdotal evidence suggests that there are a number of agencies or organisations who, over the last ten years, have sought to build and retain a working knowledge of customary practice in order to assist them in connecting with local communities. Moreover, there are those whose respect, recognition and understanding of customary practices has seen their 'modern' work drawn into customary domains to form new and meaningful frameworks for development. The work of Caritas Australia in the areas of peace-building, gender-based violence, prisoner support and reintegration provide us with three such examples. Like the CRP, these programs draw together customary leaders such as the *lia-na'in* (spiritual leader) and *liurai* (political leader), local authorities like the *xefe aldeia* (hamlet chief) and *xefe de suku* (village chief) that are part of modern institutional forms, as well as other local government officials, education providers, the police, and the non-government organisation itself. Following the delivery of these programs, customary structures have supported and, where necessary, reinforced this learning through a variety of ceremonial events and community-based sanctions. Numerous iterations of each program have been delivered over the last several years, each with noteworthy support and appear to be delivering positive results.[36]

Intriguingly, the studies of Lisa Palmer also provide us with a glimpse of what these new and meaningful frameworks might look like. In examining the sensitive issue of water management in the city of Baucau, Palmer's work articulates 'a vibrant customary sector built on richly complicated processes of exchange, which are also enmeshed in complicated relationships with the state and market sectors'.[37] Part of this exchange involves the customary 'owners of the water' (known as *bee na'in*), government officials, formal sector water officials and the wider community all coming together in annual ceremonies of invocation and sacrifice before deciding on where the water flows for the forthcoming year will be directed and at what levels. Underground channels and 'modern' pipelines are then accessed to deliver water to nominated areas while local springs on conduits are managed in accordance with local tradition. Significantly, the *bee na'in*, acting on ancestral instruction, can deny a request to divert spring water even if this request is made by the formal sector. While this centuries old practice continues to regulate access and control to water resources, it has been modified in recent years in order to recognise formal sector claims. Conversely, Palmer notes that greater formal sector support and recognition of these local customary institutions is now required as new forms of national community come to sit in relation with local communities. In short, the *inside* practices are capable of supporting a multiplicity of activities, provided the *outsider* is willing to recognise their meaning, authority and adaptive capacity.[38]

The work of Caritas, much like the water management program in Baucau, seem to replicate some of the ways the CRP drew together different forms of authority and legitimacy in order to create a sustainable and binding agreement. All too often however, these 'adaptive' or 'hybrid' forms of development are restricted to the margins of practice as exceptions, rather than a rule. In saying this, it is also important to note that the CRP did encounter a number of challenges. For instance, *nahe biti's* long-term focus appeared to prioritise the need for social harmony and deponent re-integration over the needs, rights and healing of individual victims.[39] Furthermore, female and minority participation in some locations was quite low. While social conditioning, patriarchy and fears associated with 'coming forward' were all partly responsible, hearing times and material needs also conspired to produce highly-gendered outcomes in a number of communities.[40] A third area of tension was found in some international donors, humanitarian organisations and multi-lateral agencies who were concerned with the CRP's compatibility with international human rights standards, not least when sanctions were applied to perpetrators.[41]

These and many other problems could emerge from the development framework being advocated here, as each of the above noted challenges reflect possible points of tension that lie between modern and customary practice. At first glance, the resultant intersection could be problematic: any development framework which seeks to integrate itself across customary and modern patterns of practice would almost assuredly face these very same tensions. However, it is argued that this is better than trying to establish one mode at the cost of another where working at the intersection of different ways of being in the world allows opportunity for negotiation and mediation that would not otherwise occur.

Using the well-known framework of the CRP as a lens, I have attempted in this essay to create a space in which the apparently 'incongruous' notions of development and customary practice could be re-interpreted, re-framed and most importantly, re-imagined. The justification for considering such a framework is straightforward: the people of Timor-Leste remain deeply connected to the customary world. Furthermore, the practices, rituals and authority associated with these 'ways of being' continue to be observed and respected on a daily basis. These practices have also shown themselves to be remarkably robust and adaptable. For some, this re-imagining may well challenge the essence of what they consider 'Development' to be. It is clear however that, despite considerable time and resources, development's modernising processes have struggled to significantly reduce poverty and improve human development in Timor-Leste as well as might have been the case. Perhaps now is the time for development actors to embrace the challenge of reflecting on their processes, to learn and adapt to their 'on-the-ground' experience.

Endnotes

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4 Also known as 'deponents'.

5 CAVR, *Chega! The Report of the Commission for Commission for Reception, Truth and Reconciliation in East Timor (CAVR)*, CAVR, Dili, 2005, pp. 19–22.

6 ibid., p. 23; D. Grenfell, 'When remembering isn't enough', *Arena Magazine*, no. 80, 2005–6, p. 33.

7 Statistics are taken from D. Grenfell, 'When remembering isn't enough'. See, for example, CAVR, *Chega!*; M. Schlicher, *East Timor Faces up to its Past*; JSMP, *Unfulfilled Expectations: Community Views on CAVRs Community Reconciliation Process*, Judicial System Monitoring Programme, 2005, available from, <http://www.cavr-timorleste.org/otherFiles/Lia%20Kent_Report.pdf>, accessed 9 September 2011, p. 9. However this point has been qualified by numerous conceptual and operational challenges—including access, time constraints, political pragmatism, and the absence of high-level prosecutions. CAVR, *Chega!*

8 *Nahe biti* literally translates as 'stretching, lying or rolling the mat'. As a term or concept, *nahe biti* can be found in almost all ethno-linguist groups in Timor-Leste. While its application can vary from one place to another, the philosophy underpinning its use is commonly understood to be 'the healing of past mistakes' and 'the restoration of harmony': the balance of *Hun* and *Rohan*. 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. 23–5. Also see M. Tilman's comments on *nahe biti* in connection with the customary authority of the *liurai*, this volume.

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34 L. Palmer, *Enlivening Development*, p. 357.

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Negotiating modernisation and gender in the post-conflict reconstruction of Timor-Leste

Lynsze Woon

Since achieving national independence in 1999, gender has been a priority area within the wide-range of development projects undertaken in Timor-Leste. Considerable effort has been put into improving not only the rights of East Timorese women, but also into addressing their position within broader gender-based relations. Government, international aid agencies and civil society organisations have sought to address deep-seated gender inequality, improving women's access to political participation, services, income generation and education, as well as addressing issues such as domestic violence and insecurity. The implementation of numerous gender programs can be seen as part of a broader social transformation towards the post-independence fulfilment of modern democratic ideals, universal human rights and equality.

At the state level, these attempts have been institutionalised through international treaties such as the United Nations Convention on the Elimination of Discrimination against Women (CEDAW), as well as the establishment of the Office for the Promotion of Equality (OPE) in 2002, now known as Secretary of State for the Promotion of Equality (SEPI). To ensure that gender is taken into account in government policy and legislation, SEPI has attempted to facilitate processes of gender mainstreaming and encourages women's political participation.[1] In addition, the passing of the Law against Domestic Violence in July 2010[2] has been one of the most significant achievements of gender advocacy, seeking as it does to address the toll domestic violence has on women's rights and equality in Timor-Leste.[3]

While many efforts have been made to improve gender equality at the state level, it is less clear what success there has been within local communities. In local and often rural communities, gender-development organisations are challenged by the tensions between the process of promoting universal rights on the one hand, and the pre-existing culturally embedded traditional structures on the other. Where traditional social structures[4] remain dominant, they are often viewed as a barrier to social change and as restricting female participation in social and political life.[5] In exploring this tension between the modern and the customary, this article wishes to consider how attempts to improve gender-based relations are negotiated and constituted at the local community level, by women themselves, in conjunction with local development organisations.

Challenges to gender reform

The push towards greater gender equality, particularly viewed in terms of women's increased political participation, has brought into focus significant tensions between processes of modernisation and customary structures at the local level.[6] For instance, in the initial CEDAW report the government of Timor-Leste recognised that the predominantly patriarchal foundations of customary law and social structures continue to pose significant challenges to women's political participation at all levels.[7] Despite a growing acceptance of greater female political participation within the state, to some extent traditional gender roles and leadership structures continue to dictate ways in which women engage with their local communities.[8] Tellingly, the report notes, 'Women are more likely to be found preparing food and serving dignitaries at community meetings rather than actively participating at these events'.[9] Furthermore, the difficulty in challenging deep-seated gender inequality is emphasised by the fact that it is often women themselves who reinforce traditional gender values and roles.[10]

Attempts at achieving greater gender equality instituted from the top-down, especially via the state, may also exacerbate local challenges; as Cummins notes while the intent may be commendable, the instrumental focus given to establishing gender quotas at the parliamentary and *suku* (village) levels of governance has failed to consider how altering these institutional structures will impact on the local political environment.[11] The impacts of social change of this nature may have significant negative implications on people's sense of continuity, security and empowerment.[12] In such circumstances, an apparent dichotomy can be seen to have developed between the agendas of modern state institutions and organisations on the one hand, and local communities trying to maintain the legitimacy of custom and leadership on the other. Hence, it is important that interventions aiming to transform the ways in which men and women engage socially and politically must also be accompanied by deeper reflection on how these changes will impact at the local level.[13] This is vital for a range of reasons, not least for challenging deeply embedded gender norms in a way that does not alienate traditional leadership structures through creating a perceived loss of power over basic norms.

Negotiating at the local

Despite these tensions being evident at different times, there are examples of gender programs that demonstrate considered negotiation of the intersection between modern institutional processes and existing customary structures. For instance, since 2007 Caritas Dili has been running the *Women in Transitional Justice* program in two *suku*, one each in the districts of Lautem and Oecusse. Central to the program was a comparative study tour involving twelve women from each *suku* who travelled to the capital Dili to visit various institutions that are part of the formal justice system. The women visited Parliament and courts, as well as a variety of civil society organisations and community leaders. The more immediate aim of the program was to provide local women with opportunities to learn about the formal justice system so that they might more effectively participate in community decision-making. However, and more broadly, the process has also created opportunities for communities to engage with changing social imperatives, including allowing community members to identify points of negotiation and contestation between both *adat* and formal justice.

From the perspective of Caritas Dili, the impact on these women and their communities has been positive.[14] Study tour participants have become more confident in speaking on and debating matters of importance in their communities. Furthermore, on returning to their home *suku*, the women were encouraged to share and contextualise their knowledge, allowing for a more organic form of social transformation and development. In this sense, the program is underpinned more by local engagement in the process of learning and social transformation rather than strictly from outsiders coming into communities. Change is, in effect, facilitated (but not mandated) by the support provided by the development organisation, such that the process of adaptation and contestation of modernity comes from within the communities themselves.

Caritas Dili has engaged with local traditional and community leaders who recognise the value in greater gender equality as also being within their own interests, as part of 'keeping up to date with what was happening in the rest of Timor-Leste'.[15] Traditional leaders are increasingly seeking ways to maintain the legitimacy and relevance of their position and of traditional justice by adapting to changing social attitudes and participating in processes that promote more positive gender outcomes. This sentiment was emphasised in an interview with the Caritas Dili Program Director who noted that while it is certainly important that women realise they have a place in local decision-making, it is also vital that communities as a whole acknowledge they have an opportunity to become 'more fair, more just and more equal'.[16] In this sense, Caritas Dili has sought to create spaces that allow for the adaptation and contestation of new ideas and relationships through which people are able to define new roles for themselves in a changing political landscape.

However, by no means has the approach of Caritas Dili resulted in a complete and even transformation of gender relations within—let alone across—different communities. Changes are often small and incremental, and face many challenges along the way. While there are attempts by women to engage more in decision-making processes within their communities, deep-seated gendered values and disparities of course remain. As such, in the case of Caritas Dili's work, while women were included in community discussions on traditional justice and the impacts on women, they were still not necessarily involved in the actual making of decisions.[17] There is also the danger of women's inclusion in consultation processes being gendered, for instance restricted to particular areas deemed "women's issues" and incidents of domestic violence.

As part of a process of ongoing engagement, the Caritas Dili program does however demonstrate ways in which communities are effectively negotiating the myriad social and political transformations brought about by rapid modernisation via development. The program moves beyond tokenism and rhetoric to engage communities in active learning and adaptation, and in doing so demonstrates the dynamic nature of customary communities when presented with development that is sensitive to existing and vibrant social structures. In such circumstances, women take up opportunities to be more informed and vocal about issues affecting them, and traditional leaders seek ways to adapt and remain a relevant source of authority. Together, such an approach helps facilitate and strengthen the means through which communities are able to negotiate the rapidly changing social values that are part of the process of modern nation-formation.

Endnotes

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12 A. Trembath, D. Grenfell and C. Moniz Noronha, *Impacts of National NGO Gender Programming*, p. 11.

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16 ibid.

17 ibid.

Reviewed essays

Entangled worlds: villages and political community in Timor-Leste

M. Anne Brown

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 level[25] 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 Koten'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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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.

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18 Not surprisingly, understanding of democracy is low. It is frequently reduced to elections and electioneering.

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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.

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57 Interview with *Xefe Suku*, Manufahi, March 2008.

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59 M. Pereira and M. Koten, this volume.

60 M. Tilman, this volume. See also D. Cummins, 'Democracy or democrazy?'

61 M. Tilman, this volume.

62 D. Cummins, 'Democracy or democrazy?'

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.

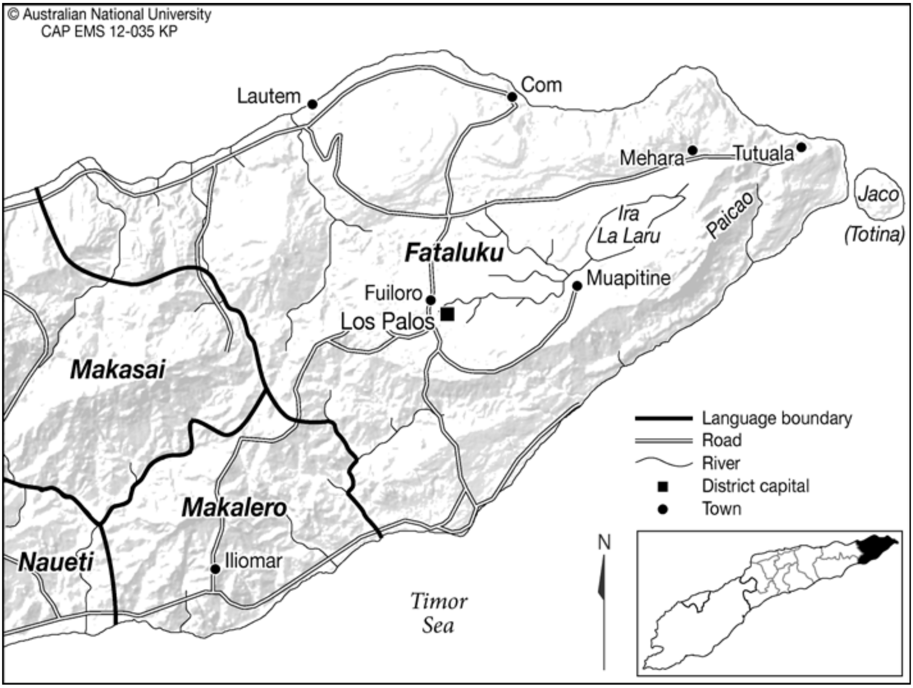
66 A. dos Santos and E. da Silva, this volume.

New Fataluku diasporas and landscapes of remittance and return

Andrew McWilliam

Introduction

Observers of post-independence cultural landscapes in Timor-Leste have highlighted the resurgence of customary practices and ceremonies, especially in settlements more distant from the moneyed resources of the capital, Dili.[1] The revival of customary practices often accompanies a considered return among displaced communities to their ancestral lands and settlements *(knua tuan)*. There they work to re-establish food gardens and reclaim inherited entitlements to communal resources. The shift might be understood as a retreat from the state in some respects, certainly in terms of modern services and the administrative gaze, in favour of the familiar certainties of customary governance and sacrificial blessing.[2]



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Lautem
Com
Mehara
Tutuala
Jaco
(Totina)
Ira
La Laru
Paicao
Fataluku
Muapitine
Fuiloro
Los Palos
Makasai
Makalero
Naueti
Iliomar
Timor
Sea
N
Language boundary
Road
River
■ District capital
● Town

Map of Eastern region of Timor-Leste, including language boundaries

This 'return to custom' might also be seen as one of two strategies for livelihood restoration in Timor Leste following the destructive departure of Indonesia in 1999 and the subsequent challenges of nation-building that have accompanied independence. The revitalisation of custom and its expression via complex protocols of ritual exchange, traditional authority and renewed attention to origin houses (*uma lulik*)[3], all confirm the continuing relevance of East Timorese traditions for much of its contemporary citizenry. In the absence of strong and effective government direction and services, thousands of rural communities have found comfort and sustenance in a re-engagement with tradition. The process confirms the counter-intuitive idea that the inventive practices of custom are really thoroughly contemporary and endure because they are able to engage and adapt to the changing requirements of contingent events.[4] The point is exemplified in Traube's fine analysis of Mambai traditional origin narratives and their explicit links to a popular sovereignty that ties the 'purchase of the nation through the blood and suffering of the people (*povu*)' with associated claims on the state for compensation.[5] This discourse of tradition she argues, is entirely consistent with, and expressive of a modern political sensibility.

But there is a second compelling and equally significant livelihood strategy that has developed during the early period of post-independence Timor-Leste and continued to the present. In contrast to the 'customary turn', this strategy is expressed through a sustained movement, migration and urban drift, especially among young people from the rural periphery and close knit settlements, to the bright lights, perceived freedoms and opportunities of the towns and cities. The migratory trend is a major factor in the recent population growth of centres such as Baucau and the capital Dili, but its influence is also felt in the shift of population from the more remote highland settlements to regional towns and sub-district centres.[6] Dili for example remains the fastest growing jurisdiction in the country. Since the 2004 Census the capital has increased its population by 33 per cent or 58,296 residents which represents fully 40.7 per cent of the growth in national population over the period, a population now topping the one million mark.[7] Key drivers for this mobility lie in the continuing poor economic circumstances and prospects for much of rural Timor-Leste, reliant as so many households are on seasonal, subsistence food cropping and modest irregular cash incomes; and while the destinations and destinies of the young people who make the move to town are widely diverse, with further education and employment high on the list of aspirations, arguably a key contrast between those who stay and those who leave the customary confines of home, is the youthful desire to engage and consume new expressions of modernity. As Webb Keane has expressed it '[I]n the modern world, the authority of ancestral mandates meets an alternative authority in the pervasive presence of money'.[8] This is not to underplay the significance of modernist aspirations among those residing in rural areas of Timor-Leste. Being '*moderen*' but intimately engaged with strong local tradition is a widely expressed view[9], and the explosion in mobile telephony ownership across rural Timor-Leste in recent years is surely confirmation of this sensibility. But arguably, migration trends towards urban centres point to a more thorough orientation away from ancestral practices and customary constraints, and towards new and socially negotiable futures and opportunities.[10] At the same time, familial ties in Timor-Leste and the complex customary expectations and values that accompany kin-based social relations are difficult to escape, and often continue to inform and shape the patterns of contemporary East Timorese outward mobility.

In the following paper, I seek in a preliminary way to explore one distinctive aspect or expression of that migration desire in Timor-Leste by drawing on the Fataluku ethnography of far eastern Timor-Leste. Young people from this region have been prominent participants in the new flow of migrants within Timor-Leste, most of them heading to Dili where resident familial connections smooth the transition to urban life. But more significantly, they have also pioneered new forms of trans-national migration that include neighbouring countries such as Indonesia and Malaysia but also well beyond to destinations in Western Europe, such as the United Kingdom and Portugal. As a source of new capital, both social and financial, this opportunistic trans-national chain migration has unexpectedly become a key factor in the post-independence economic landscape of certain Fataluku settlements. Here I focus on the semi-rural administrative capital of Lautem District, Los Palos, and two of its constituent hamlets, Ira Ara and Lere Loho where these processes have flourished. They illustrate something of the complex intersections at work between local custom and nation building, mediated through relations of long distance migration.

Background connections

Economic prosperity has proved elusive for most of the residents of Los Palos during the first decade of independence. Like many regional towns across Timor-Leste, it suffered its share of damage and destruction in the rampage of the departing Indonesian military and its pro-integration militia allies.[11] Only recently have signs of a re-emergent market economy and the restoration of government services been reflected in improving material conditions of social life in the township.[12] The opening of a bright new Telkom office in the centre of town, with its internet connections and telephony services is perhaps the most striking example of the long awaited economic benefits of the independence struggle; along with the much anticipated expansion of electrical power to the region and the slow reinstatement of government services.

For the neighbouring settlements (*aldeia*) of Ira Ara and Lere Loho, spread out on the north-eastern corner of Los Palos, however, economic changes have been rather more pronounced. From the dilapidated split bamboo and palm-clad houses with their rusting tin rooves, dirt floors and muddy surrounds, new and brightly painted, concrete and tile, hacienda style houses[13] are emerging. Their covered verandas and decorative gabled ceramic tiled rooves reflect at once the reclaiming of a Portuguese architectural heritage and the aspirations of their owners to announce their own economic good fortunes. Accompanying these developments is a prevalence of new vehicles. Motor bikes and small sedans proliferate, as well as larger trucks and buses working the back roads and crumbling highway to Dili with passengers and freight. Start-up businesses can be seen in the prevalence of registered company logos with hopes for success in local construction tenders or logistics contracts along with new house-based kiosks selling a range of domestic essentials.

These signs of an emergent economic recovery reflect in part the sustained efforts of residents in the years since occupation to restore their livelihoods and build domestic reserves against adversity. Recent distributions of pension money to seniors and government compensation in recognition of the sacrifice for independence[14] are also contributing to a more bountiful community economy. But the most significant factor in this economic revival is directly related to the extraordinary flourishing of trans-national chain migration of young Fataluku men and women from Ira Ara and Lere Loho, to destinations in cities and towns of Portugal, England and Northern Ireland. With Portuguese passports in hand, facilitated by East Timorese sponsors in Portugal and England, these expatriates now generate comparatively high incomes in low skilled occupations, and send back a bounteous flow of remittances to families in Dili and Los Palos. The development has been unprecedented, life changing and transformative, both for those who depart as well as their extended families back home. Estimates of the number of young people from these two communities who have taken the global pathway now number around eighty-five from Ira Ara and up to seventy-two from neighbouring Lere Loho since the early 2000s.[15] This is from around 300 households in total and as a result the developments have had a range of profound and complex impacts on the community. What's more the present day movement of young people away from the settlements, following those now well-worn pathways to the capital Dili and beyond, shows little signs of abating. Younger siblings and cousins, taking the cue and financial support from their older relatives and neighbours in Europe, now follow in their footsteps or, alternatively, with the same financial assistance, pursue education opportunities in neighbouring Indonesia where language familiarity, lower costs and the knowledge of those who have preceded them make these life choices both possible and desirable. For many of these young residents of Ira Ara and Lere Loho, the post-independence nation-building project of Timor-Leste lies more in the exciting expanded horizons of a globalised marketplace than in the dull prospects of semi-subsistence farming or poorly paid under-employment in the city.

Negotiating foreign fields: colonial and customary ties

Like so many aspects of contemporary East Timorese social life, the extended migration networks that have gained such momentum in recent years, have their origins in the politics and experiences of the independence struggle. Residents of Ira Ara and Lere Loho were staunch supporters of both the long guerrilla war[16] in Lautem and the clandestine resistance against occupying Indonesia. For these reasons, they suffered both economic neglect and periodic heavy reprisals from military authorities over many years.[17] People point to these dark experiences as formative conditions for nurturing disaffection, activism and the determination among young people to find options beyond the settlements, which they found in the growing student resistance movement in Dili.

Patterns of student resistance broadened and intensified following the Santa Cruz massacre of 1991. Prominent student activists including many young, home grown Fataluku, extended the clandestine resistance into Indonesia proper via university networks (especially Udayana in Bali and Gaja Mada in Jogjakarta) and were prominent in organisations such as the Student and Youth Association of East Timor (IMPETTU: *Ikatan Mahasiswa, Pemuda dan Pelajar Timor Timur*) and the more radical, Students of Timor-Leste National Resistance (RENETIL: *Resistencia Nacional dos Estudantes de Timor-Leste*).[18] But subject to increasing surveillance by Indonesian security forces many student activists were deemed subversive agents against the Suharto New Order state and became targets for ruthless repression.[19] Throughout the 1990s with options rapidly diminishing, many sought political asylum from willing Embassies in Jakarta, including Portugal which accepted significant numbers and a sympathetic British government. Among the disparate groups to find refuge were a number of young Fataluku activists who subsequently established themselves in Lisbon, Liverpool, London and Oxford (UK).[20] It is from these unlikely beginnings that the seeds of the remarkable chain network of trans-national proportions were sown.

The possibility of migration on any kind of scale, however, was dependent on a series of key enabling factors. Critical among these was the decision of the Portuguese government to continue to recognise East Timorese as Portuguese citizens. This decision allowed eligible applicants to obtain Portuguese passports and by association automatic access to the European Union common labour market. All that was required to obtain a Portuguese passport in the immediate post-occupation period was a baptismal certificate and later a proof of identity document, *Billete Identidade*. A second important element for migrant success was the overseas sponsor, initially usually based in Lisbon. Here the role of the successful asylum seekers (*suaka politiku*) proved highly influential along with a number of earlier migrants (from 1975) who retained connection to Timor-Leste and a sense of social obligation to family and friends left behind.[21]

The value of the sponsor lay in their capacity to provide a form of guarantee known as a *procuração* for the applicant, along with a range of other documents. Apart from financial assistance, the sponsor provided invaluable assistance shepherding the passage of documents through the laborious Portuguese bureaucracy. These days passports are now routinely issued from the Portuguese Embassy in Dili, which attracts daily queues of aspiring young East Timorese awaiting news of their applications. But even so sponsorship remains a crucial asset for those seeking to leave and the opportunity for people to secure these links remains a critical factor influencing the possibility of global migration for different settlements.[22]

As the momentum for migration has gathered pace, spurred on by stories of success and material evidence of house improvement projects among neighbours, sponsorship links have also shifted towards more direct and sequential family support. Many extended families in Ira Ara and Lere Loho now have multiple children and relatives living and working in England and Northern Ireland; those who managed to leave earlier providing the means and support to facilitate siblings and friends along the same route and usually to the same destination. Many households can relate a similar set of experiences. Armando's[23] family is an example. Both his brothers and sister have long since travelled and settled in Manchester. Their economic migration began in 2002 and has continued via a process of sibling sponsorship when in 2010 his younger brother and nephew joined the diaspora having secured their passports and the cost of their air tickets from their well-established geographically distant relatives. Armando himself has acquired a Portuguese passport but has elected to remain in place for the time being fulfilling group responsibilities.

Another popular destination has been the industrial town of Dungannon in Northern Ireland with its meat packing factories supplying the domestic market across the UK. The town has attracted large numbers of young East Timorese workers, said to be as many as 1,000 during the boom times some years ago, when one of the companies transferred its operations from Portugal. Many young East Timorese are attracted to the factory work because of the minimal English language requirements. Rosa's children from Lere Loho are among this group. Both her sons have been working the meat packing shifts for over three years now and one has managed to secure a passport for his wife who has joined him in Dungannon. Recently Rosa's daughter has also received her passport and left to join them in residence and in the same meat packing factory work.

Renaldo's story exemplifies another iteration of the opportunities, challenges and benefits of trans-national employment. He demonstrates many of the qualities of those who take the overseas work option, especially the commitment and loyalty to home families. But unlike those who have stayed away or elected to return to Dili after years of absence, Renaldo has re-united with his family in Ira Ara where he has built a new house and invested remaining funds in a prospective local enterprise.

During the 1990s, Renaldo was active in the youth wing of the resistance in Lautem (*Juventude Ponta Leste*) and a supporter of the armed resistance fighters (FALINTIL). At the end of the Indonesia occupation, he returned to Los Palos with his young family to the impoverished economic conditions of early 2000. By 2002, as the opportunities for employment overseas expanded among family groups in Ira Ara, Renaldo drew on his ties to former student activists who had secured asylum in Portugal. With borrowed funds for an air ticket wired to Dili via Western Union, he travelled initially to Lisbon under auspices of the United Nations with his temporary travel pass, the B.I. (*Billete Identidade*) that enabled him to obtain a Portuguese passport. By then many of his friends and relatives[24] from Ira Ara had shifted to the United Kingdom, in this case Oxford[25] where key student activists had found asylum and for some, scholarships in the university. They provided a room in a shared house and contacts to secure paid work initially at a car yard, washing and detailing the vehicles, but later shifting to longer term kitchen and porter work when he obtained a position working in a prominent private boarding school. At the end of his first year, Renaldo decided to try his luck in Dungannon, outside Belfast where other Fataluku contacts had found shift work in the large meat packing factories established there. With lodgings available in a group house, Renaldo worked in Dungannon as a machine cleaner on the midnight shift, but eventually tired of the constant cold weather and returned to Timor-Leste in 2004.

This experience in the UK became the first of two further long periods away between 2005 and 2010, both times retracing his steps to England and through contacts, working in the supermarket chain, Tesco for £800 a month. Although reluctant to spend such a long time away from his family, he was committed to saving enough of his wages to fund the construction of his house and support his family. He was able to do so by living frugally in England with Fataluku relatives from Lorehe, south of Los Palos, while sending home as much as £500 a month via the reliable Western Union telegraph transfers to Dili. In the hinterland villages of Lautem where local wages and the remuneration from diverse farming barely generate more than one or two dollars a day, these kinds of sums are hugely attractive and, despite the distances involved, well within reach. As Renaldo comments, ‘there was nothing really difficult about the work in England, it was just watching the clock that was hard’.

Reflecting on the future of this long distance Fataluku migratory travel, it is worth highlighting the recent ironic development that, for all the young East Timorese hopefuls who crowd the doorway of the Portuguese embassy in Dili seeking passports to work opportunities in the UK and Europe, the debilitating forces of economic recession on the other side of the world threaten to undermine these self-same opportunities. As of mid 2012, the rolling financial crisis in Europe has not had any appreciable impact on this youthful East Timorese migration. In part this is due to their willingness to participate in low status and relatively low pay occupations like the meat packing factories of Northern Ireland, basic cleaning services or kitchen work, all of which continue to employ despite economic weakness. There are also well established pathways of sponsorship that facilitate access to employment opportunities. But the spectre of unemployment in Western European countries may yet make its mark. Youth unemployment in key destination countries has grown considerably in recent years, the United Kingdom 20 per cent, Portugal 27.8 per cent and Ireland 31.5 per cent respectively.[26] In Ireland for example, the lack of local work opportunities is fostering its own forms of youthful emigration jumping 45 per cent in 2011, and has seen up to 40,000 mostly young men and women leaving Ireland in search of work, mainly in England.[27] Under these circumstances, the prospects for new East Timorese entrants to the field of trans-national work look rather bleaker, at least in the immediate future. In a globalized world with open labour markets, and 'flexible' work practices, the unique political circumstances that led young East Timorese independence activists to settle in the UK and foster a remarkable network of sponsored migration from their home communities, may yet deny them the prosperity and good fortune they seek.

Remittance landscapes and social dynamics

For the resident communities of Ira Ara and Lere Loho the primary experience of the new Fataluku diaspora is one of absence and a sense of loss of sons and daughters for indeterminate periods of time. Their absence in distant, barely imagined cultural contexts is viewed with a considerable degree of ambivalence; the prospect of benefits at the cost of absent brothers and fathers.[28] Migrants tend to be away for years and apart from occasional visits to family, rarely return to settle again in the community. The attractions of the customary life-worlds of ritual exchange—life cycle celebrations of social alliance that feature so heavily in contemporary East Timorese settlements—are no match it would seem for the lucrative economic opportunities available elsewhere and the kinds of negotiated cosmopolitan identities possible in pluralist social settings. The consolation of course, and the aspect of migration that binds diasporic children to their home communities, is the material manifestation of migration success in the form of remittance flows and the connections of care and belonging that they demonstrate.[29] Estimates of the scale of funding telegraphed back to family members waiting in Dili or Los Palos are difficult to sum with any precision, but all agree that they now form a major contribution to the local economy.

In these revitalised contexts of regular payments, the contrast between those who succeed and those who manifestly fail to secure their financial futures through mobility and migration, tends to be made publically evident. In the absence of lucrative remittance flows, domestic life is much harder and for the most part remains oriented to seasonal agriculture and animal husbandry as well as foraging in the forests and fallowed fields of ancestral lands an hour's walk to the east. Indeed in the years since 2002 up to forty householders from the two communities have elected to move out of the hamlets in Los Palos and relocate to their former settlement sites closer to the sphere of ancestral entitlement and sacrificial sites of spiritual blessing.[30] Fine new housing in such circumstances is rarely possible without external assistance. In these emerging disparities of benefit between the constituent households of Ira Ara and Lere Loho, the contribution of trans-national employment to local domestic economies is a critical factor, especially given the importance of close family relationships as a feature of sponsorship and chain migration.[31]

In these circumstances there is also the real possibility of resentments and jealousies arising among families who have not benefitted from their neighbours' good fortune; outward displays of friendship towards recently returned overseas workers now tinged with suspicion that they prefigure requests for money. Community leaders are conscious of these tensions and appeal to long-standing patterns of solidarity and mutual assistance between the households of the main clan groups (*ratu*) that constitute the ancestral membership of the two communities. They stress the need for families fortunate enough to succeed in securing sponsorship to assist others with less direct connections. In this regard, the *xefe aldeia* (hamlet chief) of Lere Loho has confirmed that the five constituent paternal *ratu* of the hamlet, Cailoro, Vacumura, Paiuru, Puhumatu and Fara Latu, are all represented in the numbers of young workers overseas. However, sponsorship has not yet extended to all the constituent households of these extended kin groups. A similar sense of shared obligation and social solidarity is also promoted in Ira Ara.[32] There are practical reasons for encouraging a sense of shared endeavour, as one of the direct consequences of so many young people leaving the settlements is the absence of social labour to assist in the many commemorative rituals and social exchanges that remain important customary features of social life. Remittance flows are in some ways a poor replacement for the kinds of interpersonal and reciprocal exchanges that one expects to call upon within a more contained social field. The absent members are nevertheless remembered in sacrifices at the house shrine (*aca kaka*) and prayers directed to ancestors of the house and *ratu*, in order to protect and guard against illness and accident.[33]

In any case, the path to wealth through trans-national employment is not assured. There are always those who struggle to gain or sustain employment, who spend their wages and fail to save, whose remittance intentions are never quite fulfilled, or who return to Dili and dissipate their capital in displays of consumer wealth, flashy cars and dissolute living (*foia foia*). And if a good many of the new Fataluku diaspora never quite manage to return to their roots in the sense of residing once again in the intimate landscapes of their forebears, most do return to Timor-Leste and the cosmopolitan spaces of the national capital, Dili. It is from here that they rebuild their connections, extend further remittances, support siblings and participate in the celebratory exchanges of family and clan that work to strengthen and reproduce resilient cycles of social alliance and customary connection. In this sense the remittance economies that are flourishing in places like Ira Ara and Lere Loho confound any easy dichotomies between bounded local traditions and porous global cosmopolitanism.[34] The customary ties that bind are eminently elastic and their influence is the sustaining link between source communities and their far-flung progeny.

If the objective of improving the quality and design of one's housing remains a priority among many successful migrant connected families, a second significant domestic project for many families is the opportunity for pursuing further education overseas. This sentiment is expressed as a future goal by many of the participants, but also and significantly in consideration of the benefits and opportunities for their younger siblings. There is a widespread understanding among parents in Ira Ara and Lere Loho that for all the comparative financial benefits to be gained from labour migration, in the end the work is a menial form of employment with limited or no career future. As a consequence, and especially among families with multiple children at work in the factories of Dungannon or Crewe, Manchester or Oxford, there is an evident resolve among families and community leaders to pursue education opportunities for younger family members of the community. One aspect of this emergent consensus is the decision among community leaders (*xefe aldeia*) to dissuade younger members of trans-national families to follow their older siblings into the labour factories, and to actively support further learning, most commonly these days to high school or tertiary education in Indonesia. One local resident described this trend as a 'flood' (*banjir*) of young people leaving the settlements and heading across the border to education in preferred sites such as Jakarta, Jogjakarta (Gaja Mada University), Bandung (ITB, IPB), Bali (Udayana) and even Kupang (Unkris) in West Timor.

Reflecting on this trend for seeking educational opportunities outside Timor-Leste, people express a range of motivations. They include general approval of the quality of education training and value for money in neighbouring Indonesia, the lower cost of living as well as the comparative ease of access for East Timorese students with their facility in Indonesian language, cultural understanding and well-worn connections that have facilitated movements of East Timorese students between Indonesia and Timor-Leste for over a generation. In this respect the Indonesian concept of *komunitas* that was adopted by the East Timorese student resistance movement in Indonesia during the 1990s to sustain their solidarity and shared struggle, provides a formative basis for subsequent patterns of the contemporary offshore education experience.[35] Local people have also commented on the fact that those who return from studies in Indonesia present as respectful, well dressed and with heads full of knowledge. They draw unfavourable comparisons with young people who left for medical studies in Cuba and only recently returned after seven years, arrogant, empty-headed and oddly dressed. For their part, students are at least as attracted to the exciting possibilities of travel and new experiences as they are to the prospects of serious study and future careers.

Customary moderns and cultural legacies

In the post-independence social and economic landscapes of displaced settlements like Ira Ara and Lere Loho, residents arguably pursue livelihood options in two apparently divergent ways. One pathway leads inward to a renewal of emplaced sociality and the complex reciprocal exchanges that reproduce social alliances and local authority founded on ancestral rituals and charter myths.[36] An alternate path leads outward and beyond the intricate social complications and expectations of genealogically ordered communities, into cosmopolitan spaces of mobility, hybridity, translocality and wage employment. James Clifford has described this dichotomy in terms of the metaphorical connections between routes and roots, fixed and entrenched in one sense, on the move in another.[37] But the distinction here is necessarily heuristic, as both orientations inevitably inform, and are increasingly implicated in one another. Fataluku customary cultures are not reproduced simply or solely in the bounded localised spaces of Los Palos and its constituent hamlets (*aldeia*), but are also carried and created anew in the mobile agency and relationships of young Fataluku migrant workers and aspiring students resident elsewhere. Similarly remittance flows of cash are not simply monetised expressions of care or filial duty, but avenues for the flow of new ideas and imaginative possibilities for engaging customary sources. In this extended arena of exchange and reciprocity the local becomes a relation of inter-locality itself [38] with the extension of Fataluku custom and identities into trans-national spaces situated in a series of particular locales, embodied in particular local practices and specific historical and material conditions of travel, work, kinship and communication.[39]

In a recent work, Keane[40] has argued persuasively for the shared elements of ideology that linked Calvinist Protestantism in Sumba (Eastern Indonesia) with the concept of modernity via the separation of 'Christian moderns' from their subordination to ancestral Marapu religion. The Calvinist semiotic ideology, he argues, converges with modernism's concept of human agency and in the process delivers a path for the convert to attain moral and spiritual liberation from the 'delusions' of empty ancestral rituals and fetishised objects of communal veneration. The path of evangelical acceptance here includes two distinctive and critical features, namely, rupture from the traditional past, and progress towards a better future.[41] In the process he argues, Calvinist Protestantism in its more optimistic iterations offers the possibility of self-transformation and increased agency from the restrictions of tradition and customary obligations.[42]

Keane's persuasive linking of certain aspects of universalising religiosity with modernity is a helpful corrective to those who would see secularism as its driving force. But while acknowledging the transformative potential of Christianity in these terms, it strikes me that Fataluku Catholics are rather more equivocal and pluralist in their own religious subjectivities. Arguably Catholicism is never so rigid in its denunciation of indigenous religious forms and is itself prone to a tendency for eliding objects and agencies, the relics of saints, transubstantiation, the worship of *nossa senora* icons.[43] Most Fataluku are only late Twentieth Century Catholics after all and as, 'customary moderns' they seem remarkably adept at combining modernist separations with revivalist ancestral spirit ontologies for instrumental ends. The methodological reality of spirits, as Bubandt[44] puts it, retains its persuasive force. This is not to deny a broader folk distinction between emplaced customs and mobile modernities, but staying in place or returning to one's origins need not define one's status in these restrictive binary terms. Hence the Fataluku standard refrain of what might be described as only a partial disenchantment that, 'we are *moderen* but…custom remains strong'.[45] The lively Fataluku enthusiasm for trans-national migration in its various forms is simply the latest expression of that accommodation to opportunity.

Endnotes

1 S. Barnes, 'Origins, precedence and social order in the domain of *Ina Ama Beli Darlari',* in A. McWilliam and E.G. Traube, eds, *Land and Life in Timor Leste: Ethnographic Essays*, ANU E-Press, Canberra, 2011; D. Hicks, 'Community and nation-state in East Timor', *Anthropology Today*, vol. 23, no. 1, 2007, pp. 13–6; P.M. Thu, 'Land forgotten, effects of Indonesian re-settlement on rural livelihoods in East Timor', in D. Mearns, ed., *Democratic Governance in Timor-Leste, Reconciling the Local and the National,* Charles Darwin University Press, Darwin, 2008, pp. 143–59.

2 A.R. McWilliam, 'Fataluku healing and cultural resilience in East Timor', *Ethnos*, vol. 73, no. 2, 2008, pp. 217–40.

3 J.J. Fox, 'The articulation of tradition in Timor-Leste', in A. McWilliam and E.G. Traube, eds, *Land and Life in Timor Leste: Ethnographic Essays*, ANU E-Press, Canberra, 2011.

4 See T.M. Li, 'Introduction', in T.M. Li, ed., *Transforming the Indonesian Uplands: Marginality, Power and Production,* Harwood Academic Publishers, Singapore, 1999, p. 2.

5 E.G. Traube, 'Planting the flag', in A. McWilliam and E.G. Traube, eds, *Land and Life in Timor Leste: Ethnographic Essays,* ANU E-Press, Canberra, 2011, p. 14; see also E.G. Traube, 'Unpaid wages: local narratives and the imagination of the nation', *Asia Pacific Journal of Anthropology,* vol. 8, no. 1, 2007, pp. 9–25.

6 Drawn from Lautem and Baucau figures, Timor-Leste Census, 2010.

7 Timor-Leste Census, 2010.

8 W. Keane, 'Money is no object: materiality, desire and modernity in an Indonesian society', in F. Myers, ed., *The Empire of Things: Regimes of Value and Material Culture,* School of American Research Press, Santa Fe, 2001, p. 84.

9 A.R. McWilliam, 'Fataluku healing'. The term, *moderen* is a Malay/Indonesian term describing the modern condition.

10 U. Hannerz, *Transnational Connections,* Routledge, London, 1996.

11 The principal militia group in Lautem was known as Tim Alpha.

12 See A.R. McWilliam, 'Exchange and resilience in Timor-Leste', *Journal of the Royal Anthropological Institute*, vol. 17, no. 4, 2011, pp. 745–63.

13 Known as *varaca* in the Fataluku vernacular.

14 In 2011 a program of compensatory payments was introduced that has been designed to assist East Timorese households who lost family members during the independence struggle. The program offers one-off funds to facilitate reburials and longer term pension style support for close relatives.

15 Exact numbers are difficult to report given the regularity of departures and the lack of hamlet (*aldeia*) level population figures, but in terms of the local youth population

(17–25), these figures probably represent a majority of hamlet members.

16 Two of its related members and current residents include former Fataluku regional FALINTIL commanders of Ponta Leste, now Deputado Renan Selak and Military Commander Aluk.

17 Settlement neighbours in the nearby forested hills for generations past, the populations of Ira Ara and Lere Loho were forcibly resettled into Los Palos after the mass surrender of resistance forces at Matebian in 1978 and suffered severe privations for some years in their closely guarded compound.

18 D. Nicholson, *The Lorikeet Warriors: East Timorese Nationalist Resistance, 1989–1999*, B. Arts Honours Thesis, University of Melbourne, Australia, 2001.

19 See A.C. Bexley, *Youth at the Crossroads: The Politics of Identity and Belonging in Timor-Leste,* PhD Thesis, The Australian National University, 2009, pp. 68–73; N. Rei, *Resistance: A Childhood Fighting for East Timor*, University of Queensland Press, St Lucia, 2007.

20 Political asylum was not limited to Fataluku activists from Los Palos. Other settlements in Lautem have also had access to sponsors now resident in the UK. They include significant numbers of former FALINTIL and student activists from villages (*suku*) such as Asaleino (with more than thirty individuals in the UK including many who received political asylum in the 1990s), Lorehe, Mehara, Moro and Luro among the prominent locations.

21 People have expressed their disappointment with earlier refugees from 1975 who established new and prosperous lives in Portugal and Australia, but have chosen not to assist their relatives and compatriots in Timor-Leste. They lack a 'spirit of social solidarity' according to some.

22 Key figures in the migration networks have been a number of former Priests at the *Collegio do Dom Bosco* (Don Bosco Catholic Mission) established in 1947 in Fuiloro just outside Los Palos.

23 Names of Fataluku respondents are pseudonyms.

24 Renaldo's cousin [Mother's sister's son] lived in Oxford at this time.

25 Oxford and Metro London became something of a centre for East Timorese migrant workers for a number of years, but since 2005 and beyond reportedly there has been a greater dispersal of East Timorese to multiple cities in the UK including Crewe, Petersborough, Bristol, Cardiff and Manchester.

26 The Telegraph, 'Interactive graphic: youth unemployment in Europe', <http://www.telegraph.co.uk/finance/jobs/8564500/Interactive-graphic-Youth-unemployment-in-Europe.html>, 9 January 2012.

27 B.M. O'Connell, 'Old time farewell for those never coming back', *The Weekend Australian,* 31 December 2011. In a somewhat similar vein, the article showcases the trend in rural Irish constituencies, such as county Clare where, in a radius of twenty kilometres, the respondent knew of sixty-three young Irish who had moved abroad, mostly to England, including some cases where up to five members of the one family had relocated.

28 The majority of migrants are male but young women are also well represented.

29 Deirdre McKay refers to these flows of cash remittances as 'care chains', 'Sending dollars shows feelings – emotions and economies in Filipino migration', *Mobilities* , vol. 2, no. 2, pp. 175–94.

30 A.R. McWilliam, 'Exchange and resilience'.

31 D. Conradson and D. McKay, ‘Translocal subjectivities: mobility, connection and emotion’, *Mobilities* , vol. 2, no. 2, 2007, pp. 167–74.

32 Which is also represented by five paternal origin groups of Latu Loho, Naza, Cailoro, Puhumatu, Lili Vacumura.

33 A.R. McWilliam, ‘Fataluku healing’.

34 J. Friedman, ‘From roots to routes: tropes for trippers’, *Anthropology Theory*, vol. 2, no. 1, 2002, pp. 21–36.

35 A.C. Bexley, *Youth at the Crossroads*, pp. 92–4.

36 For example, A.R. McWilliam, ‘Fataluku healing’; A.R. McWilliam, ‘Exchange and resilience’.

37 J. Clifford, *Routes: Travel and Translation in the Late Twentieth Century* , Harvard University Press, Cambridge Massachusetts, 1997.

38 J. Friedman, ‘From roots to routes’.

39 N. Tapp, ‘Transporting culture across borders – the Hmong’, in K. Robinson, ed., *Asian and Pacific Cosmopolitans: Self and Subject in Motion,* Palgrave Macmillan, Hampshire, UK and New York, 2007, p. 224; see also A. Wise, ‘Nation, transnation and diaspora: locating the East Timorese long-distance nationalism’, *Sojourn*, vol. 19, no. 2, 2004, pp. 151–81.

40 W. Keane, *Christian Moderns: Freedom and Fetish in the Mission Encounter,* University of California Press, Berkeley, Los Angeles, London, 2007.

41 ibid., p. 48.

42 ibid., p. 52.

43 A view supported by Webb Keane’s own interlocutors who viewed Catholics as ‘hardly more modern than Sumba’s own unconverted ancestral ritualists’, ibid., p. 2.

44 N. Bubandt, ‘Ghosts with trauma: global imaginaries and the politics of post-conflict memory’, in E.E. Hedman, ed., *Conflict, Violence and Displacement in Indonesia* , Cornell Southeast Asia Program, Ithaca, N.Y., 2008, pp. 275–302.

45 A.R. McWilliam, ‘Fataluku healing’.

Remembering the dead from the customary to the modern in Timor-Leste

Damian Grenfell

Introduction[1]

Remembering the dead is central to the order of the living in Timor-Leste. This may seem a self-evident statement to say of a society that has witnessed the wide-spread violence and destruction of a twenty-four year occupation. Yet the dead continue to frame day-to-day life in ways that may not be immediately evident to the outsider but which are integral to sustaining social life. Not only does the spirit world continue to reverberate on the fortunes of the living, but the actual acts of remembering—the ritual and commemoration that follows the death of a person—have the effect of reconstituting social connections in quite fundamental ways. In a post-conflict scenario, the need for proper commemoration sees otherwise scarce resources mobilised; bodies are returned to origin villages, familial ties activated across often-dispersed communities, material possessions drawn into the demands of ritual obligation, and graves built. Through such acts death becomes constitutive of social life, as a moment of connection both between those still alive and also between the living and the dead, and as such tends to be one of the most important and deeply social moments in the lives of East Timorese.[2]

A major preoccupation of written academic inquiry on Timor-Leste since 1999 has been the period of the occupation itself and in turn the post-independence consolidation of the national-form. The literature has thus tended to focus on the trappings that come with the fulfillment of sovereignty: a state and a system of governance; development; justice and security; and all the associated institutional, regulatory and cultural forms deemed necessary to support these objectives. In this context, discussions of death have tended to be addressed in several different ways that sit within these broader frameworks of state- and nation-building. For instance, accounting for those killed during the Indonesian occupation has been the basis for debates on justice, reconciliation and human rights. Alternatively the dead have featured as markers of the lack of ‘development progress’, for instance as statistical indicators of infant or maternal mortality rates or of life expectancy. Whether it is the testimony in the former, or the numerical abstraction of the latter, both provide a harrowing read. While this essay continues an interest in the process of nation-formation, and draws to some degree from literature on justice and reconciliation, its focus is much more on how in a socio-cultural sense death comes to regulate social life through different modes of remembering. As such it draws on anthropological analysis as it is here that the rituals associated with death tend to be discussed in most detail. In addition, this essay draws on field encounters that have tended to come 'by the way', meaning that while learning about commemoration has not been the explicit intent of field work in Timor-Leste, given its ritual importance it inevitably weaves its way into one's work. Together then, ideas from these various sources, drawn into combination with a set of more theoretically framed arguments on social formation, will be used to consider death in the context of the abstracting processes of nation-formation.

Moving across different patterns of social life, the key argument for this essay is that remembering the dead occurs at the intersection of the 'customary' and 'traditional' in Timor-Leste, though at times this can be overlain with a modern pattern of remembrance. In order to make this argument, the essay draws on a schema of different patterns of social integration, notably the customary, the traditional and the modern, which will be discussed in detail in each of the sections of the essay. In terms of structure, the first section of this article establishes what is meant by 'remembering' and also the terms 'customary' and 'traditional'. Building on this, the second section argues that remembering the dead in Timor-Leste occurs at the intersection of the customary and the traditional as part of ensuring respect for the spirit and for a form of balance between the living and spirit worlds. The third section of the article argues that, in the case of those killed during the Indonesian occupation, it is possible to see a more outwardly directed pattern of remembering occur which in turn is suggestive of a modern ontology. In the final section it will be argued that through patterns of remembering it is possible to see both contestation, as well as pathways for sustainability, in the way people negotiate their relationship to different forms of community. Even with their differences, these forms of remembering are taken as constitutive of social life, namely that they provide a point of connection and definition for the living, even as forms of community change, evolve and adapt in a post-independence period.

In an article such as this one thing needs to be stated clearly from the start. Writing academically on the subject of death is never meant to take away from the fact that the subject of discussion here are people who were loved as part of families and whose death has caused acute sadness and grief.[3] The visceral effect of the sound of mourning is next to impossible to capture in such writing as this. Moreover, the arguments here respect the fact that the dead in East Timorese culture often live on for people in a way that I can only begin to comprehend. Nevertheless, I still consider it important to write this essay as not only are key elements of social life in Timor-Leste too often treated as some kind of cultural ephemera as the 'real business' of development and state-building move ahead, but that the very sustainability of those modernising processes often silently depend on the continuation of the vitality of customary forms of social life.

Remembering the dead in Timor-Leste

In this article the term 'remembering' is used to delineate *collective* material and discursive practices based on contemporary interpretations of a past. While recognising that 'memory' can be discussed in more individualistic psycho-social ways—as in terms of a person's own consciousness—even this has an intense sociality to it.[4] As an outward articulation of memory, the dimensions of remembering that are drawn into consideration here are those that carry the dead forward in ways that continue to frame and regulate social life for the living; they encompass mourning, commemoration, ceremony, tribute and ritual, and built markers such as gravesites, memorials and monuments. Collective memory scholars[5] often stress aspects of remembering that are taken as important to this essay, notably the qualities of embodiment and sociality, as for instance Anne Whitehead summarises while reflecting on the work of Jan Assmann and Paul Connerton:

> In arguing for the importance of habit to social forms of remembering, Connerton accordingly seeks to emphasize the ways in which collective memory, too, is reliant on the body. For Assmann, the incorporated practices which could transmit cultural memory from one generation to the next comprised commemorative ceremonies and rituals. Connerton, too, sees these social practices as essential to the preservation of group memories. All rituals are characterized by the bodily performance of set postures, gestures, and movements, which are highly formalized, easily predictable, and readily repeatable. Their power arises from their habituation, so that they form an automatic sequence of movements that can readily identify those who are members of a particular group. Commemorative ceremonies are distinguishable from other rituals because they explicitly refer to prototypical persons or events, which are understood to have a historical or mythological existence. Rites of this sort accordingly possess a characteristic of ritual re-enactment, which is central to the shaping of collective memory. An image of the past is, then, not simply conveyed and sustained by ritual performances; it is also brought to life in the present and relived through direct embodiment and gestural repetition.[6]

While posed in more general terms by Whitehead, when the idea that remembering is constitutive of the present is applied to the practices of commemorating the dead in Timor-Leste, we see how death comes to both sustain social relations of the living and provide an interpretive frame for the condition of their lives. Before this is discussed however, a further element of remembering worth identifying is its political character, treated in the following quote by Jelin and Kaufman in terms of how it can mobilise people:

> When seen in a collective light, as historical memory or tradition, as the process of searching for the roots of identity, the space of memory becomes a space of political struggle. It alludes to the

> capacity of preserving a past, a capacity that inevitably implies the participation in the struggle for meaning and for power. Collective remembrances become then politically relevant, as an instrument for legitimizing discourses, as tools for drawing boundaries or for enlarging communities of belonging, and as justifications for the action of social movements.[7]

While I want to draw the political quality of remembering to the fore, it is not until the last part of this essay that it carries the quality of contestation that Jelin and Kaufman speak of here. Rather, in this essay at least, the political dimensions of remembering are seen in the way it connects people together, integrating them in a way that manifests in material and discursive commonalities through which social priorities are legitimised, not just in the use of resources but in the hierarchies of meaning. It is this political basis of remembering that *in turn* allows for forms of contestation to occur. Moreover, it is worth noting that the above quote by Jelin and Kaufman serves well for remembering in modern-abstract communities, as their use of the terms such as 'discourses', 'boundaries', 'communities' and 'belonging' seem to imply—let alone the idea of a 'preservation of the past'. What happens, however, when the dead are remembered within a social context where they are as much a part of the present as the living? This will be answered in turn, but first it is important to briefly begin laying out the social schema that this remembering is mapped against, starting with the customary and the traditional.

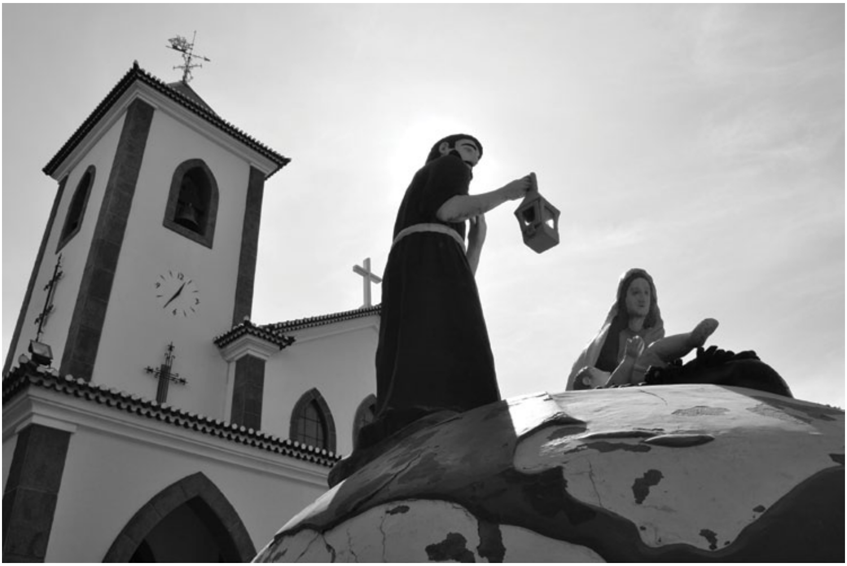
In making the central claims of this essay it is important to be clear what is meant by terms such as 'customary' and 'traditional'. Firstly, I am using a sociological framework that assists with mapping patterns of social integration across communities and societies by setting out separate ontological categories of customary, traditional, modern and post-modern relations.[8] This system helps orient research towards 'different ways of being in the world', from the point of conjunction between modes of production, exchange, communication and organisation, to more abstract sets of categories of epistemology, spatiality and temporality. As such, the frequently used terms of 'modern', 'tradition' and 'custom' are here being placed within a social schema that, if not used in an over-deterministic way and with due recognition of its own modernity, helps considerably in delineating basically different socio-political conceptions of the world in subjective and objective terms.

A key benefit of this schema (known as 'constitutive abstraction') is that it allows for an examination of the shifts and points of intersection between ontological forms. Rather than 'reading' societies into hard and rigid categories, this approach enables analysis to show the ontological complexity of different societies. For instance, no society is simply 'modern', though it does become possible to argue that one ontological form may be more in dominance than another. As an extension of this, this analysis does not suggest that one ontological category simply and fully transcends another; the modern for instance does not sweep all aside. Rather, while the customary, traditional and the modern may appear contradictory in an objective sense, there is not always conflict between them and, as will be argued towards the end of this essay, there are ways in which different ontological formations can sit in sustainable relationship with each other. Such an approach undermines the assumption of an inevitable 'clash' between different social formations. A third feature is that this schema challenges the typical dichotomy between 'the modern' and all other social practices (the 'pre-modern'). Rather, and as will be explained, the traditional and the customary are held to be as distinct from each other as they both are from modernity.

In terms of this schema then, here it will be argued that patterns of remembering the dead in Timor-Leste overwhelmingly sit at the intersection of the 'customary' and the 'traditional'. Treating these categories firstly in isolation (and in more rigid definitional terms) from each other, the 'customary' here refers to a form of social integration that is at the subjective and objective levels the most embodied, and in the inverse, the least abstracted. Social life is integrated in dominance at the embodied 'face-to-face'. Social organisation is affinal, through genealogy and kinship relations. The 'oral' is the dominant form of communication. Food production occurs through hunting, gathering and into basic forms of subsistence agriculture (while some evidence of the former remains now in Timor-Leste, there is a greater emphasis on food production moving towards traditional forms of production and into the modern[9]), with barter and reciprocity a dominant form of exchange. Working at the categorical level, epistemologically the customary tends to be underpinned by a mythological sense of origin or destiny specific to a grouping of people, and the spirit and the human world are taken to be in coterminous relation. In terms of Timor-Leste, *lulik* (sacred) and *lisan* or *adat* (custom including the laws that govern the spiritual), or leaders such as *lia-na'in* (literally 'the owners of the word' as interpreters of regulation) are typical manifestations within a customary ontology, especially in their exclusive application to specific groups and in the connections between the world of the spirits and the living.

Sitting in relation to the customary is what we refer to here as the 'traditional', whereby customary patterns of social integration, genealogy and kinship can be seen to be overlaid by more abstract forms of social relations (that nevertheless still carry forward a strong subjective sense of the embodied). For instance, 'traditional' authority structures within this schema tend to rely on merit in relation to the learning and utilisation of knowledge rather than affinal connection; the Priest gains legitimacy within a parish because his authority comes from an institutional form underpinned by a relationship with a universal god. Hence, and unlike a *lia-na'in*, he can be placed into a community from which he has no familial connection (though, and importantly, is still called 'Father'). In other respects, the willful manipulation of nature can result in surplus agricultural production that is traded through more abstracted exchange systems, typically monetary in form (though notably still carrying a sense of the embodied via images of people, including in the period of Portuguese colonialism images of particular *liurai*, Timorese kings). Epistemologically, and keeping to the relevant example of Catholicism, there is a move from the customary specificity of mythological origin and destiny to a cosmologically-based universality of humanity which is bound to a common fate.

Writing such as this suggests that the customary and the traditional have a more rigid form than actually is the case subjectively; people would rarely think on their own lives in terms of such categorisation. Nonetheless, laying out such categories does still help us to understand basic differences, such as how the coterminous spirit world of the customary is distinct from the notion of a 'heaven above', or how, and at least in a Catholic sense of the world, we are all bound into a messianic destiny (with the etymology of Catholicism as *katholikos* as 'universal': '*kata*' in respect, '*holos*' for the whole).[10]



Motael Church, Dili, April 2012

In this context, the figure of Christ on a globe is an impossible claim within customary society. Disasters become 'acts of God' under the 'traditional' rather than the reprisal of ancestors as they might be within a customary worldview, or equally explained in scientific terms within modernity (as will be explained later in this article).

While all this could be explained with more detail, the term 'customary-traditional' is here used as a shorthand device to describe the ways ritual practices of remembrance tend to occur at the intersection of two quite distinct ontologies. In other words, and as will be argued in the next section, commemorating the dead in Timor-Leste sees *adat* and Catholic beliefs drawn into the one set of practices at the time of mourning; yet this does not mean that they become one and the same. As the following description by an East Timorese suggests, the different ontologies (here typified by the ancestral domain on the one hand, and the conception of heaven on the other) can be held together in a sustainable way by one being given a relational dominance:

> Yes, the spirits can create problems [for us living], because they can ask God—the ancestors are second and God is first—and so the sprits can ask 'can God open the door for me or not?' And then if God opens the door for the spirits they can enter the world and create problems if the living did not give them [at their burial] *tais* (traditional woven cloth), or contribute money, and so this way the dead can cause problems.[11]

This is one articulation of how a traditional conception of God is held in connection to a customary notion of the ancestral domain. Another example of this holding together of multiple ontological formations simultaneously can be seen in how modern forensic anthropologists worked with local customary leaders in attempts at finding the remains of massacre victims[12]; though in this example the different ontologies are across groups of people rather than being held together by particular individuals. As will be discussed in the next section, the combination of *adat* and Catholic practices is typical of how remembering the dead occurs in Timor-Leste. Rather than being syncretic as such, remembering is taken to be framed by the drawing together (rather than a fusion) of two ontological formations that recognise the spirit world around us and of God above.

Remembering across the customary and the traditional

In Timor-Leste there is variation in *adat* both across and within different ethno-linguistic groups, in essence particular to the members of an *uma lulik* (sacred house), and so in the case of death there will also be differences depending on who and how a person has died. It is common that East Timorese will preface an explanation of ritual with 'In our *uma lulik*…' or 'Following our *adat*…' in order to convey clearly that their custom is distinct from others, even within their own immediate community.[13] As a consequence it then needs to be recognised that writing in a generalised way on rituals of death is to only give an indicative sense of practices, and equally that through writing people are being treated as if they are one group when on such issues they do not *necessarily* see themselves as connected with one another.

Following death, there is typically a set time period in which a body is to be buried, in some instances only two or three days after a person has died. The deceased are often placed in coffins in either the *uma lulik* and/or the house of the family. Before burial, family members will begin the process of mourning (*lutu*) typically sitting with the body around the clock, grieving, burning candles, saying the name of the deceased, and praying. In carrying forward reciprocity from the world of the living, the good deeds of the deceased will be spoken of at the time of death as a way of ensuring that the *klamar* (spirit) can properly leave the body without hindrance and enter the spiritual domain.

While practices relating to the remembrance of the dead vary following burial, they commonly encompass periodic visits back to the gravesite where flower petals are spread (*kari aifunan*), candles lit and prayers made, together giving sustenance to the spirit (as in food and light). Initial visits are often marked by 'bitter flowers' and 'sweet flowers', the former representing the 'sorrow' and the heaviness (*todan*) of the loss, the latter as a time to celebrate the letting go of the person as a living being.[14] Other common acts of mourning include the wearing of black, which can be small black patches pinned to people's clothes, or black wrist ties and scarfs across the head. If parents have died, it is common for people to wear entirely black, and a year after the death the mourning ceases with *kore metan* (literally 'untying the black') where the black clothes of mourners are burnt.

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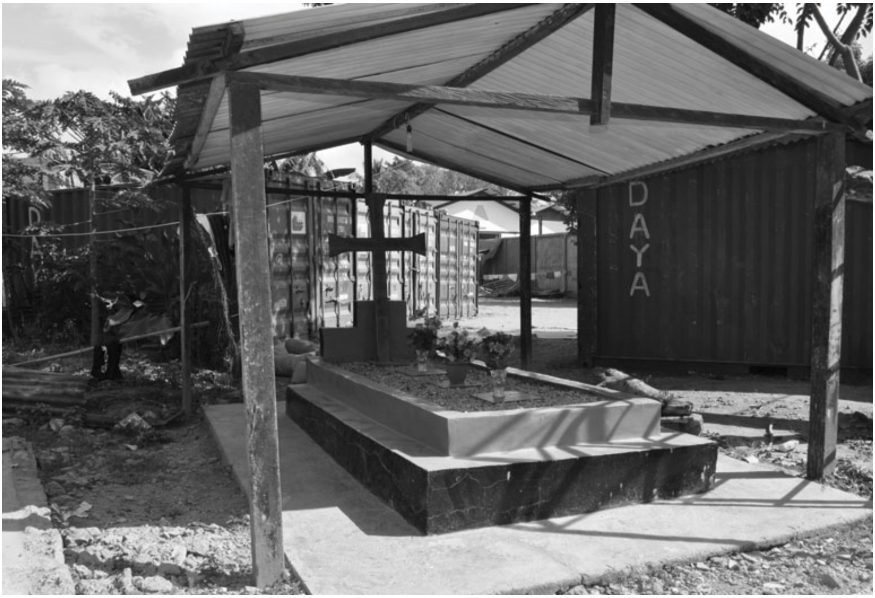
Santu Cruz Cemetary, Dili, June 2011

In rural areas the dead are often buried in small familiarly-connected groups of graves on customary land, though in both rural and urban areas it is not uncommon to see grave sites in the front yard of people's homes. This makes it easier to tend to the grave and also importantly reduces the risk of assault against those venturing beyond the immediate vicinity of their homes (for this reason graves were often constructed as close to a house as possible during the Indonesian occupation).



Grave site, Bidau Lecidere, Dili, April 2012

It is worth noting that it is common to see graves that are in front of houses treated with great informality; young men lounging on the sides, soccer balls kicked by children against the headstones and so forth. This is no mark of disrespect. Rather, such acts demonstrate that rather than having a permanent sacrosanct quality as a cemetery tends to, such graves become sacred at the point of ceremony and via the connection with the ancestral domain.

The nature of the graves often depends on a whole range of different factors, not least the position of the person within the family as well as the financial circumstances at that time. Graves are sometimes barely noticeable; the simplest cross made of sticks and the site marked out with gravel. At other times the grave sites are substantial cement structures and for important or wealthy people are often elaborate structures ordained with tiles, photos and inscriptions. Whether scrawled or engraved, the Latin epitaph '*aqui jaz*' (here lies) marks almost every grave. It is not uncommon that graves remain simple for many years until there is enough money to build far more developed structures of remembrance, and this will often take place with a repatriation of a body if it is being moved from a temporary site of burial.

In contrast, in urban centres such as Dili people tend to be buried in designated cemeteries, a point that helps clarify how the 'customary' and the 'traditional' can shift in their relationship to each other.[15] In the instance of a cemetery such as Santa Cruz in Dili, strangers are buried side-by-side by the virtue of their shared fate as Catholics, an act that would appear virtually impossible to imagine where the customary holds greater sway over social life. Following burial in a formal cemetery where a body is not repatriated to a birth-village, a stone from the grave site may be taken and placed with the graves of ancestors in the origin village. Through custom, the rock carries the spiritual connection between the deceased and the ancestors in the origin community. Moreover, cemeteries such as Santa Cruz have generic crosses at which people can pray to dead relatives buried in origin villages.

Apart from the grave, the place in which a person has died often becomes an important site for commemoration, referred to in Tetun as the *monu-fatin* ('fallen place').[16] Prayer vigils are held in the belief that a person's spirit may still reside at the site of death and as such the site is treated as sacred.[17] *Loron Matebain,* the Catholic day for remembering the dead, sees people visiting cemeteries *en masse*, and graves are often cleaned and rehabilitated at this time.

Through the ritual of death, the *adat* and Catholic elements of practices of remembrance are brought together in different ways. In terms of custom, the *tais* that accompanies the body in the process of burial will be given by set people within the extended family, often differentiated in terms of the status of the living in relation to the deceased and depending on the *adat* of that house (*uma*, akin to clan). Animals will be killed, and different sections of the carcass will be given to different people within the *uma lulik*, again according to their status and role within the larger group. The saying of prayers and use of candles, the placement of a cross, and blessings by a priest or catechist, or a mass, each mark in a different way the Catholic elements of the ceremony.

Following ritual appropriately and as per the *adat* of a given *uma lulik* is given an extraordinary importance, significantly due to customary conceptions of a spirit world that see the dead in coterminous relationship with the living. Any wrongful interpretation of ritual can be taken as disrespecting the dead which can lead to reprisals for the living where ancestral spirits can '*bo'ok*' the living, appearing in dreams or causing illness and even death. The following quote is an extremely common form of explanation in terms of the role of the dead and their ability to impact the living:

> Yes [there were problems], his spirit was appearing and made problems before we did the ritual but there were no problems again with his spirit after we did the ritual. […] the spirit of our ancestors also will not be angry with us again. His spirit also will not be angry with us because we have sent him to the spirit of our grandfathers through the traditional process.[18]

A customary form of remembering is in one important sense framed by a need to keep balance with a sacred-spirit world which encompasses *beiala sira* (ancestors). This is quite distinct from the role of ritual within a modern world-view where, for instance, a secular notion of 'closure' places the emphasis on the living victim and their ability to re-establish themselves in the absence of a deceased relative. As Babo Soares writes, in Timor-Leste there is an incredible importance placed on keeping equilibrium between the material world of living humans and the sacred world of the spirit:

> Among the Timorese, this real life/non-physical life is translated into their view of the world, their cosmology and the world where they live (Fox 1989), whereby the secular is inhabited by living things and the cosmos by the sprits and the ancestors (Traube 1986; Hicks 1972). For life to proceed there should be a balance between the two worlds. Failure to observe appropriate rituals leads to an imbalance, which might result in negative consequences to those living in the secular world. In customary thinking, the failure of the harvest, starvation, illness, floods, earthquakes and other natural disasters are believed to be the result of the disequilibrium.[19]

The significance of proper forms of commemoration can be most apparent in the acute stress caused when they cannot be adhered to. This is particularly the case when the remains of a person cannot be found, or a person has not been buried according to custom; frequently (and often deliberately) a characteristic of the Indonesian occupation. In recounting an attack on her home by militia in 1999, the testimony of a young girl as part of a submission to the CAVR gives a clear sense of how important it is that the remains of the dead are buried according to custom:

> An hour later our neighbours came back to rescue us, the badly wounded, and recover the bodies of mother, father and Lucia. That night we were able to 'hader mate' (stay with the deceased until the following morning), but towards morning, the militia and TNI suddenly attacked again. We locked all the corpses in a room and ran outside. Then we left for Mt Lour. When we got there Falintil treated our wounds with traditional medicine. After a while, we came down from the mountain and found that the militia and TNI had destroyed the house and the corpses had been dragged away and eaten by dogs and other animals. For four months we have been trying to collect the remains of their bones. As a daughter I feel that I must help my older brothers to recover our parent's bones, which are not yet complete. I don't know about our future, as we are still young and who will look after us? Even though my parents are dead, I believe that their spirits are still with us.[20]

For all the things that could be given priority in the wake of such trauma and destruction, for this girl it was the collection of her parents' bones that was most important. In this manner, remembering across the customary can be seen as making a claim on the living who must ensure that ritual is followed accordingly. Remembering at the traditional maintains an emphasis on the spirit but, in contrast, this is much more emphasis in terms of its transcendence to heaven or to prevent it from entering hell.[21] In both cases, the practices of remembering then become a key to understanding the condition of the living, not least of how and why they may prosper or achieve good health, or otherwise.

As discussed earlier, rather than folding the customary and traditional religious practices into one form of remembering, the argument here is that they are two distinct forms held together, albeit where one is seemingly given dominance over another. The following description by anthropologist Andrea Molnar gives a sense of this ordering in her discussion of the Kemak in Atsabi. Here she argues that in the instance of a secondary funeral the apparent universality of Catholic practice can in fact only be made sense of from within a specific indigenous context:

> While the form of Catholic rites may appear universal, the value that the Kemak attach to certain acts and to certain symbols is only comprehensible through the lenses of their indigenous cosmology; thus, it is localized Catholicism. While the deceased are buried in Christian graves, even in secondary rituals, the secondary treatment of the dead incorporates Catholic rites at the stage of the inauguration of the new grave, when a commemorative mass is said. During the secondary funerary rites the bones are dug up, and are cleaned and placed in state in the origin source house of the deceased. There, after extensive animal sacrifices, the traditional sacred man of the group performs a more than twelve-hour chant (*toli*) that will guide the soul to the village of the ancestors, and thus transforms the deceased into an ancestor. The bones then are ready to be re-interred. Only at this stage is a Catholic mass performed.[22]

To come back to the discussion on remembering at the start of this essay, the embodied and deep sociality of the forms of remembrance across both customary and traditional ontologies provides a connection between people as they are integrated discursively and materially through rituals of death. In this sense, death is constitutive of social life, framing how the living are drawn into connection with one another. Moreover, in a post-conflict society that has suffered acute rupture and loss, such forms of remembering can play an important role in terms of reconnecting people and restoring social meaning. In such situations, as in where people have been killed in a nationalist liberation struggle, as will be discussed in the next section it is possible for patterns of modern remembrance to come to the fore in ways that impact, but do not extinguish, the customary-traditional.

Remembering the dead across the nation

The Indonesian occupation of Timor-Leste resulted in horrific human rights abuses and the loss of life. With so many people killed and displaced the knowledge of where people are buried or what constitutes the appropriate rituals can be disrupted or lost entirely.[23] Despite this, in the political space created by independence, and connecting into a period of broader revitalisation of customary processes, there have been a significant number of re-burials and the construction of new graves.[24] The burial of such victims are imbued with a deep importance, in part because groups of people were often killed together at the one time and in horrific acts of murder, and moreover because the dead are seen to have paid for the independence of the nation while the living are reaping the benefits. In such cases it is possible to see patterns of remembrance continue across the customary-traditional—as they would for those not killed in war—but also begin to be overlayed with forms of remembrance that are projected more overtly outwards to the nation. Before this point is examined however, it is important to finish the summary of the schema set out at the start of this essay by speaking of the modern, and in turn the nation.

As with ‘customary’ and ‘traditional’, the ‘modern’ refers here to an ontological formation. While all forms of sociality have elements of abstraction to them, as noted by Benedict Anderson at the start of his famous treatise on nations, the argument here is that the modern is demarcated by the way that people are held in relation to each other across time and space by highly abstracted and disembodied systems of organisation, communication, exchange, production and so forth.[25] Social integration in the context of the modern tends to identify the scientific and the secular as sources of authority (rather than the mythological or cosmological), production becomes ‘mass’ as does the circulation of digitised information, and typically institutional forms such as the state come to the fore as the dominant modes of organisation. Where the *adat-na'in* or the priest may have authority within customary or traditional formations, in modern societies such forms of authority recede with the emergence of the bureaucrat, the academic or the politician, who are located and held in place by a range of secular and highly abstracted social institutional forms and through their deployment of logic and rationality.

A discussion of the modern is important as it is within this ontological form that the ‘nation’ comes into being. Echoing but extending on Anderson’s thesis on nation-formation, it is argued here that the points of intersection between different abstracted social practices—such as (but not limited to) print forms of communication and mass systems of production—can give rise to the modern nation as a secular community defined by sovereign control over a distinct community.[26] Where customary patterns of remembrance occur within communities constituted at the embodied (face-to-face) and traditional patterns of remembrance are underpinned by a broader community of faith, remembering is differentiated within the context of the modern nation as it occurs across a secular, territorially and temporally bound community of strangers.

There is no attempt to argue here that modernity is new to Timor-Leste. In fact, for a nation forged in large part from colonialism and contesting nationalisms, any such claim would be difficult to sustain. While the character of both Portuguese colonialism and Indonesian occupation meant that engagement with the modern remained limited in many communities within Timor-Leste, the effect of national-liberation has been to accelerate the connection between people’s own localities and the broader national polity. The last ten years or so has then meant for many East Timorese, especially in rural areas, a kind of inversion of the argument that modernity gives rise to the nation. In contrast, for many East Timorese modernity is gaining traction as they are being lifted into abstract relation through the process nation-formation.

That the modern nation is gaining traction in a lived sense—as in people feeling a tangible connection to an abstract community rather than simply knowing of its existence—can be seen across a whole host of practices from elections to law enforcement. However, such a subjective sense of nation is typically going to be more obvious in situations where the state undertakes activities on a national scale, while equally much harder to decipher in the local and less orchestrated actions undertaken by and within communities. The latter is the focus here for, as will be explained, in Timor-Leste the role of the state in any form of memorialisation can be categorised as at best partial, uneven and *ad hoc*. Such an approach by the state can be understood for a range of reasons, including for instance the sheer lack of resources that mean that many aspects of national infrastructure remain in a parlous state. However, in the political domain, the emphasis by East Timorese leadership on reconciliation with Indonesia can be seen as constraining how the past is remembered domestically, unwillingness perhaps to extend and generalise grieving beyond particular groupings out of a concern for relations with Indonesia.[27]

Rather than a generalised and encompassing approach to remembering, as writers such as Lia Kent have demonstrated, the East Timorese state has through selective remembering prioritised some groups over others.[28] Emphasis has been given to valorising former guerrilla fighters, activists and political leaders, typified by the construction of the Heroes Cemetery at Metinaro.[29] Here the graves are standard concrete formations laid out in equally placed distances from each other, each carrying the remains of former FALANTIL fighters and activists who are connected to one another through the sacrifice of national liberation, rather than genealogical connection or faith.[30] It is important to note the generic character of the graves—which, in terms of applying a uniformity, mirror the Indonesian war graves still dotted across the territory—as in this form of memorialisation the identical concrete graves carry the remains of citizens who have died for their nation rather than individuals whose fate was without association.

In the absence of a more generalised state-driven process of memorialisation, monuments have often appeared through the efforts of local community initiatives in conjunction with non-state organisations. Commemorating the Suai Church massacre on 6 September 1999 is a large stone block monument, fenced off and set back from the church site.

Far less formally, a second memorial was built very close to the church and comprised of a circle of stones constructed at the site where bodies were dumped by militia forces and Indonesian military, with each stone carrying the name of the dead.[31] Other monuments have also appeared sporadically over the last decade: on the road to Los Palos there is a monument to three nuns and other victims who were killed by militia in 1999; the

MONUMENTO MASSACRE
SETEMBRO NEGRO
1999

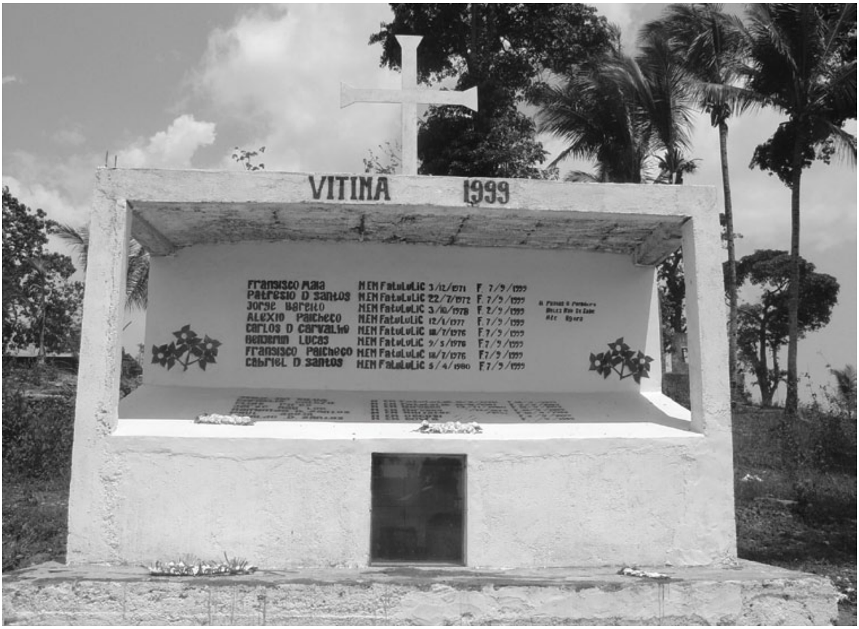
Monument to the victims of the 1999 Suai Massacre, October 2003

Angel monument in Liquica at the São João De Brito Church marking the massacre on 6 April 1999; and in Maupitine, on the road eastwards out of Los Palos, there is a monument to the victims of a 1984 massacre. Notably these types of remembrance have often come through local communities working with a range of non-state organisations, such as the United Nations Development Programme, Fokupers or the Commission for Reception, Truth and Reconciliation.

'Circle of Stones', Suai Church, October 2003

Given the uneven nature of this kind of memorialisation in Timor-Leste, there are a great many sites in which massacres and horrendous human rights abuses have occurred that are not marked by memorials. In a less strict sense however, frequently seen along the sides of roads and on hills are crosses and graves that take on some sense of being a memorial. For example, at the main intersection in Balibo there is a white monument with the names of eight people listed who were killed at the beginning of September 1999. The remains of victims that could be collected are interred at its base.

In Ainaro, near to a place known as Jakarta One, a cross and a list of names mark the spot on a high cliff at which people were thrown to their deaths in the same year. Along the road between Maliana and Bobonaro, as in Luro in Lautem and various other sites across Timor-Leste, it is similarly possible to see lines of graves which list the names of people killed in 1999. In many of these cases the graves are placed in prominent public places on roadsides, intersections and in public spaces, and have been built as substantial cement structures, at times marking the site of execution. As with the memorials discussed above, there is a sense that such built constructions are honouring the dead in a way that while fulfilling demands across the customary-traditional, also have a more public dimension that are part of a claim-making process by the living in the context of an emergent nation.[32] As the following section considers, while such forms of public memorialisation can be seen as points of contestation between local and national narratives, it is also possible to see such forms of memorialisation as suggestive of a kind of


VITIMA 1999
Fransisco Maia MEM Fatululic 3/12/1971 F. 7/9/1999
Patresio D santos MEM Fatululic 22/7/1972 F. 7/9/1999
Jorge Bareito MEM Fatululic 3/10/1978 F. 2/9/1999
ALEXIO Paicheco MEM Fatululic 12/1/1977 F. 7/9/1999
Carlos D Carvalho MEM Fatululic 18/7/1976 F. 7/9/1999
Benjemin Lucas MEM Fatululic 9/5/1976 F. 7/9/1999
Fransisco Paicheco MEM Fatululic 18/7/1976 F. 7/9/1999
Cabriel D santos MEM Fatululic 5/4/1980 F. 7/9/1999

Memorial to victims killed in Balibo in September 1999, October 2003

Site of killings during Indonesian occupation, Ainaro, October 2003

sustainability where, through mourning, people reconstitute their daily lives within existing customary communities as well as within an emergent modern national community.

Contestation and abstraction

Lia Kent, in her *The Dynamics of Transitional Justice*, argues that local forms of memorialisation such as those discussed above seek to make the connection between the dead and the existence of the nation. Acts of memorialisation such as the Angel monument in Liquica, the ring of stones in Suai, and the monument in Maupitine, are each part of practices of remembrance that Kent argues make a demand for recognition and contest the selective focus that the state has given to former combatants:

> Although these practices have their own politics, power struggles and exclusions, and may also be constrained by national and international discourses, their locally embedded and collective nature does appear to enable remembering, mourning and making sense of the past in ways that differ markedly from the narratives of the national elite and the UN. That many local memory projects foreground the experiences of the *povu ki'ik* disrupts the leadership's emphasis on remembering and recognising 'veterans' and 'heroes'

> who fulfilled leadership roles during the resistance struggle. These practices, by suggesting that the suffering of ordinary people continues into the present, also unsettle the political leadership's entreaty to focus on the future rather than the past.[33]

While graves remain largely intimate in terms of social connection, memorials are marked by a more generalised relationship between the dead and the living *per se*, a point which brings us back to the earlier quote by Jelin and Kaufman where 'Collective remembrances become then politically relevant, as an instrument for legitimizing discourses'.[34] Where graves are typically built in spaces that are important to living relatives, monuments have tended to be built in more publicly obvious domains and demand recognition from those who knew of the deceased but also from strangers. In such circumstances, the embodied patterns of remembering across the customary-traditional become overlain with broader disembodied narratives that sit as part of the abstracted national form. This can be seen not just in terms of the built environment itself, but by the way the sociality of remembering comes to frame such memorialisation. For instance, the commemorations of a 1983 massacre in Lautem do not occur on the actual anniversary of the massacre but rather, as Kent describes, on 12 November, the date of a national holiday that commemorates the Santa Cruz massacre in Dili.[35] In this instance, the dead are then being remembered as part of a national whole rather than within the specific temporal and spatial context of the massacre as a stand-alone event. At the inauguration of the Angel monument in Liquica, demands were made that the anniversary of that massacre become a national holiday, and moreover the national leadership was drawn into the localised event, as has also occurred in other instances.[36] As Kent has suggested, these patterns of remembering can be taken as local attempts at contesting state priorities by demanding recognition from the state.

What this reveals is that at particular moments of remembering local communities are seeing themselves subjectively as part of the national whole. Contestation in this form is suggestive of inclusion within the national polity rather than being located outside of it, especially as what is being challenged is in effect the form of national history rather than the nation itself. In such circumstances, a particular locale, the victims and the living are drawn together and re-framed in a way where the loss and grief of that specific group are read into the larger narratives of nation-formation. This suggests that even in local communities still primarily constituted at the customary and traditional, there is a modernity that allows for such abstract connections to occur (as 'local' does not necessarily equate with customary). Hence, in effect the contestation that Kent is referring to is occurring *within* a modern ontology, whereby local communities and elites are in tension over the patterns of remembrance and the place of different categories of victims within the nation which they are both already 'imagining'.

In concluding this essay, and as a way of making the final argument, it is important to step away from both the axis of local-national and the notion of contestation in order to develop a different dimension to the patterns of remembering. If we look instead at the forms of remembering across the customary, traditional and the modern, it is important to note that while these ontological categories may look contradictory that is not necessarily how they are 'lived', at least in terms of remembering. To return to the monument at Maupitine for instance, this is a cenotaph which carries depictions of the massacre as well as the names of the dead. Importantly, at the top of the memorial are a Catholic cross and a cement map of Timor-Leste. Within its immediate context, such a monument can be seen as part of the process of honouring the dead in a customary sense by showing the spirits that their sacrifices are not forgotten.[37] The Catholic cross signifies that those who were killed are remembered as part of a community of faith that stretches beyond their genealogical connections, an act that helps to ensure that the spirit may finally transcend to heaven. The cement map of Timor-Leste represents a different form of remembering again, one that lifts the dead into relationship with an abstract community of the nation. Certainly, contestation of remembrance may occur within an ontological level, such as that which occurs over the recognition given to different groups of victims discussed above. But as the monument in Maupitine demonstrates, it is evident that different forms of remembering can occur across different ontological levels that do not lay claim on each other, and in doing so suggest that such acts may in fact be a kind of pathway for negotiating different forms of community, not least as a national polity continues to reshape existing social relations. This is a point of importance not only in terms of planning for future forms of memorialisation, but also more generally in the way highly complex societies such as Timor-Leste are able to negotiate difference across distinct patterns of social integration in a way that respects the needs of the living as well as those of the dead.

Endnotes

1 My sincere thanks to Lia Kent for her collegiality and goodwill with regards to this article, and her direction towards several sets of important texts. Aniceta Rosa F. Grenfell has provided ongoing support and as with her family, has been forever generous with my never ending supply of questions. I also wish to thank my colleagues at RMIT in the Globalism Research Centre and the very helpful comments of two blind reviewers for this article.

2 While a wide variety of articles and reports are drawn on for this article, the strong connection between the dead and the living is particularly influenced by the work of David Hicks in his *Tetum Ghosts & Kin*. In writing in the preface about the second edition, he states how the book 'describes the implications for Tetum life that the source of fertility, tapped by ritual for the benefit of humanity, is considered to lie in the world of the dead'. See D. Hicks, *Tetum Ghosts & Kin*, second edition, Waveland Press, Long Grove, 2004, p. ix.

3 H. Hirsch, *Genocide and the Politics of Memory: Studying Death to Preserve Life*, The University of Northern Carolina Press, Chapel Hill, 1995; H. Halilovich, 'Beyond

the sadness: memories and homecomings among survivors of "ethnic cleansing" in a Bosnian village', *Memory Studies Journal*, vol. 4, no. 1, 2011, pp. 42–52; I. Kovras, 'Unearthing the truth: the politics of exhumations in Cyprus and Spain', *History and Anthropology*, vol. 19, no. 4, 2008, pp. 371–90.

4 For writing on the sociality of memory see J. Fabian, 'Part three: forgetting and remembering', in *Memory Against Culture: Arguments and Reminders*, Duke University Press, Durham and London, 2007. Also see Jelin and Kaufman who write that 'Memory is an intersubjective relationship, based on the act of transmission and reinterpretation. Even personal memory requires others to remember: it is group support that makes waking life and memory cohesive and structured. *We are never alone*. When given the opportunity to reminisce, people talk as if their memories were there, waiting to be given the opportunity to be expressed in words'. E. Jelin and S.G. Kaufman, 'Layers of memories: twenty years after in Argentina', in D.E. Lorey and W.H. Beezly, eds, *Genocide, Collective Violence, and Popular Memory: The Politics of Remembrance in the Twentieth Century*, Scholarly Resources Inc, Wilmington, D.E., 2002, pp. 31–52.

5 Some of my thinking on this has been influenced by writers on reconciliation, especially in regards to collective memory in post-conflict societies. See for instance Michael Humphrey, *The Politics of Atrocity and Reconciliation: From Terror to Trauma*, Routledge, London, 2002; and Richard Ashby Wilson, 'Anthropological studies of national reconciliation processes', *Anthropological Theory*, vol. 3, no. 3, 2003, pp. 367–87.

6 A. Whitehead, 'Collective memory', in *Memory*, Routledge, New York, 2009, pp. 123–52.

7 E. Jelin and S.G. Kaufman, 'Layers of memories', p. 49.

8 This schema is referred to as 'constitutive abstraction' and has been developed particularly by Paul James. See both P. James, *Nation Formation: Towards a Theory of Abstract Community*, Sage, London, 1996; and P. James, *Globalism, Nationalism, Tribalism: Bringing Theory Back In*, Sage, London, 2006. In relation to Timor-Leste, this schema has been applied to understanding the post-independence period in Timor-Leste in D. Grenfell, 'Reconciliation: violence and nation-formation in Timor-Leste', in D. Grenfell and P. James, eds, *Rethinking Insecurity, War and Violence: Beyond Savage Globalization?*, Routledge, London, 2008. One of the challenges of this schema comes with the actual names of its categories. I have used 'customary' here rather than 'tribal' for instance—the problem being that while customary perhaps suggests a narrower domain, the term 'tribal' has been used in such a pejorative fashion that to employ it here risks distracting from what is actually being argued. Equally, the term 'traditional' can add a layer of confusion, as it is certainly not referring to 'traditional culture' as it might often be used elsewhere (including in this current set of essays). The problem though in naming these categories is that the 'modern' is the most accurate, as the term is a product of itself, whereas modernist attempts (such as this one) to name non-modern categories of social being will seem to inevitably jar. The alternative of course is to go for a different set of categories—for instance 'Category One Abstraction', 'Category Two Abstraction' and so forth, but obviously that would just create a whole set of new problems.

9 See for instance S. Pannell, 'Struggling geographies: rethinking livelihood and locality in Timor-Leste', in A. McWilliam and E.G. Traube, eds, *Land and Life in Timor-Leste: Ethnographic Essays*, ANU Press, Canberra, 2011, pp. 217–40.

10 P. James, *Globalism, Nationalism, Tribalism*, p. 23.

11 Interview with East Timorese woman, 21 April 2012, Dili, Timor-Leste. I have translated from the Tetun which is as follows: '*Sim klamar bele fo todan, tamba sira bele husu maromak, sira segundo - primeiro maromak segundo sira, entaun sira husu, hau bele,*

maromak bele loke odamatan ne'e ba hau ka lea? Entaun maromak loke odamatan ba klamar ne'e entaun sira ba liur sira bo'ok ona sira nia nene bainhira mate la fo ninia tais, la fo ninia osan, entaun sira bo'ok ona ida ne'e'.

12 See J. Chandler, 'Scientists and villagers summon spirits of the dead in bid to heal old wounds', *The Age*, 23 August 2008. This article discusses the ways in which forensic anthropologists have worked with customary leaders in their efforts to locate the remains of victims of the 1991 Santa Cruz massacre. The notion of holding two ontologies in place but ascribing priority to one is carried in the following quote: 'A woman approached the scientists to talk. "She told us it was all very well for us to do this, but we wouldn't find anything because we had not had a traditional Timorese ceremony," says Dr Blau, who works for the Centre of Human Identification at the Victorian Institute of Forensic Medicine'.

13 There are various excellent anthropological studies that discuss rituals relating to death in far more detail than can be afforded here. See for instance D. Hicks, *Tetum Ghosts & Kin*, particularly Chapter Six 'Kin and ghosts' for a detailed examination of death rituals in *suku* Caraubalo in Viqueque.

14 These ceremonies are often said to occur a week and a fortnight after death, though there may be more variation in terms of intervals between them and whether both rituals are even followed than such generalised pronouncements actually suggest.

15 Ancestral graves can also be located on hilltops and crests, in effect following the Christian tradition of sacralising elevated sites. Even in urban areas, people can be buried outside of a cemetery for a range of reasons. If for instance a baby is born illegitimately its body may not be accepted into a Catholic cemetery and buried in turn either with ancestors or within the yard of a house.

16 Materials drawn together, such as rocks, wood and pieces of metal, can be used to mark the site, or small cement monuments are sometimes erected in the form of a miniature grave.

17 As was the case when nine police were massacred in central Dili during the 2006 crisis. Despite the road being a major thoroughfare, it stayed closed to traffic for the following year out of respect to the grieving families.

18 S. Robbins, *An Assessment of the Needs of Families of the Missing in Timor-Leste*, The University of York, 2010. This is an exceptionally good report on this topic.

19 D. Babo-Soares, '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, p. 22. This notion of balance reappears in a wide variety of articles, see for instance A. Loch and V. Prueller. 'Dealing with conflicts after the conflict: European and Indigenous approaches to conflict transformation in East Timor', *Conflict Resolution Quarterly*, vol. 28, no. 3, 2011, pp. 315–29; C. Rawnsley, 'East Timor, a theology of death: massacres, memorials, rites and reconciliation', Proceedings of Peaceworks, 3rd Triennial Conference of Women Scholars of Religion and Theology, Latrobe University, Melbourne, January 2004; T. Hohe and R. Nixon, *Reconciling Justice, 'Traditional' Law and State Judiciary in East Timor*, Final Report Prepared for the United States Institute of Peace, January 2003, p. 17; J. Trindade, and B. Castro, *Rethinking Timorese Identity as a Peacebuilding Strategy: The Lorosa'e–Loromonu Conflict from a Traditional Perspective*, The European Union's Rapid Reaction Mechanism Programme: Technical Assistance to the National Dialogue Process in Timor-Leste, Dili, 6 June 2007. In this report Trindade and Castro write that 'These martyrs or fighters are part of the spiritual world at the moment. When they are upset, the spiritual world is out of order, resulting in conflict in the real world'. They explain that 'When Fretilin fought Indonesia, fighters came to the uma lulik (sacred house)

and held ceremonies. They took many things to give them protection: special water, leaves. The guerrillas all believed in the traditional house. But now when independence has come they haven't come back to offer thanksgiving; they have started to say that they don't believe these things. The leaders are not unifying people; instead they are divisive because they have lost their source, so they create chaos and people fight. They haven't come back to use the tools that are here to unify.' This quote is also used on page 157 in an excellent article by M.A. Brown, 'Security, development and the nation-building agenda—East Timor', *Conflict, Security & Development*, vol. 9, no. 2, 2009, pp. 141–64.

20 *Chega!, The Report of the Commission for Reception, Truth and Reconciliation in Timor-Leste (CAVR)*, 7.2 Unlawful Killings and Enforced Disappearances, (Fokupers, Submission to CAVR, 99BOB026), pp. 280–1.

21 It should be noted here that I am speaking of Catholicism as I have learnt about it in Timor-Leste, and have no doubt that in other societies Catholic practices and emphases would differ considerably.

22 A.K. Molnar, '"Died in the service of Portugal": legitimacy of authority and dynamics of group identity among the Atsabe Kemak in East Timor', *Journal of Southeast Asian Studies*, vol. 37, 2006, p. 344.

23 S.E. Wagner, *To Know Where He Lies*, University of California Press, Berkeley and Los Angeles, 2008.

24 Over the last decade the emphasis on restoring *uma lulik*, or building new ones, has been noticeable in general travels around Timor-Leste, as has the rehabilitation of graves and reburials. For an excellent discussion on healing within customary culture, and as part of that rituals following death, see A. McWilliam, 'Fataluku healing and cultural resilience in East Timor', *Ethnos*, vol. 73, no. 2, 2008, pp. 217–40 (especially pages 224–5).

25 Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, Verso, London and New York, 1991, p. 6.

26 P. James, *Nation Formation*.

27 J. Kingston, 'Balancing justice and reconciliation in East Timor', *Critical Asian Studies*, vol. 38, no. 3, 2006.

28 L. Kent, *The Dynamics of Transitional Justice*, Routledge, Oxon, 2012, p. 182.

29 Community debate was still occurring for instance in 2010 and 2011 over the formation of an Institute for Memory, with consideration by Parliament continuously deferred. See for example 'Conference proceedings: formal and informal justice in Timor-Leste: national and international perspectives on strengthening peace, reconciliation and prosperity in Timor-Leste', 21–3 October 2010.

30 For commentary on burials, see for instance 'Rift looms as Dili mourns dead', *The Age*, 30 August 2009. Activists from the clandestine front which opposed the Indonesian occupation have as a group been recognised by the state as having a special status, such as through the 12 November national holiday which commemorates the Santa Cruz massacre of 1991. Commemorations on that day have often drawn the most senior political levels, such as those in 2005 when then Prime Minister Mari Alkatiri, President Xanana Gusmão and President of Parliament Fransisco 'Lu-Olo' Guterres all visited the Santa Cruz cemetery together as part of the commemorations. *Timor Post*, 14 November 2005.

31 The stones were collected by family members of victims. Sign posts marked the actual spot along the side of the church where each of the three priests were killed. While the stones and the signs have now been moved to one side, they remain as a

marker of remembrance and the site is still marked by a memorial service held each year on September 6.

32 S. Feuchtwang, 'Reinscriptions: commemoration, restoration and the interpersonal transition of histories and memories under modern states in Asia and Europe', in S. Radstone, ed., *Memory and Methodology*, Berg, Oxford and New York, 2000, pp. 59–78.

33 L. Kent, *The Dynamics of Transitional Justice*, p. 182.

34 E. Jelin & S.G. Kaufman, 'Layers of memories'.

35 L. Kent, *The Dynamics of Transitional Justice*, p. 181.

36 L. Kent, *The Dynamics of Transitional Justice*, pp. 183–4.

37 This notion of debt by the living to the dead is examined in a great article by Elizabeth G. Traube, 'Unpaid wages: local narratives and the imagination of the nation', *The Asia Pacific Journal of Anthropology*, vol. 8, no. 1, 2007, pp. 9–25.

Multiple realities:
the need to re-think institutional theory

Deborah Cummins

Introduction

It has been well documented that in Timor-Leste the process of democratisation has involved, and continues to involve, building liberal-democratic institutions over the top of pre-existing customary governance structures and norms.[1] As a result, there is now significant overlap where *lisan*[2] and state law coexist, and it is part of everyday local reality to interact with different institutional structures at different times. This experience is not limited to Timor-Leste: numerous studies have been done, particularly in Africa, describing similar dynamics.[3] In most cases, such meetings of worlds wherein 'state-based' and 'customary' governance interact tend to be viewed by policy- and law-makers as two analytically separate 'sets' of institutions that interact in various ways—resulting in various outcomes that either support or run against their overall normative agendas. However, while we can analytically separate *lisan* and state-based governance for academic purposes, within communities this coexistence is not experienced as two separate 'spheres' of governance. Rather, the reality is that the twin requirements of *lisan* and state-based governance are navigated simultaneously on a daily basis, as community members use the resources at hand in order to fill communal needs and to pursue individual agendas.

One of the challenges in discussing the interaction of *lisan* and state-based law and governance is that the concepts are not directly comparable. *Lisan* goes well beyond a legal or governance system, also encompassing moral and spiritual dimensions. As such, attempting to define it in Western terms becomes a complex philosophical question that is fraught from the start. Nonetheless, despite arising from quite different worldviews, there is also significant overlap between *lisan* and state-based governance as both systems have developed to regulate the same areas of communal life, but in different ways. As explored throughout this article, this simultaneous navigation of *lisan* and state-based governance can only be conceptualised properly if we recognise the adaptive nature of local governance, giving due recognition to the importance of local politics in shaping these dynamics.

The various forms of hybrid governance[4] that exist in East Timorese communities hold important implications for how we understand institutions and the process of institutionalisation—and, by extension, how we approach the various challenges of state-building, development and democratisation. Most contemporary approaches to state-building, development and democratisation draw on an understanding of institutionalism that is best described as functional. This approach to institutionalism has at its core the understanding that if one can get the legal and policy frameworks right so as to address a technically complex task (not dissimilar to a mechanical problem), then particular societal outcomes will follow.[5] Often, the presumption is that what is needed is to simply import Western ideas of 'good' governance in order to address the problems of developing societies. Such approaches can be seen, for example, in good governance theory[6], and before then, in law and development[7] and modernisation theory[8]—each of which rely on the application of technocratic solutions across different cultural and social contexts. However, these approaches have been strongly condemned by others who place greater emphasis on the need for cultural specificity in state- and institution-building. As these critics have pointed out, while technocratic interventions have often been extremely expensive, the introduced institutions have largely failed to 'stick' and produce sustainable results within recipient societies.[9] This debate, wherein some have placed faith in the power of formal institutions to create predictable results, but to the dismay of others who have pointed out the many ideological and practical flaws, has formed part of a larger policy cycle that has played out since decolonisation.[10]

This article is based on seven months' research conducted by the author, living in the villages of Venilale and Ainaro from 2008 to 2009. This is supplemented by approximately eight months' fieldwork conducted between 2010 and 2012 throughout the districts of Baucau, Viqueque, Ermera, Manatuto, Suai and Dili, investigating various aspects of local governance. Throughout this article, I argue that many of the practical problems that have been pointed out can be traced back to a functional understanding of institutionalism, which focuses on the outcomes of institutional interventions without paying due attention to the complex process of institutionalisation. In particular, the functional institutional framework is limited in two key respects. First, it does not recognise the place of customary governance and *lisan* at the local level. At best, it categorises customary governance as 'informal', which fails to reflect the reality of life in an East Timorese village and which can render important obligations and interactions essentially 'invisible' to policy-makers. And second, by conceiving of institutions as something that people are subject to, rather than actively engaging within, this understanding of institutionalism fails to recognise the reality of power, politics, agency and oppression within local governing arrangements. These limitations have meant that important governance challenges at the local level have not been adequately recognised by many policy-makers and analysts.

The hybridity of local governance

Across the villages of Timor-Leste, local governance is a complex melding of customary governance, state-based governance, and many other networks and relationships that have evolved to fill different needs in the community. These 'types' of governance are by no means static. Rather, they come together in various hybrid forms that then structure how local authority is obtained and maintained, how that authority is exercised and shared, and what impact this complex governance environment has on broader power relations within the *suku* (village). The form that this hybridity takes can vary significantly from one *suku* to the next, and in many cases it is highly dependent on the decisions that are made by local leaders as they strategically engage with each other and with their community.

This is not to say that local governance can simply be reduced to these daily decisions made by local leaders. There are very real constraints that are placed on local leaders as they carry out their function in the community—in particular the constraints that are conferred by *lisan* and the requirement that they govern according to East Timorese law. However, the ways in which institutions are accessed and implemented cannot be separated from the social context. To acknowledge the importance of local politics is therefore not to diminish the importance of institutions as constraining and guiding forces—but rather, to recognise that our understanding of the *function* of institutions needs to catch up with the messy reality of people's daily lives.

This messy reality can be seen, for example, in the evolving relationship between customary and state-based forms of political legitimacy for the position of *xefe suku* (village chief). According to the law of Timor-Leste, eligible voting members of the *suku* vote for their *xefe suku* and other *suku* council members every four years. The position of *xefe suku* is therefore described as one which is 'modern' and 'democratic', and it is common to hear explanations that 'in Portuguese times we had the *liurai*[11], but now we are independent, the *xefe suku* is voted in democratically'. However, in the context of local politics this observation only tells part of the story, as *lisan* continues to play an important role in legitimacy for local leadership.

A previous study conducted by Cummins and Leach has shown that at local government level, the combination of democracy and *lisan* has resulted in three hybrid modes of authority: two 'co-incumbency' models and an 'authorisation' model.[12] These three models each reflect different routes through which communities have sought to fulfil both customary and democratic ideas of legitimacy, as they vote for the *xefe suku* candidate who is best able to fill their various political, economic, spiritual and social needs. The two co-incumbency models identified are a strict co-inheritance approach and a traditional house candidate approach. According to the first approach, those who are legitimated through *lisan* to rule as *liurai* are routinely elected by community members into office as *xefe suku*, effectively creating a hereditary system that is legitimated through elections and which parallels the traditional inheritance of authority in the *liurai* family line. This can be seen, for example, in *suku* Uai Oli in Venilale[13], and *suku* Uma Wa'in Kraik in Viqueque.[14] However, this mode of co-inherited traditional and modern authority appears to be fairly rare. More common is the 'traditional house candidate' approach, through which those who are from the *liurai's uma lisan*[15] are elected into office as *xefe suku*. This model of local authority is common in many *suku* in Timor-Leste, satisfying customary ideas of legitimacy while also allowing a broader pool of candidates to choose from. A third model, termed an 'authorisation' model, has evolved in a number of *suku* for elected *xefe suku* who are not from the *liurai's uma lisan*. In these *suku*, there is a local ceremony following election into office in which the elected *xefe suku* receives a blessing from relevant customary leaders to recognise his/her right to govern as *suku* chief. While symbolic in nature, these mechanisms have important practical implications as they ensure that the community will put trust in their elected *xefe suku*.

A fourth category, but one which is not really a 'model', is where *xefe suku* have been elected into office without satisfying customary ideas of legitimacy. In these cases, fieldwork indicates that it is extremely difficult for *xefe suku* to carry out their work as community authorities. Even with mechanisms of traditional legitimisation in place, an elected *xefe suku* must be careful to adhere to a separation of powers between customary and modern authority.[16] The three integrated models are not static, but rather are part of an evolving system of local governance in which communities are endeavoring to meet all of their needs—including the spiritual need to observe *lisan*. As time goes on, it is likely that particular communities will move from one category to another, and it is also likely that they will explore other models of hybrid local governance.

These contemporary dynamics reflect the continuing importance of *lisan*, as well as the diversity of approaches and the flexibility of communities in ensuring that their governing structures fit the twin demands of *lisan* and liberal democracy. However, conventional institutional theory fails to account for these complex interrelationships between customary and state-based institutions—and the impact that this has on people's lives. At best, customary institutions tend to be categorised as 'informal institutions', a residual category which also includes various customs, traditions, sanctions, taboos, and societal codes of conduct, and which are contrasted with the 'formal institutions' of state-based law and constitutionalism.[17] However, the current reality is that customary governance via *lisan* is in fact highly formalised and is central to local governance in the majority of East Timorese villages. This is particularly so given the lack of state influence and investment in many communities.

Viewed from within an East Timorese *suku*, customary institutions are significantly more than a 'resource bank' for state-based institutions to draw upon. They structure relations within a community through the imposition of obligations—and failure to meet those obligations that are often spiritual in character will result in serious penalties such as crop failure, the spread of disease or even death.[18] The formal character of institutional structures can be clearly seen in practice if one changes the question of 'what are the governance structures in place?' to 'how are people actually governed?' For most people in East Timorese communities, *lisan* is their primary source of governance, law and authority.[19]

As institutional theory forms the bedrock of contemporary understandings of law, democratisation, development and state-building, this then has flow-on effects for how we approach the challenges of state-building and democratisation and how we formulate law and policy. The difficulty in recognising the formality of customary institutions can be put down to a failure of perspective; the very language of political theory makes it difficult to look beyond the overarching liberal institutions of the state. As critical theorist Robert Cox argues, 'theory is always for someone and for some purpose' and as such 'all theories have a perspective'.[20] Institutionalist theories tend to be created from the perspective of those outside looking in—the academics and the policy-makers. Given this, the categorisation of traditional institutional structures as informal and modern institutional structures as formal, ties in with existing political categorisations that explain particular relationships and interactions within the state. These are 'problem solving theories', designed to 'make these relationships and institutions work smoothly by dealing effectively with particular sources of trouble'.[21] However, while this approach may be useful to explicate particular economic and political problems from the perspective of the state, this conventional dividing up of reality does not reflect the reality of power and authority as it is experienced from within an East Timorese *suku*. As discussed in the following section, such an approach does not take into account many different local factors that contribute to the *process* of institutionalisation.

From functionalism to process-driven

It is clear that classic institutional theory has some serious limitations when it comes to conceptualising governance in East Timorese communities. There are two main reasons for this. First, as discussed previously, there is a failure within classic institutional theory to acknowledge the formality of customary governance institutions, and their subsequent importance in shaping local governance arrangements together with state-based institutions. And second, most accounts of institutionalism that feed into discourses on development, democratisation and state-building fail to acknowledge the fluidity of local governance, and the importance of local politics in determining the 'balance' that is found between *lisan* and state-based governance.

As discussed in the previous section, East Timorese communities have developed various hybrid models through which they endeavour to meet the twin requirements of customary and state-based governance. This applies to how local authority is obtained and maintained, how that authority is exercised and shared, and how local leaders are ultimately made accountable for their decisions back to the community. In the vast majority of cases, these hybrid models have not been introduced by policy- or law-makers or other ‘external’ actors, but rather have formed as a result of local politics as the community has used the resources at hand to solve their problems. In some situations, these hybrid models have been developed by local authorities as a deliberate strategy to solve recurring problems in the community. In other situations, the model has come about more as a result of the many small, daily decisions that are taken by local leaders when doing their work. The common feature in all of these situations is that there is little attention paid to whether the resources that are used to solve a particular problem fall in the realm of ‘customary’ or ‘state-based’ governance. Rather, the guiding principles are whether the methods used will be embraced by the community (whether they will be legitimate), and whether they will be sufficient in solving the problem (whether they will be effective). Very often, these solutions will involve a complex melding of customary and state-based institutions, drawing on the worldview of both and attempting to influence—but also being determined by—the realities of rural communities where there is still limited state ‘reach’.

It is important to note that the practical results that are produced by these hybridised systems of governance are not always fair. Like politics everywhere, local politics in the villages of Timor-Leste are underpinned by an uneven access to power and resources. As local elites engage with each other and with those they govern, they draw on existing power bases and resources, interacting strategically with each other and making important decisions that shape their governance environment. As such, there is also a ‘shadow side’ to these politics as existing inequalities are reproduced and legitimated in state-based institutions as they are incorporated into the local political environment. This tendency can be seen, for example, in considering how domestic violence cases are dealt with and understood in the village context. While domestic violence legislation passed in 2010 provides more comprehensive protection for domestic violence victims, recent fieldwork in Suai, Dili and Baucau indicates that many victims continue to be discouraged from accessing the formal legal system. However, a key point of success in Suai has been the ongoing, active engagement of *xefe suku* by local domestic violence stakeholders including the parish nuns, encouraging them to refer domestic violence cases to the police and/or prosecutor’s office.[22] In this context, it has been clear that local elites’ strategic interactions have been more important for shaping outcomes than the specified intent of policy-makers in the designing of institutions—and this is even more the case when considering the impact on those who already lack power.

The importance of local elites’ strategic interactions opens new avenues for understanding how different models of hybrid governance are formed in the *suku* of Timor-Leste. As described earlier, functionalist accounts of institutionalism tend to focus first on the form and content of institutions, and then look to see the results that they have in shaping individual and communal behaviour. However, critical theorists’ accounts of institutionalism are somewhat different. According to Cox’s analysis of the process of institutionalisation, there is a constant dialectic between ideas, institutions and material capabilities—and the stronger the correlation between these three categories, the greater the level of institutionalisation, depicted as follows:

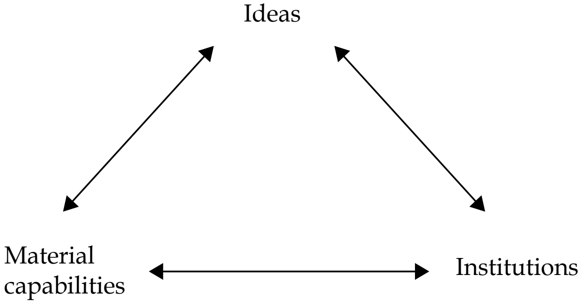
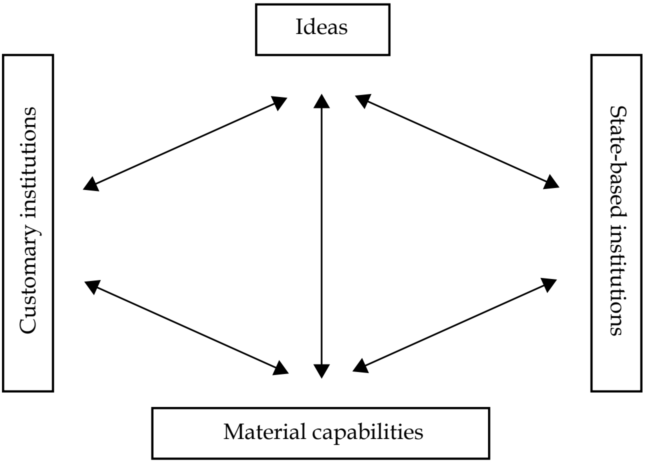


Figure from Robert Cox, 'Social forces, states and world orders: beyond international relations theory', 1981, p. 136.

This effectively means that institutions must be 'in step' with people's worldview and understanding of how things should be done, but institutions also influence change in the realm of ideas. Equally, institutions must be backed up by material capabilities, but they also guide the distribution of power and resources in any given setting. And ideas and material realities also influence each other. By focussing on the dialectic between institutions, ideas and material capabilities, the emphasis is shifted from questions of the *effects* that institutions have on communal behaviour to how they are *engaged with* by the community—with an acknowledgment that this is part of an ongoing process. In other words, the community context influences what institutions do, how they work, and what ultimate impact they have. And the influence of institutions, in turn, becomes part of the community context. It is intimate, and it is messy. And it demands a different way of thinking about institutions and institutionalisation.

This demand for a new way of thinking about institutions becomes even more pressing when we consider the postcolonial context of coexisting customary and state-based institutions. As discussed previously, the various hybrid models of local governance that exist in the *suku* of Timor-Leste have been developed as a natural part of local politics, sometimes as a deliberate strategy to solve recurring problems in the community, other times as a result of the many small, daily decisions that are taken by local leaders when doing their work. A common feature of these different hybrid forms is that the relevant question is not whether a particular institution falls in the realm of 'customary' or 'state-based' governance, but rather whether it will be an effective and legitimate response to the problem at hand. Sometimes a problem can be solved using only customary or state-based institutions; other times, it will require the engagement of both. An adaptation of Cox's depiction of institutionalisation, incorporating this messy coexistence, would therefore look something like this:



Representing the interrelationship between institutions, ideas and material capabilities in a typical suku (author's own design).

In this schema, there is an ongoing dialectic between ideas and material capabilities as they influence—and are influenced by—both customary and state-based institutions. While customary and state-based institutions are analytically separate, they are also operating in the same local political environment, and have indirect but nonetheless significant influence on how the other is interpreted and applied. This has important implications for how policy is formulated for East Timorese communities. This is because, as explored in the final section, the theories that we use to describe the world can also shape how we see the world. And in turn, how we see the world determines which social arrangements are considered 'relevant' to politics, and which are not. When theory and policy adequately reflect the lived experience of community members, this can help to shape these social interactions and makes the relationship between individuals and the state more coherent. Crucially, however, when theory and policy do not reflect community realities, this can render specific governance challenges effectively 'invisible' to law- and policy- makers.

Shaping local governance

For the majority of law- and policy-makers operating from a framework of Western, liberal thought, the importance of institutional theory has been premised on the functionalist understanding that institutions can be built to shape communities, and to pursue normative aims that fall variously under the headings of development, democratisation and state-building. However, it is clear that many models that incorporate an understanding of institutions fail to recognise, or at least ignore, the inherently political processes that determine how institutions are incorporated into the local governance environment, and the ultimate impact that they have. Equally, they fail to recognise the importance of coexisting customary and state-based institutions, and what this means when considering institutionalisation at the local level. As discussed in the previous section, a critical theory approach can more effectively capture these dynamics. However, such an approach demands a very different way of thinking about institutions—one which is more nuanced, but also more humble in what is demanded of institutional interventions.

This approach recognises that institutions certainly work to shape individual and communal behaviour—but that they are also in turn shaped by the surrounding environment. This means that as state-based institutions are incorporated into the local governance environment, they are interpreted locally so that they do not clash with pre-existing ways of doing things. In the villages of Timor-Leste, given the lack of state 'reach' to many villages and the importance of customary governance, this means that state-based institutions tend to be interpreted so that they are in accordance with *lisan*. Sometimes, this means that existing understandings of the legitimate distribution of power and resources in a community are replicated into the new, state-based institutional form—for example, where those with customary authority are routinely elected to leadership positions. Other times, when institutions have been introduced with the specific intention of challenging existing distributions of power and resources, they may be sidelined or ignored by large sections of the community. These dynamics can give a deceptive picture of the relative success or failure of institutional interventions. In situations where state-based institutions mirror existing relationships and distribution of resources according to *lisan*, they can appear quite strong but are in fact parasitic on customary governance arrangements. By contrast, where state-based institutions are built to challenge existing governance arrangements, they may in fact be slowly working but appear to be failing. Alternatively these institutions may be captured by local elites who subvert them for a use that is contrary to the original policy intent.

Such complicated dynamics can be observed when examining the institution of *konsellu suku* (village council), a local governing body directly elected into office by eligible voting members of the *suku*. The *konsellu suku* was formed through Decree Law in 2004, and is comprised of one *xefe suku* (village chief), a *lia-na'in* (traditional dispute mediator*), ferik/katuas* (elder), a *xefe aldeia* (subvillage chief) for each *aldeia*, two women's representatives and two youth representatives—one man, one woman. The exact number of *konsellu suku* members varies according to the number of *aldeia* (and therefore *xefe aldeia*) in the *suku*. However, while the *konsellu suku* is a relatively new body, key institutional figures on the council are also important leaders through *lisan*, an authority structure that has continued from pre-colonial times. While they are now voted into office and have some new responsibilities according to East Timorese government requirements, these authority figures are not 'new' to the community; they have well-established roles in the community that are supported by *lisan* and the broader social environment. It is therefore of no surprise that despite its newness, the *konsellu suku* appears to be fairly well institutionalised across Timor-Leste—particularly given the limited state resources that have been available to this body.

However, varying from one *suku* to the next, the apparent institutionalisation of *konsellu suku* appears to have mostly come about where arrangements have been closely aligned with customary institutions, entering into a symbiotic relationship with the distribution of material power and value systems that are already entrenched within the community. It is only where the state-based institutions have departed from these entrenched customary relationships that the relative fragility of the 'state institution' of *konsellu suku* has become apparent. So, for example, problems have occurred for elected *xefe suku* who do not come from the *liurai's uma lisan*, and so cannot claim legitimacy through *lisan*. While they were able to claim sufficient community support to be elected into office, they have had many challenges in maintaining their authority between elections.[23]

Equally, the experience of introducing gender quotas to encourage women's participation on the *konsellu suku* can only be described as fraught. While there are three women holding reserved seats on each of the 442 *konsellu suku* across Timor-Leste, there is no defined role for them through *lisan* and the state has not given sufficient support to institutionalise their role as local leaders. Within East Timorese village culture it is rare for women to take on politically active roles, and this state of affairs is also supported through *lisan* which reserves for male authority figures the power to resolve disputes through *nahe biti bo'ot*.[24] While this is an important source of authority for other *konsellu suku* members, the women's representatives have been unable to participate, much less take a leadership role. As a result, they have been largely inactive in their roles—a source of frustration for all concerned. In many cases, this has undermined support for women's political participation, as other *konsellu suku* members and community members have blamed them for not taking their responsibilities seriously.[25] In most analyses, this lack of participation has been put down to a lack of capacity. However, this fails to recognise the local structural issues that have led to their disempowerment—which carries the danger that interventions are misdirected towards capacity development when what is needed is an integrated approach that is designed to give these women leaders real decision-making power at the local level.

The experience of women's representatives on the *konsellu suku* illustrates an important feature of local governance. As Cleaver notes in her examination of social capital, inequalities have a way of reproducing themselves through differing engagement with, and access to, institutions.[26] This is particularly so in the context of coexisting customary and state-based institutions, as the balance that is found between them is formed as a natural part of local politics. While also endeavouring to satisfy the twin requirements of *lisan* and East Timorese law, these decisions tend to mirror existing power relationships in the *suku*—and those who are less powerful are then subject to those decisions. It is through this process that existing power inequalities are reproduced through both state-based and customary institutional forms, as can be seen in the above example of women's representatives on *konsellu suku*. However, this structural feature of local governance has been largely 'invisible' to policy-makers, as functional accounts of institutionalism do not provide the right tools to analyse these interactions.

Conclusion

Whether or not it is explicitly stated, most approaches to state-building, democratisation and development rely on a functional understanding of institutionalism, which focuses on the *outcomes* of institutional interventions, without recognising the local political *process* of institutionalisation. There are a number of reasons for this, including the demands of donors that programs be clearly designed so that they meet defined policy aims. However, as explored in this article, this approach to institutionalism fails to capture the intricacies of the local political environment—and as such misses some important clues on how to recognise, and then address, specific governance problems that arise during the process of institutionalisation.

Fieldwork demonstrates that it is through everyday local politics that customary and state-based institutions are engaged, wherever possible, to be mutually supportive. This has a direct impact on the implementation of state-based institutions in East Timorese villages, which tend to rely on pre-existing customary structures, with the result that existing distributions of power and resources are also replicated through state-based structures. As such, the process of institutionalisation is not as simple as either community 'acceptance' or 'rejection' of state-based institutions. Rather, it is a complex process that is negotiated by the local leaders as they use existing resources to meet community needs, and to pursue individual political agendas. This process, which also involves the reproduction of existing inequalities across institutional 'spheres' does not, however, imply institutional 'failure'. Rather, it indicates the complexity of the local governance environment and the many different factors that are required for institutionalisation to take place. The challenge is for 'outsiders' to take these complexities seriously.

For policy-makers, this means that simply comparing those state-based institutions that have been successfully institutionalised with those that challenge existing power inequalities can give a false impression, where the first is indicative of institutional 'strength', and the second of institutional 'fragility'. If policy-makers fail to recognise the complexity of local politics and governance, this carries the danger that those institutions that could make a positive impact on East Timorese communities—such as promoting women's political participation—are treated as a 'lost cause'. However, by viewing governance through the lens of local politics, it becomes clear that customary institutions are not static. Rather, they too are subject to change, and since independence East Timorese communities have proved remarkably adaptive to the changing governance environment. Recognising the intimate, messy process of institutionalisation as it is played out through local politics therefore gives another avenue for policy development, which moves closer to the political reality as experienced in East Timorese communities. This requires that we move away from simplistic, functional understandings of institutions to consider the importance of *process* in institutions, and institutionalisation.

Endnotes

1 See for example T. Hohe, 'The clash of paradigms: international administration and local political legitimacy in East Timor', *Contemporary Southeast Asia*, vol. 24, no. 3, 2002, pp. 569–90; J. Trinidade, 'An ideal state for East Timor: reconciling the conflicting paradigms', in D. Mearns and S. Farram, eds, *Democratic Governance in Timor Leste: Reconciling the Local and the National*, Charles Darwin University Press, Darwin, 2008.

2 *Lisan*: Traditional law; ethical system encompassing a worldview that recognises still-sentient ancestors. Often referred to by the Malay/Indonesian term *adat*.

3 See for example F. Cleaver, 'The inequality of social capital and the reproduction of chronic poverty', *World Development*, vol. 33, no. 6, 2005, pp. 893–906; P. Landell-Mills, 'Governance, cultural change, and empowerment', *The Journal of Modern African Studies*, vol. 30, no. 4, 1992, pp. 543–67; M. Mamdani, *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*, Princeton University Press, Princeton, N.J., 1996; B. Oomen, 'Chiefs! Law, power and culture in contemporary South Africa', in P. Geschiere, B. Meyer, and P. Pels, eds, *Readings in Modernity in Africa*, James Currey, Oxford and Cambridge, 2008.

4 For a discussion on political hybridity, see 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 M. Fisher and B. Schmelze, eds, *Berghof Handbook for Conflict Resolution Dialogue Series: No 8 Building Peace in the Absence of States*, Berghof Research Centre for Constructive Conflict Management, Berlin, 2009, pp. 15–35.

5 See for example D. North, 'Institutions', *The Journal of Economic Perspectives*, vol. 5, no. 1, 1991, pp. 97–112; S.J. Burki and G. Perry, *Beyond the Washington Consensus: Institutions Matter*, World Bank, Washington DC, 1998.

6 See for example J. Degnbol-Martinussen, 'Goals, governance and capacity building: aid as a catalyst', *Development and Change*, vol. 33, no. 2, 2002, pp. 269–79; D. Kaufmann, A. Kraay and M. Mastruzzi, *Governance Matters VII: Aggregate and Individual Governance Indicators, 1996-2007*, World Bank, Washington DC, 2008; C. Scott and A. Wilde, *Measuring Democratic Governance: A Framework for Selecting Pro-Poor and Gender Sensitive Indicators*, UNDP, 2006.

7 See for example, J. H. Merryman, 'Comparative law and social change: on the origins, style, decline & revival of the law and development movement', *The American Journal of Comparative Law*, vol. 25, no. 3, 1977, pp. 457–91; D. M. Trubeck and M. Galanter, 'Scholars in self-estrangement: some reflections on the crisis in law

and development studies in the United States', *Wisconsin Law Review*, vol. 4, 1974, pp. 1018–62.

8 See for example T. Parsons, *Structure and Process in Modern Societies*, Free Press, New York, 1960; W. Rostow, *Stages of Economic Growth: A Non-Communist Manifesto*, Cambridge University Press, Cambridge, 1960.

9 See for example C. H. de Alcantara, 'Uses and abuses of the concept of governance', *International Social Science Journal*, vol. 50, 1998, pp. 105–14; K. Jenkins and W. Plowden, *Governance and Nationbuilding: The Failure of International Intervention*, Edward Elgar Publishing, Cheltenham, UK, 2006; S. Latouche, *The Westernization of the World: The Significance, Scope and Limits of the Drive towards Global Uniformity*, Polity Press, Cambridge, 1996.

10 D. Cummins, *Local Governance in Timor-Leste: The Politics of Mutual Recognition*, PhD Thesis, University of New South Wales, Australia, 2010, pp. 45–56.

11 *Liurai*: King, or royalty; from Tetun 'lord of the land'.

12 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.

13 Fieldwork conducted in Venilale from July 2008 to February 2009.

14 Fieldwork conducted in Viqueque in May 2011.

15 *Liurai's uma lisan*: the sacred house and family of the liurai.

16 D. Cummins and M. Leach, 'On democracy old and new'.

17 See for example, D. North, 'Institutions' p. 97.

18 K. Monk, Y. De Fretes, and G. Reksodiharjo-Lilley, *The Ecology of Nusa Tenggara and Maluku*, Periplus Editions, Singapore, 1997; S. Ospina and T. Hohe, *Traditional Power Structures and the Community Empowerment and Local Governance Project: Final Report*, UNTAET and World Bank, Dili, Timor-Leste, 2001; J. Trinidade, 'An ideal state for East Timor'.

19 See for example The Asia Foundation, *Law and Justice Survey*, Dili, Timor-Leste, 2008.

20 R. Cox, 'Social forces, states and world orders: beyond international relations theory', *Millenium: Journal of International Studies*, vol. 10, no. 2, 1981, p. 128.

21 ibid, pp. 128–9.

22 Interviews with domestic violence victims and local stakeholders, conducted by the author in Dili, Baucau and Suai from March to June 2012.

23 D. Cummins and M. Leach, 'On democracy old and new'.

24 *Nahe biti*: A woven mat upon which people sit to discuss and resolve issues in the community. A *nahe biti bo'ot* is a large mat, to resolve larger problems, and *nahe biti ki'ik* is a smaller mat for smaller problems.

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

26 F. Cleaver, 'The inequality of social capital', pp. 902–3.

Compatibility, resilience and adaptation: the *barlake* of Timor-Leste[1]

David Hicks[2]

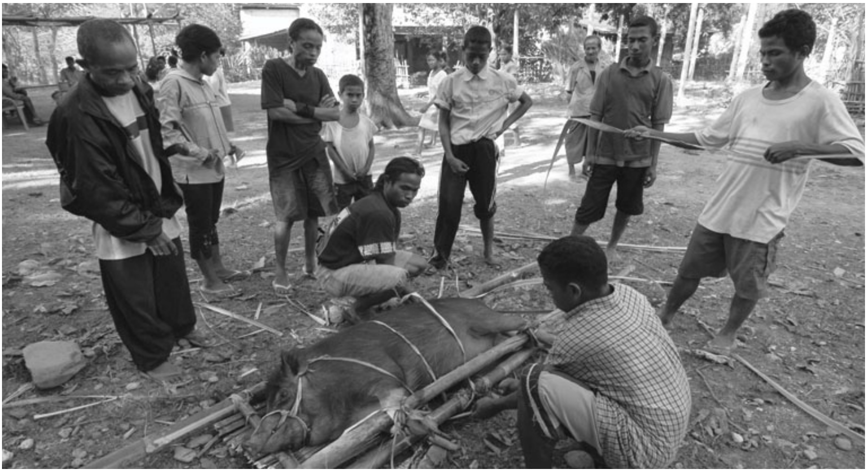
That institution[3] known in Timor-Leste as the *barlake* is the recipient of considerable criticism from educated East Timorese and from *malae*.[4] There are a number of reasons they cite for this negative attitude, including the economic demands it makes on impoverished villagers and the delay it frequently causes for young people desiring to marry. The most plangent source of criticism, however, lies in its defiance of what some choose to call 'international values', the most prominent being the *barlake's* implications for gender. In the present article, I argue that this claim is unfounded: insofar as they involve gender rights, there need be no incompatibility between the values of this most iconic of Timor-Leste's institutions and international values, and that even as shifting social, economic and political forces re-align certain elements of its properties, the *barlake* will continue as an integral part of Timor-Leste's culture.

The semantics of the '*barlake*'

Since a description of the basic features of the *barlake* may be found in a previous article[5] I shall not dwell at any length on the nature of the institution itself here, but given the misunderstandings that those who write about it appear to have, a few remarks by way of clarification may be useful. Some of the misunderstanding results from the ambiguous nature of the word '*barlake*' itself, which denotes several different, though overlapping, forms of marriage arrangement. Even its etymology encourages confusion. Although a stock criticism of the *barlake* is that involves 'buying a wife', in its root form—the Malay word '*berlaki*'—the term glosses as 'to take a *husband*'! Etymological confusion is sustained by a semantic complexity that incorporates religion. Definitions of the *barlake* by authoritative sources diverge almost as much as they converge. Father Jorge Duarte, quotes Cândido Figueiredo who defines it as 'to buy a woman according to pagan rituals'[6] and Manuel Patrício Mendes who defines it as 'marriage among pagans', 'to marry in pagan fashion', and notes that it is 'a word of foreign origin and little used among Timorese'.[7] Artur Basílio de Sá glosses the word as 'a pagan marriage, celebrated by non-christians'[8]; Luís Costa's dictionary has it as 'marriage; a matrimonial contract (according to traditional usages and customs) which involves an exchange of goods of equivalent value between the families of the affianced couple'.[9] Geoffrey Hull's dictionary renders *barlake* as a 'traditional marriage contract involving the payment of brideprice'.[10] As a scholar and son of a Mambai mother and European father, the late Father Jorge Duarte is probably the foremost authority on the term, and he remarks that when used as a substantive '*barlake*' has two referents: *marriage celebrated between pagans* and the *prestations* given to the fiancée's parents. In the latter sense, he notes, the term *barlake* is synonymous with *folin* ('brideprice' or 'bridewealth'[11]). He adds:

> [A] great number of Christians, of one or other kind, also celebrate the ceremonies of the *berlaki* in respect of the compensation owing the bride's father, a sort of civil pagan marriage taking place before the religious marriage. Others, less instructed, remain in the state of pagan marriage [i.e., dispense with the Catholic ceremony] … Because of this, in the Portuguese spoken in Timor, *barlaque* and *barlaquerar-se* have come to designate simple marital unions among the indigenous population or among Europeans.[12]

By his account, we see that Christians who marry under the auspices of the Church are also, therefore, permitted by the ecclesiastical authorities to marry according to their local *lisan* or *adat* [13] which typically would involve giving the *folin*[14], a pragmatic syncretism of which the government and United Nations might well take note. In August 2005 in Viqueque town my wife and I were guests at a wedding in which both wife-givers and wife-takers were devout Catholics yet who followed many of the conventions of the *lisan*, including prestations and ritual embellishments that made of it a very grand and splendid event.



Lisan: The pig arrives (Viqueque wedding, August 2005)
Photograph: Maxine Hicks

The sociology of the word '*barlake*', too, is instructive. Given the term's widespread use in Timor-Leste, Mendes' statement that the *ema foho* (people from rural areas) themselves have little use for it and Father Duarte's confirmatory remark that the East Timorese employ it only when conversing with *malae*[15], might come as something of a surprise to *malae* unacquainted at first hand with village life. My own field observations among Tetun and Makassai *suku* (villages) in the sub-districts of Viqueque and Baucau substantiate their comments. To the best of my recollection, not once in all my nineteen months' residence did I hear a single person utter the word. Among the *Tetun Terik* speakers of Viqueque there is no single word corresponding to the English word for 'marriage'. What there is, as I describe in *Tetum Ghosts and Kin: Fertility and Gender in East Timor*[16], are three terms, each of which denotes a distinctive form, or mode, of marital union[17]: *fetosa-umane*[18], *hafoli*, and *habani*.[19]

The first two categories prescribe that the bridegroom's descent group (be it clan, lineage, or sub-lineage) gives the *folin* to that of the bride. However, while the *fetosa-umane* entails a larger *folin*, is more demanding in the duties required of the affinal partners, and involves a number of descent groups that may form extensive networks, the *hafoli* is a simpler institution prescribing fewer obligations for affinal partners, requires a more modest *folin*, may involve no group larger than the nuclear family, and is not sustained by networks. Giving the *folin* in either institution acquires for the wife-taking group certain rights, two of which are of considerable importance. The bride moves from her parent's home to reside in her husband's, which is usually close to his father; and the couple's children belong to the husband's descent group. Ritual similarities they also have in common. Wife-givers and wife-takers regularly assemble to celebrate rites of passage—birth, marriage, death—among their kin and affines, and these are formal occasions accompanied by material symbols and verbal metaphors packed with a wealth of meaning, much of it having fertility and mutual inter-dependency as their theme. The *fetosa-umane* is especially endowed with such elaborations. No *folin* is given in the *habani*. After marriage the husband lives with his father-in-law, his children belong to their mother's descent group, and the symbolism accompanying the wedding is meagre compared with that of the other two modes.

The permutations in the manifold variants of the *barlake* are not exhausted even with these variants of marriage. In Viqueque I encountered an arrangement in which no *folin* was given nor was the son-in-law required to reside matrilocally. I am not sure whether this was considered to be another form of marriage or not, but people disapproved of it. The term by which it was known was *hafe(n)* (*halo* = 'to make' + *fen* = 'wife'), which Duarte mentions as being a synonym of *habani* in Dili and in other places where *Tetun Praça* is spoken.[20] He provides as its gloss, 'contracting pagan marriage without the obligation of giving the *folin*; or simply for a woman to enter into a condition of concubinage'. Where *Tetun Terik* is spoken, that is among the Tetun, Father Duarte notes there is a form of marriage called the *ha-etu*, in which the husband incurs the obligation of supporting his bride and giving to her parents and relatives a simple pre-nuptial gift of more modest dimensions than the *folin*[21], scarcely seemingly to count as bridewealth at all. He regards *hafe(n)* as a synonym of *habani*, though he does not mention the husband having to reside matrilocally. Still another form of marriage is that practised by some families in Dili and described by Dr. Kelly Silva[22], the *aitukan-be-manas*, in which a prestation of between five hundred and three thousand dollars is given by the wife-takers. Some who practise this custom deny, however, that they are practising the *barlake*, on the grounds that the *aitukan-be-manas* is given only to the biological parents of the woman, not to other kin in the bride's descent group. Silva remarks, however, that in two instances she witnessed the gifts were distributed to the bride's uncles and cousins. From the above it will be apparent that plenty of scope exists for confusion by critics and others.

Another inducement to misunderstanding what the *barlake* is all about is that in some *suku* in Viqueque, as also among the Bunak, the Tetun in Suai and Manatuto, and the Galoli in Manatuto, matrilineal descent and matrilocal residence for the husband occur instead of patrilineal descent and patrilocal residence. Under this regime it would seem that little or no *folin* is necessary for marriage, and children belong to their mother's descent group. The question arises, therefore, as to whether this system merits the designation '*barlake*'. Since, however, among the referents of the word '*barlake*' that of 'pagan' marriage is included, thereby subsuming *all* forms of non-Christian marriage under the term, this would appear so. In which case, what comes of the 'buying a wife' tag?

The *barlake* as an institution

There is, however, at least one source of confusion that can be resolved easily enough. Those writing about the *barlake* commonly label it a 'dowry'.[23] As the *The Oxford English Dictionary* defines the term, a dowry is 'The money or property the wife brings her husband; the portion given with the wife'[24]; a gloss confirmed by *The American Heritage Dictionary*: 'Marriage or property brought by a bride to her husband at marriage'[25]. The *folin* is more properly termed the 'brideprice' or 'bridewealth', that is, the set of prestations given by the wife-takers to the wife-givers. Its economic dimensions depend upon a number of factors, principally the social status and wealth of the two affinal groups and local *lisan* protocols. The *folin* can be so high as to discourage marriage[26],—another aspect of the bridewealth that has attracted adverse attention—and it expends resources that critics would prefer directed elsewhere, among them providing for children's education.

The *fetosa-umane* is an East Timorese instance of an institution found in many parts of the world that uses marriage as a means of bringing kinship groups into alliance systems, and it has been subject to considerable scholarly analysis by social anthropologists, who, among several alternative designations, refer to it as 'generalised exchange' or 'asymmetric alliance'. These verbal ascriptions emphasise the importance of *alliances* between *descent groups and/or between nuclear families*. Marriage establishes or—if alliances already exist (as they often do) —maintains relationships between these social groups and marriage is but one component of this complex institution that is defined by a host of mutual rights and obligations of many kinds. The nuclear family, which critics focus upon, is but one social unit within a hierarchy of segmentary units that anthropologists variously identify as sub-lineages, lineages, and clans. Generically, these may be referred to as 'descent groups' or 'houses' (*uma*), members of which are related through patrilineal or (as the case might be) matrilineal links. The rights and obligations marriage establishes, or maintains, binds, therefore, not only the respective parents-in-law, but uncles, brothers, cousins, and other relatives in a web of inter-connections. To take one example, while writers about the *barlake* limit the *folin* to a gift coming from the groom's father, the latter's brothers and cousins are almost invariably major contributors to the prestation. The same applies to the wife's father, who must redistribute the *folin* among his kinsmen. From a sociological point of view, the groom's father and the bride's father may thus be looked upon as conduits, as it were, for recycling wealth, sometimes for generations, among the two alliance parties. The networks thus created or maintained by marriage may be thought of as 'the horizontal ramifications' of the *fetosa-umane*, and they once provided the means by which the alliance partners could help one another in such activities as engaging in inter-*suku* wars. Today, they remain as templates for co-operation and mutual support, inspiring a loyalty defying the more remote concept of nationalism.

But the *fetosa-umane's*—and this applies in the case of the *hafoli* as well—networks are not just horizontal. They extend generationally as 'vertical ramifications'. Not uncommonly, a *folin* will not be completely discharged by the day of the wedding, and when this occurs, several scenarios are possible, of which two are that the *folin* may never get discharged in full for years or those who originally contracted the marriage may die before it can be. The contractual relationship, nevertheless, retains its force in perpetuity which means that even as they contract new marriages, men of subsequent generations inherit the obligation to discharge old debts. Although a condition of perpetual indebtedness that threatens a family's economic advancement, these vertical ramifications also ensure families maintain their system of mutual support inter-generationally. This practice of keeping a debt active to help maintain social bonds finds a parallel in pre-World War II rural Ireland, where farmers would purchase goods from local shopkeepers on credit and pay off a portion of their debts as they sold their agricultural produce. Although in good times they would have been able to discharge the entire amount, they never did so—unless they decided to terminate their relationship with the shopkeeper.[27]

Gender and the *barlake*

So now to the question of whether the *barlake* diminishes the female gender, as the expression 'buying the bride', might seem to imply, since it could suggest demoting her to the status of a chattel. Does it also, as some anti-*barlake* proponents claim, promote violence against the wife? The following passage from a report composed for the USAID/Timor-Leste Country

Strategy Plan FY 2004-2009, makes precisely that claim:

> Although it varies in practice from place to place, a traditional bride-price custom, called 'barlaque' is maintained in which the prospective husband's extended family pays a negotiated combination of cattle, animals, money, traditional woven cloth (tais) and gifts to the family of the prospective bride and her family reciprocates with much more minor gifts. While this system builds relationships between families, it also can provide a supporting context for domestic violence because men and their families then expect obedience from the wife since she has now become the *property* [italics supplied] of the husband and his family.[28]

A similar assertion appears in a report about women in the context of rural development:

> In many cases, the *barlaque* and the patrilocal residence associated with it contribute to gender-based violence (VBG), as well as promoting the idea of women being like property, establishes relations of unequal power in the core of the family and installs the idea that wives be subservient.[29]

It is easy to understand why the *folin* can be indexed as a payment. Its referents, after all, do include '*price*', and the public display of wealth might appear to offer tangible acknowledgement of this characterisation. Yet I think a stronger case can be made for the contrary interpretation. I have argued in another place[30] that the *barlake*, far from demeaning the female sex, actually enhances the concept of womanhood (*feto*) in East Timorese thinking[31], and made the point that women are no more 'bought' with the *folin* than men are bought with a dowry. Several reasons incline me to this position. In the first place, there is the construction put on it by *ema foho* themselves. These, after all, are the people who actually practice the *barlake* and therefore understand its meaning better than anyone: they clearly affirm that wives are not bought.[32]

Secondly, the bride is not—in the manner of a fungible commodity—something whose worth can be substituted by a set of material objects. She is implicated in a relationship between two social groups, and the gifts exchanged, besides herself, constitute a conventional set of prestations necessary for marriage. Certainly, bargaining is involved and the total quantity of the gifts is subject to negotiation, but there are specific categories of prestation which must be given and these are rich in symbolic intent. Wife-takers give horses, buffaloes, goats, chickens, golden pectoral plates worn by men, war swords, money, and gold. Their wife-givers reciprocate with cloth, pigs, rice, coral necklaces worn by women, and, of course, the bride herself. In the *barlake's* 'classic' modality, the *fetosa-umane*, the symbolic character of these prestations not only mark out the contrasting status of wife-giver and wife-taker, but are infused with images that convey the significance of the alliance and the high esteem in which the bride is held. The claim that 'her [the bride's] family reciprocates with much more minor gifts' could hardly be more misleading, because it dismisses the most important gift in the mutual exchange, namely, the person of the bride herself without whom her husband's descent group could not survive into the next generation.[33] East Timorese express this value in calling the bride the 'source of life'[34], thereby elevating her to the status of a creator of life, an attribute more fittingly ascribed a goddess than to a commodity bought in a Dili store. Or, one might say, a male soccer player that Benfica might buy from Manchester United for a few million pounds. In this context, it might be recalled that in Europe, until recent times, giving a dowry for the husband was customary, as it is today in countries like India. Indeed, in parts of the Western World the bride's father is expected to foot the bill for his daughter's wedding, which amounts to an expensive dowry. Would critics who represent the *barlake* as 'buying a wife' denounce this gift as 'buying a husband'?

Thirdly, as we have seen, the *barlake* does not always involve the *folin*. Living with his bride's father and having his children become members of his wife's group under the terms of the *habani* is a glum fact of life for a married man. He lives away from his agnates, is at the disposal of his father-in-law, and lacks the respect he would have commanded were he residing patrilocally. Must one infer therefore that the *habani* demeans the male gender?

Critics of the *barlake* too readily reduce this complex institution to one of marriage between two individuals and obtaining the *folin* by the bride's father as its prime social purpose. Yet, as we now see, just as the *barlake* amounts to considerably more than the economic materiality of gifts, so too does it encompass much more than marriage, especially in the *fetosa-umane* which requires that maintaining the co-operative relationship be regularly reified after the nuptials by successive gift-exchanges for as long as the alliance exists. Thus, when children are born to either alliance party, or when affines die, gifts have to be given, and these, moreover, must be of the same character as prescribed on the occasion of the marriage itself: wife-takers, for instance, giving buffalo meat and wife-takers reciprocating with pork. Then again, if the *barlake* is simply purchasing a woman, why would the institution be so ritualised and rich in symbols? Each stage of the marriage negotiations has its own metaphoric appellation and finds verbal expression in verse, often with the fecundity of the bride a recurrent motif. For the Tetun of Samoro, in Manatutu, Father Duarte has given a detailed account of the florescent language enriching the wedding ritual when a *liurai* (hereditary ruler, sometimes translated as 'king') takes a bride.[35] A prenuptial prestation, consisting of two parts, is given. The first part, the *osan-cain rua*, entitles the prospective groom and his family to commence marriage negotiations, a stage called the *lati odan* or 'to lean against the steps' (of the future bride's house). The second part, the *osan-ulun rua*, entitles the petitioner's party to enter the house to initiate the bridewealth discussions, and bears the appellation *core lesu-matan* or 'unfastening the cord or string of the door' (of the girl's house). These are but two illustrations from a plethora of verbal images that enrich the concept of marriage, and without which the *fetosa-umane* would lose much of its meaning. Ritual gestures accompany the words, with the result that the impression conveyed in its totality is of an institution transcending materiality, spirituality, and the aesthetic. Regarded from this perspective the *folin*, essential though it may be, is at root only the physical means by which two social groups—and by extension any number of similar groups—are brought into a relationship with one another. Space prevents me from doing more than register the fact that this relationship also has religious dimensions, since marriages, and the other rites of passage, are occasions when the ancestral ghosts (*mate bein*) of the descent groups are invited into the social world to share in the company of their living kin.

In 2011 the East Timorese NGO, Belun, issued a policy briefing with 'Culture and its Impact on Community Life' as its theme and it contained data from many sub-districts.[36] This document provides a useful source of data, and certain of its recommendations are sound, including its acknowledgement of the *fetosa-umane's* contribution to community cohesion and its properly drawing attention to the financial strain the *folin* can place on some families in certain circumstances. Nevertheless, as Mr. Josh Trindade has acutely pointed out, among its shortcomings are its 'Dili based, economic, western and individualistic' perspective and its failure to acknowledge the reality of the institution's ritual aspects.[37]

What of the contention the *barlake* fosters domestic violence? There has been so little detailed research on a hypothetical connection it is not possible to be certain either way, and research comparing violence in marriages in which the *folin* is given with marriages in which it is not is obviously needed for this connection to be confirmed or refuted. But one might pose the question: are husbands in a non-*folin* marriage less likely to assail wives?[38] And, if it comes to that, is domestic violence absent from *malae* marriages?

Ambitions by national and international agencies to instill greater respect for the female gender among the populace is to some extent, therefore, redundant since respect already exists under *lisan* codes. The difference, of course, is that these organisations are pushing for their own version of gender equality, an equality only legitimated according to their codes by the *malae imprimatur*. As Timor-Leste advances towards a greater sense of national identity, so the government must find a way of reconciling its version of gender equality with the more traditional respect accorded femininity in such institutions as the *barlake*, and thereby encourage the *ema lisan* to incorporate national institutions more thoroughly into their social lives. There is nothing in the least unfeasible about this. Traditional notions of gender are *already* demonstrating a capacity to change, as are ideas concerning social hierarchy in general and authority; but for *ema lisan*, kin and affines remain, in the first instance, those to whom they owe loyalty and from whom they expect help. This is not to say that villagers' universe is exclusively confined to locality, but as things are at present, the extension of their universe is accomplished through the agency of the *fetosa-umane* networks extending throughout Timor-Leste rather than through any grand conceptualisation of government institutions. Alliances interconnect families in a way government does not and traditionally-established obligations make people more independent of the State than they might otherwise be, a circumstance not only militating against the development of national consciousness but reinforcing the disconnect between the metropolis and the domain of the *ema foho*.

Resilience and adaptation

The *barlake's* commanding status as an emblem of Timor-Leste's culture underscores the fact that it is too engrained in East Timorese values for criticism by East Timorese and *malae* alike to make it go away. Yet, like all institutions, the *barlake* is subject to change and will either decline into irrelevance or adapt to new circumstances, a capacity it has already demonstrated. The introduction of a cash economy into Portuguese Timor in the twentieth century, for instance, brought money into the *folin*, and later further tokens of material wealth from the *malae* world in the form of bridal beds, mattresses, cutlery and the like (see photograph below). Protocols such as those specifying which categories of relative are marriageable and which relatives are not have also been adjusted to accommodate new ideas, and the elaborate imagery accompanying wedding ceremonies is no longer deemed *sine qua non*. Without doubt these changes are harbingers of further changes the future will bring.[39]

The modern: the wardrobe for the bridal suite arrives (Viqueque wedding, August 2005)
Photograph: Maxine Hicks

What might some of these be?[40] Firstly, as the *ema lisan* become increasingly aware of alternative ways of looking at social relationships, people may become more aware of their status as individual citizens and rather less circumscribed by their roles as members of descent groups. With this change in attitude, both lateral dimensions and vertical dimensions of the *fetosa-umane* may contract, and as they shrink the kinship and affinal duties individuals are presently subject to are likely to become less constraining. As descent groups gradually ease the compulsive hold they now exercise over men and women's lives so may the nuclear family replace the descent group as the dominant social unit in marriages, as in life in general. People will be less inclined to define themselves as exclusively in terms of descent, and while the ancestors will retain an influence over collective thought, their grip will slowly be replaced by 'international attitudes', among which the notion that education for girls is every much as desirable as education for boys, will be especially important.[41]

Secondly, and in part as a consequence of these adjustments, I suspect that, although the *folin* will continue to maintain its position as the contractual centerpiece of most forms of the *barlake*, its size will diminish to more modest dimensions. Not necessarily in all marriages—wealthy families will continue to take pleasure in the public display of the resources they command—but social expectations that the 'generic' bridewealth should amount to a substantial proportion of a family's wealth will be supplanted by a desire to invest resources in the individual's own family rather than redistribute it to affines with whom, in any case, reciprocal ties will have become increasingly tenuous.

Thirdly, these social and economic modifications to the *barlake* will find their counterpart aesthetically and in the spiritual realm as its symbolic elaborations become more impoverished and no longer constitute ritual statements of a life-giving fertility that derives from the domain of the ancestors, but remain only as evocative vestiges of a past in which the East Timorese were once in thrall to them.

In analysing criticisms of the *barlake* one is struck by the fact that writers give the impression of assuming it is *sui generis* in the context of Timor-Leste and that the East Timorese are singular in employing it. Comparative ethnography shows that the custom of giving bridewealth is far from being unique to Timor-Leste, occurring in societies as diverse as Indian tribes in South America, pastoral populations in Africa, Dravidian peoples in South Asia, and all over South-East Asia, where it is a marked feature of eastern Indonesia, not least in West Timor. The East Timorese have, as it were, plenty of company as users of an institution that is virtually universal. Would those who find fault with the East Timorese *barlake* extend their criticism to these other populations? Perhaps they might, but before casting aspersions on the *barlake*, as practised by the people of Timor-Leste, they might pay some attention to understanding how other nation-states have come to terms with the institution and its relationship to gender.

Since, as I have argued, the value accorded womanhood in the *barlake* in its current form is consistent with international values, and assuming the adaptations described above come to pass, as I believe they probably will, there is no reason why this iconic institution will not continue to play a prominent role in Timor-Leste society. Nor need it prove an obstacle to the *ema lisan* becoming as conscious of themselves as citizens of a modern nation-state as they are of being kin and affines.[42] On 20 May 2012, the Democratic Republic of Timor-Leste celebrated the anniversary of its birth. Amidst all the celebratory excitement, in light of the above considerations, those hostile to the *barlake*—educated East Timorese and *malae* alike—might take a moment to reflect upon the fact that while the nation-state has been in existence for a mere ten years, the *barlake* has been around for centuries.

Endnotes

1 The orthographic usage '*barlake*' followed here conforms to the orthography used in this journal. In prior publications I have favoured the alternative '*barlaque*', as my references in the text indicate, and any searches for these need to use this latter form.

2 I wish to thank the following organisations for their help in funding my research at various times in Timor-Leste since 1966: the London Committee of the London-Cornell Project for East and South East Asian Studies which was supported jointly by the Carnegie Corporation of New York and the Nuffield Foundation; the American Philosophical Society; and the J. William Fulbright Foreign Scholarship Board. I also register my thanks to Stony Brook University for providing me with a sabbatical leave in which to write this article. Among my friends who have given me assistance in Timor-Leste I thank Maria Rosa Biddlecombe, José Henriques Pereira, Rosa Maria Pereira, Luís Francisco de Gonzaga Soares, Teresa da Luz Simões Soares, Fernando da Costa Soares, José Caetano Guterres, José Texeira, Geoffrey Etches, Marion Corbett, Benjamim de Araújo e Corte-Real, Lurdes Bessa, Kym Miller, Dan Groshong, and Max Stahl.

3 I use the term 'institution' in the sense proposed by Marcel Mauss, that is, as 'public rules of action and thought' [my translation]. See M. Mauss, 'Oeuvres: 1. les fonctions sociales du sacré', in V. Karady, ed., *Les éditions de Minuit*, Paris, 1968, p. 25.

4 The term 'malae' translates to foreign, in this instance 'outsiders'.

5 D. Hicks, 'The barlaque of Timor-Leste', in P. Castro Seixas, ed., *Translation, Society and Politics in Timor-Leste*, Universidade Fernando Pessoa, Porto, 2010, pp. 115–22.

6 J.B. Duarte, 'Barlaque: casamento gentílico Timorense', *Seara*, vol. 11, no. 3–4, 1964, pp. 92–93.

7 P.M. Mendes, *Dicionário Tetum-Português*, Fernandes e Filhos Ltas., Dili, 1935.

8 A.B. de Sá, *Textos em Teto Literatura Oral Timorense*, Junta de Investigaçoês, Lisbon, 1961, pp. 151–2.

9 L. Costa, *Dicionário de Tétum-Português*, Colaboração Ténica Margarita Correia, Faculdade de Letras, Universidade de Lisboa, Ediçôes Colibri, Lisbon, 2000, p. 50.

10 G. Hull, *Standard Tetum-English Dictionary*, Allen & Unwin in association with the University of Western Sydney, Macarthur, St. Leonards, New South Wales, 1999.

11 The comparative advantages and drawbacks of the terms 'bridewealth' and 'bride-price' were carefully considered by E. E. Evans-Pritchard in the early 1930s as one of a number of contributions made by social anthropologists on the topic. He remarked that the latter is too restrictive in its meaning and misleading in its implication, namely that the bride is an object of commerce. He considered the former, on the other hand, while properly including the economic implications of the prestations, nevertheless to have wider connotations that more accurately render service to their total meaning for society. It might also be noted, as he did, that, even so, neither of

the English words 'bridewealth' and 'bride-price' may precisely correspond to the full range of meaning of the indigenous term. His ethnographic context was African societies, but his insight applies universally, and certainly in the case of Timor-Leste. See E.E. Evans-Pritchard, 'An alternative term for "bride-price"', *Man*, vol. 31, 1931, pp. 36–9, <http://www.jstor.org/stable/2789533>.

12 My translations from the Portuguese original.

13 The term *lisan* appears to be indigenous to Timor. Since the Indonesian invasion, the term *adat* has gained widespread currency in the country as an alternative. Both terms refer to values, beliefs, ideas, concepts, customary law and protocols relating to kinship and marriage, rituals, and cosmological notions; indeed, virtually every facet of society and culture. Hence, *ema lisan* = 'people who follow the *lisan*'.

14 Clergy, for the most part, continue associating the *barlake* with the *gentio* ('pagan'), regardless of whether or not the *folin* is given. The unappreciative attitudes of Catholic missionaries is discussed by Ricardo Roque in an excellent historical analysis of marriages in the context of colonial Timor that is essential reading for anyone interested in these matters. See R. Roque, 'Marriage traps: colonial interactions with indigenous marriage ties in East Timor', online version of 30 December 2010, available at <http://colonialmimesis.wordpress.com>, accessed 2 January 2012. This is a version of the paper to be published as: R. Roque, 'Marriage traps: colonial interactions with indigenous marriage ties in East Timor', in F. Bettencourt and A. Pearce, eds, *Racism and Ethnic Relations in the Portuguese-Speaking Countries*, British Academy, London, forthcoming.

15 J.B. Duarte, 'Barlaque', p. 93.

16 D. Hicks, *Tetum Ghosts and Kin: Fertility and Gender in East Timor*, Waveland Press, Prospect Heights, Illinois, second edition, 2004, pp. 98–9.

17 These categories, by the way, are common all over Timor-Leste.

18 Some ethnic groups employ alternative designations.

19 For a detailed description of these categories of marriage see *Tetum Ghosts and Kin: Fertility and Gender in East Timor*, Waveland Press, Prospect Heights, Illinois, second edition, 2004, pp. 94–101.

20 J.B. Duarte, 'Barlaque', p. 93.

21 ibid.

22 K. Silva, '*Foho* versus Dili: the political role of place in East Timor' in P. Castro Seixas, ed., *Translation, Society and Politics in Timor-Leste*, Universidade Fernando Pessoa, Porto, 2010, pp. 129–30.

23 See, for example, I.C. Sousa, 'The Portuguese colonization and the problem of East Timorese nationalism', *Lusotopie*, 2001, p. 188.

24 *The Oxford University Dictionary*, second edition, Volume IV: Creel-Duzepere, prepared by J.A. Simpson and E.S.C. Weiner, 2000, p. 1003.

25 *The American Heritage Dictionary of the English Language*, third edition, Houghton Mifflin Company, Boston, New York, London, 1992, p. 558. While the former dictionary also gives the gloss: 'A present or gift given by a man to or for his bride', the dictionary notes that this use is obsolete.

26 Of the ethnic groups, the Fataluku, so I am informed by East Timorese with whom I have discussed the matter, are reputed to require the largest *folin*. On the other hand, I have heard it said that this is more in the way of cultural self-regard by persons of that ethnic group rather than what typically happens when most marriages take place.

27 C.M. Arensburg and S.T. Kimball, *Family and Community in Ireland*, Harvard University Press, Cambridge, Mass, 1940.

28 DevTech Systems, Inc., *Gender Assessment for USAID/Timor-Leste Country Strategy Plan FY 2004-2009*, August 2004, p. 4.

29 V. Narcisco and P.D. de Sousa Henriques, 'O papel das mulheres no desenvolvimento rural: uma leitura para Timor-Leste', CEFAGE-UE Working Paper 2008/04, CEFAGE-UE, Universidade de Évora, Largo dos Colegiais 2, 7000-803 Évora, Portugal, 2008, p. 10, available at <http://www.cefage.uevora.pt>.

30 D. Hicks, 'The barlaque of Timor-Leste', p. 122.

31 Rather than repeat what I said in the aforementioned article, readers interested in the details of the *barlake* are invited to consult it.

32 D. Hicks, 'The barlaque of Timor-Leste', pp. 121–2.

33 Since in this affinal relational relationship the wife-giving group does indeed give prestations to their wife-takers, i.e., to the husband's group, it might be argued that the *barlake* does, after all, involve the giving of a dowry. To put this construction on this set of gifts, however, ignores the fact that there appears to be no term comparable to that of *folin* (bridewealth) by which these gifts are denoted. Furthermore, writers who refer to the *barlake* as a dowry are clearly not referring to what the bride's group gives but rather to the gifts given by the groom's social group.

34 B. Clamagirand, 'The social organization of the ema of Timor', in J.J. Fox, ed., *The Flow of Life: Essays on Eastern Indonesia*, Harvard University Press, 1980, p. 145; B.A.G. Vroklage, *Ethnographie der Belu in Zentral-Timor*, 3 volumes, E. J. Brill, Leiden, 1952–1953, p. 137.

35 J.B. Duarte, 'Barlaque', p. 94.

36 EWER (Early Warning Early Response), Policy Briefing No. 5, *Culture and Its Impact on Social and Community Life: A Case Study Of Timor Leste*, author: C. da C. C.X. Escollano Brandao, E. Choi, M.O. da Costa, S. Dewhurst, L. Ximenes, eds, Center for International Conflict Resolution, Columbia University, New York, 2011.

37 J. Trindade, email correspondence, 13 October 2011, jtrindade76@hotmail.com. He also takes issue with the brief's recommendation (page 8) that the government regulate the *barlake* with formal law. A discussion of this proposal would take me beyond my terms of discussion, but I can at least register again my concurrence with Trindade's arguments against it.

38 Josh Trindade cogently argues against the claim that it incites violence in the same terms. Ibid.

39 The question of whether the *ema foho should* change their traditional values to bring them into harmony with *malae* values, is, of course, a separate issue.

40 The following remarks should not be taken as prescriptive or even preferential suggestions. The future of Timor-Leste is the business of the East Timorese domiciled in the capital and in the interior, not the *malae*, and no reader should read my anticipations about what might happen to this institution as reflecting any preference I might have about what should happen. The republic is already graced by an abundance of foreigners only too willing to instruct East Timorese in how they should live their lives.

41 In an interview, Mr. Agustinho Caet, Languages Advisor of the Ministry of Education, made some instructive remarks that deserve attention. He noted that many women never complete their education but marry early because they are an economic asset to their parents. While noting, that 'This does not happen in

all the districts', he said that in some districts 'parents get very happy when they have many female daughters because they reflect the money they will get for them through the Barlaki (dowry) system'. He went on to say that 'according to some traditions, women do not need to get a high level education. When a man wants to marry someone's daughter, the parents will remove their daughter from school'. Mr. Caet added that 'some parents give more importance to the Barlaki and how much money they will get for their daughters than with their level of education'. A. Caet, 'Gender: women represent an economic asset for the parents', interview by Isabella Ermelita, conducted on 11 October 2011, *The Dili Weekly*, 3 January 2012.

42 In the case of some families that identify with Dili, the future, as it were, appears to have arrived, or perhaps almost arrived. In her excellent account of how marriages are contracted in the capital, Dr. Kelly Silva shows the multiple variations in the meaning attributed to the *barlake* and draws attention to the institutional and moral confusions attending social change, which, predictably, are presently affecting the metropolis more than the *Foho*. See K. Silva, '*Foho* versus Dili', pp. 126–8. One might anticipate that these same uncertainties will surely attend the extension of what one might label 'Dili values' into the hinterland.

Barlake: an exploration of marriage practices and issues of women's status in Timor-Leste

Sara Niner

Introduction

In Timor-Leste, indigenous customary practices that surround marriage and relations between the families or clans of the bride and groom are called *barlake* (pronounced "baa-lucky") and today feature in an estimated half of all marriages. As early as the 1960s they have been blamed for the subjugation of women and more recently cited as central a cause of high levels of domestic violence. This condemnation fits into broad global feminist critiques of traditional marriage practices as mechanisms for the control and exploitation of women by men. The contemporary discourse surrounding *barlake* in Timor-Leste is also part of wider debates about the roles and status of women in the new post-conflict nation.

However, a dominant cultural perspective in Timor-Leste is that *barlake* is a cornerstone of East Timorese indigenous culture integral to a wider, complex system of social action and ritual exchange. This system has sustained life in the challenging environment of the island and through a long and recently concluded war with neighbouring Indonesia. This perspective has sometimes crudely been reduced to a nationalist defence and assertion of culture against the creeping incursions of 'international standards' regarding gender equity and the introduction of a western feminist agenda.[1] However, there is no doubt that in Timor-Leste these practices engender a deep sense of identity and meaning for most people and that they are dominant in day-to-day regulation of life in the villages and towns where 80 per cent of citizens reside. This perspective is also supported by the more classical anthropological approach which accepts cultural defences of practices despite them possibly being linked to abuses of rights.

Sensitivities over *barlake* have come to the fore within a growing discourse on gender and cultural issues that falls between the two opposing views outlined above and which is reduced to a simple either/or debate: *barlake* is good because it is part of East Timorese culture and values and protects women, or *barlake* is bad because it means men buy women in marriage and this leads to domestic violence. This paper seeks to explore these perspectives on the functions and impact of *barlake* upon women's status and ask the question: can these two views be reconciled? And further, are there any ways forward suggested in these debates about *barlake* in contemporary East Timorese society?

Much recent commentary, both in support of *barlake* and particularly against it, has failed to address the breadth of spiritual, cultural and pragmatic dimensions that the practice serves. Reports by international agencies into gender and cultural issues in Timor-Leste, including the most recent report of the Committee on the Elimination of Discrimination against Women[2], reflect international human rights and gender equity approaches. However, as these reports have often lacked a deeper understanding of local context and customary practices, recommendations are difficult to implement. On the contrary, local civil society organisations and the international development industry are increasingly looking to these local systems as the base from which any change or development can occur. This is possibly a result of continued pressure from the local women's movement, which in 2004 at the Second National Women's Congress emphasised culture as central to its Plan of Action. A gender analysis of cultural practices was stressed again at the Third National Women's Congress in 2008 and UNIFEM was working to identify strategies to engage with these beliefs and practices.[3] This is a complex debate which needs careful characterisation and exploration to identify the issues and this is the aim of this paper.

This paper is based on background research and interview data gathered in Timor-Leste during 2010 while researching widely on gender issues in the post-conflict environment, of which *barlake* was one topic.[4] Many formal and informal qualitative interviews and discussions took place over a six month period, mostly in the national capital of Dili but some also in rural areas. Significant interviews mentioned in this article were held with two female members of the national parliament; two male *lia-na'in* or indigenous lore practitioners; and male and female cultural workers in a national women's advocacy non-government organisation. This information was presented in an open public seminar on *barlake* at the Peace and Conflict Studies Centre, Universidade Nacional Timor-Leste (UNTL), Dili in September 2010, followed by discussion by an East Timorese panel of gender experts. Open discussion and comments with an audience of over 100 students and interested parties was recorded and also used in this paper. Other academics working in the field were also consulted and some of those comments also appear here.

Indigenous society and gender relations

Barlake is a cornerstone of indigenous culture in its creation of relationships of life-long commitment of mutual support between the families of the bride and groom, and an ongoing exchange of goods and duties in the context of ritual life and death ceremonies. These practices are integral to a wider, complex system of *adat* or *lisan* or lore that regulates indigenous society. Anthropologists have referred to woman's transference in marriage, along with her procreative potential, as the 'Flow of Life'[5] and these customs demonstrate the central importance of women and their fertility in indigenous society. These classical anthropological perspectives are little influenced by feminism or post-colonial ideas.

Although there are many cultural differences between the distinct ethnolinguistic groups in Timor-Leste—including speaking an Austronesian or non-Austronesian language; identifying as autochthonous or migratory; and favouring matriarchal or patriarchal systems—there is much similarity in cosmological beliefs and social structure. Diverse indigenous ethnicities revolve around concepts of dualism, such as *feto – mane* (female-male) or *ema laran – ema liur* (insider-outsider). In cosmology the visible and tangible secular world, *rai* lies on the earth's surface and is dominated by men; while the sacred world, *rai laran*, 'the world inside', is dominated by female ancestral ghosts. According to this indigenous logic, women and girls are consigned to this internal or domestic sphere and therefore have not held public or political positions but may hold power in a deeper, less obvious way.[6] Domestic duties and care of children are the sole domain of women. While this may explain the formidable positions many women hold within households, it also means these responsibilities limit women's opportunities, including political participation. Anthropologists describe the roles of women and men as complementary and interdependent but this does not mean roles are equal or equitable as we understand these gender relations in a modern sense.

Since the end of the Indonesian occupation (1999) a significant revitalisation or reassertion of customary practices in Timor-Leste has occurred, including within political systems[7], social organisation[8], reconciliation[9] and local justice[10]. The strength of customary practices and traditional beliefs in the majority of the population is also noted more generally.[11] McWilliam attributes this revitalisation to national independence and an assertion of 'cultural identity politics'.[12] In other similar post-conflict situations it has been argued that a desire for normalcy and healing can make 'the certainties of patriarchal institutions and tradition seem therapeutic'.[13] Graydon documents similar processes of 'retraditionalisation' and a backlash against women in contemporary Timor-Leste.[14]

Any significant improvements to the lives of the majority of women must be made through an engagement with these indigenous practices. Women are profoundly important within indigenous East Timorese society and elite women are very privileged. Women can be powerful within their own domestic sphere; however the family is also the realm where women encounter the greatest control and threats such as early marriage and disparity in outcomes for boys and girls. Understanding protective factors for women in indigenous systems is crucial because any improvements must be made through an engagement with indigenous or 'traditional' society. In a strong and resilient indigenous culture like that in Timor-Leste we must understand how women's status, power and income are maintained by traditional relations or customary practices and how these can be strengthened.

What is *barlake*?

Barlake is often mistakenly translated into either the English term 'dowry' or 'bride-price' (terms which have also been confused and misused in much recent analysis). It could be argued that *barlake* is simply a combination of both these elements, but *barlake* can be more accurately viewed as a ritual and equal exchange that is the basis of regulating relationships in indigenous society. This error in translation is not new, as an early reference from 1963 states:

> The question of *barlaque* has frequently been misunderstood, by those making a casual acquaintance with the expression, to mean the sale of a daughter by her father. Nothing could be further from the truth, for *barlaque* actually represents a contract between the two families to form a union and, should this union fail, all the goods and animals exchanged at the time of the contract must be returned.[15]

The term 'dowry' refers to an endowment by the bride's family, transferred with her in marriage, representing her natal inheritance in patriarchal societies which have no tradition of independent inheritance for women. This has caused much controversy and violence against women in contemporary Indian communities.[16] Bride-price is mentioned in the Bible and is a gift or payment from the groom's family to the bride's family, understood as compensation for the loss to the bride's kin group of her labor and fertility, generally intended to reflect the perceived value of the bride. Many around the world condemn this practice, while others suggest that it brings two families together and is a measure of the high value placed on women.[17]

Barlake is an exchange in both directions and these elements are symbolically equal and culturally significant. The equality of these exchanges is a fundamental issue for gender relations and will be discussed below in more detail. The full commitment is rarely given all at once, instead staggered over the life of the marriage at significant ceremonies of life and death. This staggering of payments and the ongoing relationship it creates provides the bride's family with some leverage over the treatment of their daughter and the children.[18]

Barlake varies enormously between East Timorese ethno-linguistic groups and from clan to clan within those groups, but general principles exist which allows negotiations between different groups to occur. Some or all of the following stages are practiced: initiation—*tuku odamatan* (knock on the door) when family representatives first meet and the groom's family asks permission for their son to marry the daughter; then secret negotiations amongst each extended family to decide if the match is acceptable and what type of *barlake* the family can raise and should request from the other party. Negotiations between the families through nominated representatives follow and can go on for days. To ensure resolution no eating is permitted until agreement has been reached. The first tranche of the exchange is made and goods are put on public display. The couple then seeks the blessing of the ancestors in ceremonies at each other's sacred house or *uma lulik* after which they may live together.

Barlake exchange and negotiation is based very much on the natal houses of the bride and groom and the long-term relationships that exist between their houses and clans. At its purest it encourages first cousin, *tuananga*, marriage between the daughter of a brother to the son of his sister who has married out.[19] Families or clans are categorised as wife-givers (or life-givers, *manesan/umane*) or wife-takers (or life-takers, *fetosan*) in relationship with other families or clans. Marriages outside these established relationships or between ethnic groups are common but require more negotiation. The flow of *barlake* goods represents the flow of life from one family to another. *Barlake* was described by one *lia–na'in* as a spiritual process which terminates a new wife's relationship with her natal *uma lulik* and binds her to her new husband's *uma lulik*.[20] In the district of Same the groom's family must provide a golden *belak* (large metal disc worn around the neck) to the bride's *uma lulik* to replace her body or spirit that is being lost by her sacred house.[21] An apprentice *lia-na'in* described the way *barlake* regulates social relations between people and their obligations to one another:

> We practice *barlake* to create a strong society and good relationships, trust and we stand by each other [solidarity] within our families and culture... all families and relatives gather together to make strong relationships... people will respect you and call you sister and you become a valuable member of society and they know how to treat you and value you. If there is no *barlake* people will be confused about what to call you. If the couple just get together without approval no-one would know their relationship with others... It also protects both man and woman from violence: people will protect you as *barlake* is no secret—it is public knowledge—and people will *tau matan* (keep an eye on you) and protect you.[22]

Barlake goods do not stay in the family but 'flow' from one family into a chain of related families, thus theoretically keeping the exchanges at communally agreed levels. The value of the *barlake* exchange is in accordance with the level and class of *uma lulik* the bride hails from, and more pragmatically, what the extended family can afford to pay. The more elite the family the more complex and high value is the exchange, and new research suggests these practices are now used by urban elites to strengthen social status.[23]

Traditionally *barlake* also includes the commitment of the *fetosan* to protect the new wife as the source of life and the new life the couple will create together. It also pays respect to the bride and her family: '*Barlake* gives a woman value and status. If not paid there is no respect for the woman's parents'.[24] There is obviously a deep cultural need to pay respect for the time and effort made by the parents of the bride to raise their daughter. Goods from the *manesan* must match this with women's goods and represent spiritual blessings to the new life from the marriage. The goods from the wife's family are symbolically more valuable or richer because they are coming from those associated with fertility or the sacred source of life.[25]

The groom's family gives the means of wealth creation, typically buffalos that tread and plough the rice paddies, and the bride's family gives items produced by women in her family such as finely woven *tais* cloth and also pigs, which are seen as 'soft' female objects, raised or made by the women in those communities. There are many other elements exchanged depending on the exact ethnic traditions of families: jewellery like *belak*, *morten* and antique gold earnings or ornaments can feature. One elite family from the exclave of Oecusse described a collection of old coins that had been in the family for generations. These objects are deeply significant and reflect the history and way of life of those communities but today these objects can also be translated into their monetary value.

Depending on the ethnic group, the status and the individual arrangement, the *barlake* exchange includes multiple elements. The *fetosan* family must make a symbolic payment to the bride's *uma lulik* for the loss of her body or spirit; then a gift called *bee manas ai tukun* ('hot water and firewood', alluding the necessary accompaniments to birth) is given directly to the mother of the bride for her pain and suffering during the birth of her daughter; a further gift to the mother's brother to acknowledge maternal family. The most substantial gift, however, is made to the bride's paternal family. It is this particular element that is maligned as the 'bride-price' and which seems in many areas to be paid out of proportion to the gifts from the bride's family.

The perception of an asymmetrical exchange of goods, favoring the bride's family encourages the description of this element as a 'bride-price'. It then appears that women and their fertility are being paid for putting a bride in a vulnerable position. It is argued that *barlake* 'establishes relations of unequal power within the family and instills the idea that women should be subservient'.[26] *Barlake* has been described as a repressive custom in which women are simply exchanged as a commodity and subject 'to violent attacks if she fails to conform to expectations'.[27] It has also been suggested that domestic violence results due to the situation of the husband 'having bought' the wife and 'frustrations caused by the high *barlake* demands of the wife's father and brothers'.[28] This feeling of ownership of a woman and her fertility may also manifest as pressure to produce more children than a woman wants to.

While many East Timorese women argue that practices such as *barlake* value them and protect them[29], others argue for the end of *barlake*. Traditional lore practioners or *lia-na'in* very clearly contend that:

> The *barlake* exchange should be equal and not beyond capacity of those involved. The two families should agree and make the best agreement within the capacity of family. When making a *barlake*

> agreement no-one should be able to say that one family pressed the other family to pay more than they could afford. It is not a correct version of *barlake* that just seeks the highest amount of payment.[30]

Amongst the Naueti people who live in the south-east of Timor-Leste the situation is similar: 'If the goods of *barlake* are used as a commodity to enrich oneself, it destroys the spiritual values within and may lower the status of oneself'.[31]

Differences in *barlake* between matriarchal and patriarchal groups are signified by the amount of ritual and value associated with the exchanges. Matrilineal communities pass down family name and inheritance through the female line and expect the groom to move to live with them (called matrilocal or in Tetun, *kaben tama*, marrying or moving in). In some of these communities *barlake* is not practiced at all, although *bee manas ai tukan*, as mentioned above, often is.[32] In patrilocal groups (*kaben sae*, marrying or moving out) the bride comes to reside with the man's family after marriage. There are three matrilineal groups in Timor-Leste, the Bunak and Tetun-Terik Fehan (living in Manufahi, Covalima, Bobonaro and Manatuto districts) and the Galolen (although little information exists about them). The first two communities make up about 12 per cent of the total population.[33] As a general rule, marriage between those practicing *barlake* and those not 'would result in not very high *barlake*' and men who marry into a matrilineal communities would offer no *barlake* but those marrying into patrilineal communities would.[34]

In patrilineal groups if the groom's family has been unable to produce a reasonable proportion of the agreed *barlake* then he will reside with the wife's family and provide his labour to them until an appropriate exchange is made:

> When we cannot pay all of the asking price then some problems arise and then the man needs to enter into the woman's family to work. In traditional times this meant agricultural work: helping in the woman's family household and field. Now we are witnessing a change to this and work might mean helping the wife's younger siblings with their education or other things.[35]

Men in this situation are also vulnerable to ill-treatment by in-laws[36] and feelings of frustration and ill-feeling on the part of the groom are common. Hicks also makes the point that men with families who cannot undertake *barlake* commitments may never marry and have children meaning they will never be recognised as full adult members of their communities.[37] This too leads to frustrations and problematic *de facto* relationships.

Barlake: influences and issues in contemporary society

Changes to culture occur over time and in response to specific events and influences.[38] Portuguese colonialism (1514–1974) and Indonesian occupation (1975–99) destroyed and weakened elements of East Timorese culture but also strengthened underlying beliefs and familial bonds. *Barlake* was outlawed in the manifesto of Timor-Leste's first revolutionary organisation, FRETILIN (*Frente Revolucionária de Timor-Leste Independente*), in the mid-1970s. After the Indonesia invasion (1975) and years of bitter armed resistance, FRETILIN's position shifted and compromise was reached with indigenous society whose support they required and which became key to resistance structures. Yet the displacement and disruption to family and economic life caused by the Indonesian occupation meant *barlake* could not be carried out.

Effects of modernisation have had a strong impact on *barlake* practices and a 2003 survey measured *barlake* as occurring in only about 50 per cent of marriages.[39] A male and female colleague who worked together on a cultural project in a Dili women's nongovernment organisation explained how they saw *barlake* changing:

> In my generation we don't have *barlake* because society is changing. We all live outside the village now and no-one cares. There are no brothers left to take care of the buffalo. It is like this everywhere in Timor now. In future *barlake* will be reduced as the structure of society changes. We now live in a democracy. But still now if my father-in-law or brother-in-law dies, or say if C's daughter has a ceremony, then my brother will still come with a big pig and *tais* (textiles), then the husband's side must bring five buffalo worth around $500–$1000 each, and this is the same all over Timor. Education has been an influence too. Education means we get jobs and don't keep buffalo. Today people want a good house and modern conveniences not buffalo. Buffalo used to function as dollars and display wealth, but their value is only for exchange now. Now wealth is shown by houses and cars.[40]

Even amongst younger people who still want to continue to honor their customary practices, it is acknowledged that the practice of *barlake* is declining:

> When we [my husband and I] decided the amount [of our *barlake*] we looked at the reality. We decided on this low amount, thirty buffalos, because of my husband's family. We didn't want a huge obligation for us (or for our kids to inherit) and because my family would have to match the value of the buffalo in *tais*. We just wanted an amount we could afford and which would pay respect to our culture and our parents.[41]

Traditional authorities too recognise that the level of resources and participation required are no longer available:

> In our grandfather's time [1950s–60s] they made the highest exchanges of seventy-seven buffalo but if this agreement was made now there will be money substituted because there are not enough buffalo anymore. This level of exchange takes up lots of time and resources and maybe it will never happen again. People can't stop their jobs for one month as that's how long it takes to carry out the celebrations and ceremonies.[42]

There is also some consensus that monetisation of the exchange has increased and that this may have driven up *barlake* exchanges. One informant suggested a tenfold increase since the Indonesia occupation, which may be linked to the change in currency.[43] For some commentators it is the commodification, when customary goods are replaced with money, which has loosened traditional meanings and encourages a sense of purchase and ownership. 'Greed and status enhancement' are cited in rising dowry deaths in India linked to an 'escalating consumerist culture'.[44] It appears this is a growing trend in Timor-Leste and motivations of personal enrichment are more apparent. One anthropologist noted that *barlake* is changing for the worse: 'rather than representing part of a process of reciprocal exchange between families it is being increasingly treated as monetary exchange more akin to the idea of bride-price or bride-wealth'.[45]

A key turning point in the *barlake* debate is between the meaning of the terms 'value' and 'price' (*folin*). Instead of the gifts made to bride's parents being a mark of deep respect to the parents of the bride and a 'valuing' and enrichment of a bride's social status, this element has come to be represented as simply a 'price' paid for her to her parents (which is a notion that exists in some Middle Eastern and African cultures). One lecture panel expert noted that these terms were not used in the same way in East Timorese languages and that this point was spurious.[46] This deserves further investigation as does the word *dignidade* or dignity and the assertion that *barlake* increases the dignity of a family.[47] The word dignity, used constantly when talking about *barlake*, is closely associated with notions of 'prestige' or 'status'. In patriarchal societies notions of dignity, prestige and status are common and who they actually benefit in the case of *barlake* needs further investigation.

A documented negative outcome of *barlake* is the burden placed on families that may go on for several generations. As well as the solidarity, support and increased status that are afforded through *barlake*, frustrations are also caused by the ongoing burden. In 1963 Margaret King pointed out:

> The feasts connected with these great family festivals have been in the past a source of impoverishment. Many, seeking to impress, or through generosity, have recklessly slaughtered buffalo in celebration, only to find themselves, later in the season, without sufficient livestock to maintain their standard of living. Such foolhardiness in marriage celebration is not confined to this one type of civilization… There is now, however, a law that restricts the number of animals which may be slaughtered in any festivity and this wise legislation has ended the tragic vicious spiral of indiscriminate killing for prestige purposes.[48]

These burdens are still onerous today and mean that families can be left with few resources for health, education, investment and improvement in living conditions. This is also a significant reason modernising and urbanised people opt out of *barlake*.

The conflicting views around whether *barlake* exchanges are equal is the key issue that needs to be assessed, as it is fundamental to the argument that *barlake* leads to domestic violence because women are being bought like a commodity. Advocates of customary practices contend that legitimate *barlake* exchanges are equal. However others view exchanges as unbalanced with all the associated repercussions. The situation is incredibly varied across districts and more research into this is required before conclusions can be made. One preliminary explanation, already alluded to here, is that the exchange is only symbolically (rather than economically) equal due to the fact that gifts from the wife-takers are considered more valuable as they come from closer to the source of life–fertility and procreative potential. Such subtle aspects may have been lost through generations of colonialism and conflict and this has certainly been absent in most contemporary assessments. With the crude trend toward monetisation, meaningful material culture objects are translated to their hard cash value, reducing the exchange and the bride to simple commodities. One woman noted this change had also endangered the cultural production and craft of certain items, particularly the hand-woven textiles.[49] These changes need further clarification across the different ethno-linguistic groups and would provide a great insight into this clash of perspectives.

Domestic violence is a serious problem in Timor-Leste, accounting for 40 per cent of all reported crime; yet a 2004 report found that formal justice systems dismally failed women attempting to pursue justice for such crimes.[50] More generally, in the community mild forms of domestic violence are viewed as normal and even used by those senior to their juniors particularly for 'educative' purposes (called *baku hanorin*). In response a concerted national campaign against domestic violence suggests a countrywide dialogue on this issue and that changes are occurring.[51] The central criticism by East Timorese women's advocates is that the bride-price element of *barlake* exchanges creates a sense of ownership of women that has led to this level of domestic violence. In patrilocal communities the ongoing burden of *barlake* for the groom's extended family can affect their relationship with the bride who must live amongst them. With the wife being 'measured' against a particular 'price', any sense of her inadequacy may subsequently become a focus of frustrations within an extended family that has combined its resources to pay the original amount. The view that these pressures lead to domestic violence is reflected in official documents such as the *Policy Paper for the Draft Law on Domestic Violence*[52], repeated throughout institutional reports on gender relations in Timor-Leste and in discussions at the National Women's Congress.[53]

In her wide survey of customary law leaders Graydon found that just over half believed *barlake* led to adverse treatment of wives due to expectations linked to the exchange.[54] More recent research describes domestic violence as prevalent in matrilineal communities that do not use the bride price element, in turn concluding it is only one of several influential factors (the others being the attitudes of traditional and state authorities and general community acceptance of domestic violence).[55] This conclusion is surprising given accepted understandings that matrilocal residence patterns provide a greater measure of protection to women from domestic violence, surrounded as they are by their own kin. Others perceive that the ongoing relationship between the couples' families sustained by *barlake* reciprocity creates protective factors for the wife.[56] In this view 'excessive' domestic violence is deterred by fear of marriage breakdown leading to the return of the wife to her natal family, leaving the husband's family in forfeit of gifts given. A deeper analysis may be needed to disengage customary practices, like *barlake*, from entrenched socialised practices, especially violence, that are commonplace and certainly became more extreme during conflict and have continued in the tough post-conflict environment. However these factors are so interwoven that separating them out is difficult and this is apparent in the discourse surrounding *barlake*. Nuanced and thorough research would be required to sift through these perspectives.

Domestic violence occurs in all societies and has not been conclusively proven to characterise bride-price or dowry societies more than others. What is associated with women's vulnerability to family violence is an overall lack of gender and economic equality. Also linked in societies like Timor-Leste is the break-down of traditional practices and protections and a lowering of women's customary status, often accompanied by a male backlash against women's growing freedoms.[57] This suggests the conflict around modern changes for women might be better managed and integrated.

Yet, today many women in Timor-Leste still speak in favour of *barlake* because it awards them status and respect within indigenous culture.[58] On a practical level *barlake* brings wealth into a bride's extended natal family, benefiting those closest to her and also providing the *barlake* that her brothers will need to gain wives. In patriarchal societies this is a significant way a woman can benefit her natal family. However, an increasing focus on seeking these material benefits to increase economic and social status (a similar corruption to that which has occurred in Indian dowry systems) may be having adverse impacts on women in Timor-Leste today. A veteran of Timor-Leste's resistance struggle for independence and current Member of Parliament puts it this way:

> *Barlake* is part of our traditional culture and we have to maintain our culture, but there is misuse of it now so it has to be regulated by law, by the government. Our culture is good but some have misinterpreted the customs. That is why they have spoken about gender equality several times in the Parliament. Some say we shouldn't talk about it anymore because as we always pay for women it means women are already valued within the traditions of *barlake*… There is now an emphasis on people who treat *barlake* as an income source and misuse it.[59]

A younger woman who heads up a women's organisation in Dili said:

> I agree and disagree with *barlake*. It is part of my identity as a Timorese and part of my culture. *Barlake* used to be for extending and strengthening families but now it looks more like business. I believe we should keep the form and reduce the numbers. It should be addressed along with the gender equity law now being drafted in parliament.[60]

Some research shows that support for *barlake* is much stronger amongst older, married women and less amongst younger single women whose support is dependent upon whether women are being respected or not. There may well be a cultural and generation shift occurring amongst women in Timor-Leste on this issue.[61]

Conclusion

In Timor-Leste *barlake* is a cornerstone of indigenous practices which engenders a deep sense of identity and meaning for many people. However there is now a significant push by the women's movement to attend to some of its negative outcomes. *Barlake* is not about the sale of women but concerns about the effects of disparity between the economic value of goods exchanged between families are valid. The exchange between wife-giving and -taking families needs to be balanced so the new bride does not become vulnerable to pressure and family violence. Separating *barlake* out from entrenched socialised practices like domestic violence will be difficult, so a more holistic approach would be to work with customary authorities to improve how women are regarded and treated within those systems. This has been suggested by Graydon who believes that good gender practice in these systems needs to be identified and promoted, along with the reiteration of women's powerful status in indigenous society.[62]

Any significant improvements to the lives of the majority of women in Timor-Leste must be made through an engagement with indigenous society and systems such as *barlake* which penetrate people's lives to a larger degree than official systems of the state. This is a long-term proposal made difficult by the complexity and variability of *barlake* systems that are little documented. Research about attitudes to *barlake* and its everyday impact on women's lives is sorely inadequate, as is more careful documentation of the original principles of *barlake*. My own small study has highlighted the positive attributes of:

1. The honouring of women and their fundamental role in society as life-givers and mothers.
2. The creation of life-long bonds of solidarity and respect between the bride and groom's families leading to social and community strengthening and harmony.

3. Exchanges of equal value which are affordable to families and not a burden.
4. The objects of exchange are items of cultural significance not cash or commodities.

If these principles were emphasised rather than the cash value of goods exchanged it may mitigate negative outcomes for women. Changes in focus on spiritual, cultural and pragmatic elements also need to be measured. The conflation of spiritual systems with pragmatic modern capitalism has had negative outcomes such as the dowry killings in Indian communities. Outlawing these practices has not worked there but some form of national action is required in Timor-Leste, perhaps addressing *barlake* as part of the proposed gender equity law now being drafted in parliament as suggested above. Another potential form of action is a national working conference on marriage practices, such as been held in other countries with similar issues or problems[63], and solutions shared profitably with other societies around the world. If such programs were combined within the wider government and civil society programs working towards gender equity, the slow but positive shifts in the status of women in contemporary East Timorese society would be strengthened.

There are reasons to be optimistic about gender equity in Timor-Leste: we know that women are profoundly important within indigenous society; that women can be powerful within their own domestic sphere; and elite women are very privileged. Understanding protective factors for women in indigenous systems is crucial because any improvements must be made through an engagement with indigenous society. In a strong and resilient indigenous culture like that in Timor-Leste we must understand how women's status, power and income are maintained by traditional relations or customary practices and how this can be strengthened.

Endnotes

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Hybrid governance in local communities in Timor-Leste

Hybrid governance and democratisation—village governance in Timor-Leste

M. Anne Brown

In 2004, the Government of Timor-Leste introduced elections to villages (*suku*). Timor-Leste had only been formally independent since 2002[1], after some centuries of colonisation by Portugal (variable in the timing and degree of penetration), almost twenty-five years of more systematic occupation by Indonesia (1975–99), and two years of centralised transitional administration by the United Nations. Elections, political parties and party political competition characterised the new space of the national arena since the withdrawal of the Indonesian military. An extension of elections to the village represented for law-makers and opinion-makers an opportunity to more fully introduce the country to internationally recognised democratic processes.[2] Village elections were held progressively around the country over 2004 and 2005.

This was not the first time there had been village elections, but the post-independence elections were markedly different from the military controlled affairs held during the Indonesian occupation. Most significantly, they were free, that is, without the oppressive oversight of military or other bodies.[3] Candidates in this first round of *suku* elections could stand as independents

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Zacharia da Costa, Peace Centre, UNTL; Martinho Pereira, Dean of Faculty of Social and Political Sciences, UNTL; Antonio Coa, Faculty of Social and Political Sciences; Mateus Tilman, Faculty of Social and Political Sciences, UNTL; Alex Freitas Gusmao, Executive Director, Anti-Corruption Commission of Timor-Leste, presenting at the 'National Symposium on Socially Sensitive and Conflict Sensitive Democratisation in Timor-Leste', Dili, December 2011 or as members of political parties, a number of which were operating in the national arena. Positions to be decided included both the chief or head of the village (*xefe suku*) and a newly established advisory village council (*konsellu suku*), which comprised the elected heads of all the sub-villages or hamlets (*aldeia*), two women's representatives, two youth representatives (a male and a female) and an elder who was often a *lia-na'in*. *Lia-na'in* (literally, keeper or master of the words) is an authority in ritual exchange in the customary social, cultural and spiritual order in Timor-Leste.[4]

The process of selecting village leadership by election and the experience of party competition in villages generated considerable debate. On the one hand, elections are closely associated with independence (as all the authors of the following articles demonstrate) and are a flag-bearer of democracy, irrespective of how democracy might be understood. Voting has a potent recent history in Timor-Leste. A referendum in September 1999 on autonomy within Indonesia was one of the key turning points in the country's path to independence and to a future without occupation by violent others. Despite months of intimidation, East Timorese voted by an overwhelming majority to reject autonomy status within Indonesia. This vote unleashed a wave of killings and destruction by Indonesian-backed militia and military, but also enabled the move to independence. Adult East Timorese have direct experience of the power of voting. Subsequent national elections have enjoyed consistently high voter participation—despite some violence associated with the aftermath of national elections—and national governing parties have lost and won office.

On the other hand, while the national government is a new field of endeavour and institution-building, villages by and large have been operating as administrative units for some centuries. This is not to suggest that villages and village governance have not changed, or should resist change; *suku* are often sites of difficult histories of local and external interaction, entanglement and adaption and have changed markedly over time.[5] Moreover, forms of village governance and participation vary significantly across the country, reflecting important differences in local history, culture and geography. While some individual villages have been operating as emplaced communities for many centuries, other new villages were created under Indonesian occupation as population was forcibly relocated away from the mountains.[6] Urbanisation has also created new villages and profoundly transformed the character of those already in place in the main towns (Dili and Baucau). These have been transformed from centres of integrated, communal subsistence farming activities, ritual activities and clan networks into centres of administration and organisation for urban mixed communities often working away from clan ties in numerous unrelated occupations, or not at all. In rural villages too, capitalist economic dynamics are reshaping social relations and potentials in complex ways. It is profoundly challenging for a state to devise a model of village governance that can hold and satisfy this degree of diversity.

To emphasise the long history of the village in Timor-Leste is to point to the reality that, despite change and difference, processes of social and political order and practices for establishing leadership and legitimacy already existed. There was no 'blank slate'. The social order of the village and of the clan network that underpins it is, as Mateus Tilman notes in his essay, 'a message to East Timorese society and the international community that the formation of Timor-Leste as a nation did not begin from zero'.[7] To varying extents, this social order is customary—but it is not only customary. Other social and/or political forms also operate (including the church for example, or what remains of resistance networks in some areas or other local regional social formations). Earlier leadership positions have often continued under new names, so that, for example, the elected head of a sub-village is likely to be an elder of the hamlet clan. (Hamlets or *aldeia* often consist of members of an extended family.) Moreover, village governance has itself contributed fundamentally to East Timorese independence, as in many instances *suku* governance networks covertly supported forms of resistance or sustained community survival and persistence in the face of occupation.[8] Village governance in some ways enabled the 1999 vote.

The wellbeing and governance of villages is fundamentally important to Timor-Leste. The majority of the population live in rural areas and depend on subsistence food production, organised to a significant extent around the village. These are self-help communities, supported by extended clan networks, but only marginally by government. In sharp contrast to, for example, local councils in Australia, the *suku* is the fundamental and probably the most important and meaningful source of everyday governance and decision-making for most people's lives (alongside the extended family). The introduction of elections and electoral competition into this dense and highly variable world then is a highly significant and challenging development, with real risks and opportunities.

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Mateus Tilman, Faculty of Social and Political Sciences, UNTL; Alex Freitas Gusmao, Executive Director, Anti-Corruption Commission of Timor-Leste; Abel Boavida dos Santos, Faculty of Social and Political Sciences, UNTL, presenting at the 'National Symposium on Socially Sensitive and Conflict Sensitive Democratisation in Timor-Leste', Dili, December 2011

In local discussions around the introduction of village elections, two areas of concern seemed particularly evident. How would the new forms of electoral leadership interact over time with the already established, often customary forms of leadership and governance? Would 'democracy' undermine 'culture', as some phrased it, or would a marriage take place? The structure of the advisory village council, for example, sets out an interesting image of such a 'marriage', in principle bringing together clan elders with women and youth on one board. Would elections in time open new pathways and opportunities for the more marginalised, and particularly for women? What effect did competition between political parties have on the social cohesion of the *suku*, upon which many people's livelihood, basic survival and social order depended? This latter question was pressing in view of both the cultural emphasis on co-operation and consensus and the legacy of violent conflict marking the life of many people and communities. In the words of one elderly *lia-na'in* 'political parties come and create problems. At the same time they spread the spirit of democracy; they say "I have a right" and start to fight'.[9]

The following five essays[10] explore some of these questions around the interaction of customary and electoral means of establishing leadership, and the impact of party competition on social cohesion. They draw on research conducted by the authors in different parts of the country, with two researchers investigating villages in three or four districts each (with most undertaking research in Dili, the capital city, and in the exclave of Oecusse).[11] The different experiences and approaches predominating in different villages are to some extent evident within but also among the essays. Across this diversity, all the essays are concerned with the question of how to embed genuinely democratic governance in village life, as well as (implicit) questions of what constitutes democracy. As Jose Magno and Antonio Coa's article notes, however, 'democracy is grounded in the community, and communities live within their culture'. Each of the following articles endeavours to understand the evolving hybridity of the different kinds of leadership pathways emerging in the varied lives of villages; each reflects on the effects of these developments, and on their meaning for grassroots democratic community.

Far from pitting 'custom' against 'democracy', some of the essays explicitly underscore the democractic potentials of customary governance and also, implicitly, its scope for flexibility. As the title of his article indicates, Mateus Tilman underlines both the persistance and the tranformation of customary order in the village and the dynamism of its relationship with changing governance norms and entities. In particular, he emphasises the participatory and community regulated elements of customary governance, which he argues constitute an 'organic democracy' specifying rights and obligations. Tilman discusses briefly some of the key cultural forms for generating community life and negotiating order in the *suku*, looking at *nahe biti bo'ot*, for managing and resolving disputes, and *tarabandu* for regulating a range of social relations and human relations with the natural environment. *Tarabandu* needs to be renegotiated at regular intervals; Tilman offers an example of one village where the community renegotiated their *tarabandu* making specific reference to human rights, democracy and religious ideals, in a deliberate effort to revitalise cultural practices but at the same time align them with the newly articulated national principles. Tilman does not elaborate on how this particular experiment is working, but the effort is indicative of the vitality of local political life and a desire to link with the national entity of Timor-Leste.

Tilman reflects on the distinctions between traditional rulership in Timor-Leste (through the *liurai*) and the network of clan relations (the *uma lisan*)—potentially a fundamental distinction if considering the forms of persistence of customary governance.[12] The essay considers different levels and kinds of customary governance active in different villages, from villages where direct governance is entirely the business of an elected leadership, but which may seek to draw on some cultural practices, to those where customary leadership remains explicitly central, to the more common pattern where customary governance is somewhat indirect but still fundamental to the life of the *suku*.

For Abel dos Santos and Elda da Silva the question of how East Timorese villages engage with democracy revolves around the capacity of village governance to empower communities to work to meet their needs. dos Santos and da Silva point to the distinction between substantive and procedural democracy and argue for greater emphasis on substantive democracy in the context of East Timorese villages; that is, a focus less on the process of voting in elections, and more on enabling people to participate more effectively in the decision-making and dynamics of power which shape their lives and communities.[13] They note that 'while there has been strong participation in elections thus far, our research indicates that many people believe that the process of state-building and democratisation is failing to respond to their needs'. Elections, they suggest, do not in themselves empower communities; nor do they automatically link the nature of the resulting leadership with the socio-cultural identities of the community. (Elections can, however, be part of a broader effort to strengthen people's confidence and ability to take ownership of community decision-making.) In asking how to build democratic institutions and processes that respond to community needs and values, this essay points to the importance of starting with an appreciation of the community's history and socio-cultural identity—an argument running through all the essays. For this reason, paying attention to customary life is important. Nevertheless, dos Santos and da Silva are critical of the mystification of power in custom, which veils its own operation and thus obstructs participation. Equally, they are critical of the formalisation and abstraction of power and political order in the predominant, procedural approaches to democracy.

Many of the villages dos Santos and da Silva researched are in coffee producing areas. Historically, Portuguese penetration was generally more aggressive in the regions where they had direct economic interests—such as those converted to cash cropping—and colonial reshaping of local power relations were more extensive.[14] Labour unions and land conflicts are prominent in these areas. Interestingly, compared to some other rural regions with longstanding villages, in these areas authority and legitimacy in the village seem to be grounded less in either customary standing or local prominence in the resistance (though these remain important) and more in the effectiveness of local leaders in land and labour struggles. dos Santos and da Silva see the role of the customary hereditary ruler, the *liurai*, continuing to diminish and a new elite emerging. The nature of governance, and of the new elite, will depend on how political change is pursued across the country.

Martinho Pereira and Maria Madalena Lete Koten's essay also considers questions of participation and of violence or division in the context of elections. The article welcomes the elections and the opportunities they introduce, including 'promoting the potential for social and political participation' and opening access to positions of leadership, notably to women. As a number of the essays observe, however, being able to stand for and being elected into office does not in itself ensure authority. This is a challenge faced not only by women. As Pereira and Koten make clear, in some villages 'local leaders without *liurai* heritage have had difficulty maintaining their authority in carrying out their daily activities'. (By contrast, Alex Gusmao's essay contains an interesting account of a female *xefe suku* who clearly enjoys considerable legitimacy, but through standing in custom and the resistance.)

Pereira and Koten observe that, while *suku* elections have been conducted without violence and can be regarded as a success, in a number of cases they researched, participation, co-operation and mutual trust have not increased but may have weakened as a result of the electoral process. While some villages have a long history of supporting one political party, many have mixed party allegiances. Competition, particularly party competition, during campaigns can cause division and erode co-operation in villages with mixed party allegiances, leading to withdrawal from community life. Initiatives and programs introduced by the elected leadership are in certain circumstances now perceived to be in the interests of one party or group, rather than of the whole community. In some villages, the village council did not function due to such internal division. Election-related violence is a problem confronting some communities, although around national rather than *suku* elections. It is generally the result of 'divisions between national political elites being driven down to the local level' through the mechanism of political parties. For Pereira and Koten, greater integration of customary life into elected forms of leadership, perhaps building upon the positive articulation that has emerged spontaneously in some *suku*, could help sustain the co-operation fundamental to the wellbeing and survival of village populations.

Continuing the themes of participation, conflict management in the context of electoral competition, and governance hybridity, Jose Magno and Antonio Coa also observe that direct hereditary rule (rule by *liurai*) is diminishing and people do not seek its return. Nevertheless, fundamental dimensions of customary governance, such as the extended family networks that have an almost mystical significance, remain central to community life for most villages. Customary leadership by the *liurai* often did not work to meet community needs. Elections introduce important opportunities to reshape community leadership and create a political culture responsive to community needs. They also, however, bring challenges that need to be managed: in particular, destructive community conflict. For Magno and Coa, it is the extended family networks that have maintained social peace in the face of the potentially divisive impact of electoral competition. Nevertheless, communities remain vulnerable to external manipulation. Magno and Coa discuss some particular methods adopted by villages to reduce potentially divisive impacts of establishing leadership through election. In one interesting case (Cassa Bauc) all candidates were involved in contributing to the village plan, whether or not they had won positions, in a clear effort to build a sense of communal, rather than factional, interest and consensus.

Building on questions of substantive participation, Magno and Coa point out that while elections may in principle offer new opportunities for the creation of a responsive political culture, there is little guidance on how the village council and village chief might actually engage with the community or involve them in development activities once elected. The focus of 'democratisation', as Magno and Coa argue, is on the election. This exacerbates the problem of decisions being, or being perceived to be, in the interests of factions rather than of the whole 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 . . .'

Alex Gusmao frames Timor-Leste firmly in a post-conflict context. Anxiety and distrust around political party competition reflect not simply culture, he suggests, but a long experience of violence and threat. National political parties were embraced by some, but seen by others as 'inherently divisive' and 'playing politics under the name of reconciliation and democracy'. Local violence was prevented, according to this study, in villages with strong leadership. In the *suku* researched for this essay, such leadership drew on at least one of three sources of legitimacy, depending on circumstances: customary standing, prior leadership in the resistance, or being a locally prominent member of a national political party (FRETILIN, in the regions concerned, and when the entire village supported that party). Leadership capacity was also important, however.

Gusmao's essay emphasises the diversity of the villages studied. Beginning as a brief glimpse into the particular communities visited, this point becomes a reflection on how to work with both the different logics of electoral and customary paths to leadership and with the social, cultural and historical diversity of the country. The essay grapples with the question of how to establish a democracy that is sensitive to this difference, but that also does not fix communities into a static historical and cultural moment. Rather than the adoption of a single national model, the article recommends both drawing on a series of models for *suku* governance (with those proposed in this case being based on the preferences emerging from discussion in the villages studied) and a process of 'continuing exchange' whereby communities, or communities and districts or the national government, can work with the tensions inherent in such diversity. Gusmao suggests this would allow communities to more openly craft their own balances and accommodations regarding leadership and participation, while still accepting the oversight of the national government 'to ensure that all processes support human rights and do not foster division'. For Gusmao this constitutes a 'living democracy', grounded in the complex realities, identity and uniqueness of Timor-Leste, and development as the freedom to choose how you want to live.

The research on which these essays are based was largely undertaken before changes to the *suku* electoral legislation passed in late 2009 were put into practice throughout 2010. Political parties, seen by many in these studies as a source of division, have been removed from direct campaigning in villages following the 2009 decree. If political parties do genuinely step back from village elections, this could well reduce tensions around campaigning. It would be a welcome step to many of those interviewed in the following articles.[15] The fundamental issues discussed by the following essays, however, remain equally relevant under the new legislation.

These essays represent an important and timely contribution to thinking about the effort to shape democratic community in a largely customary social and economic environment. It is an environment, moreover, that has relatively recently emerged from violent military occupation, and that is grappling with a confusing array of economic and social pressures for change, from within and without. The questions and challenges that these East Timorese authors are investigating are deeply relevant to their own country but they are also relevant more broadly to other regions where state-building processes are implanted into customary or traditional cultural, social and economic relations. Villages in Timor-Leste could be regarded as the foundation of the country and the state, not simply in principle, but as the places where the majority of people seek the sources of their survival, their welfare, and their identities. What happens here is vital to the stability of the country. For those thinking about the meaning of democracy or seeking to support participatory, inclusive governance at the grassroots, there are important insights in these essays. The essays (and the process of research itself) are themselves part of the exchanges, within villages and among villages, larger administrative centres and the capital, that are shaping political community in Timor-Leste.

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Endnotes

1 Independence was declared in 1975, but only lasted some months before the Indonesian invasion.

2 For example, see M. Pereira and M. Koten, this volume.

3 It is nevertheless worth considering Tanja Hohe's study of the earlier national elections for a fuller account of some of the factors shaping voting: T. Hohe, 'Totem polls: indigenous concepts and 'free and fair' elections in East Timor', *International Peacekeeping*, vol. 9, no. 4, 2002, pp. 69–88.

4 For a fuller description of Timor-Leste's customary order see Mateus Tilman's paper in this volume, or A. McWilliam, 'Customary governance in Timor-Leste', in D. Mearns, ed., *Democratic Governance in Timor-Leste: Reconciling the Local and the National*, Charles Darwin University Press, Darwin, 2008.

5 See A. McWilliam, 'Customary governance in Timor-Leste', for a closer discussion of one village, or for a discussion of the effects of forced resettlement in one region see P. Myat Thu, 'Land forgotten: effects of Indonesian re-settlement on rural livelihoods in East Timor', in D. Mearns, ed., *Democratic Governance in Timor-Leste: Reconciling the Local and the National*, Charles Darwin University Press, Darwin, 2008.

6 See P. Myat Thu, 'Land forgotten' for a discussion of this dynamic.

7 M. Tilman, this volume.

8 For example, see A. McWilliam, 'Customary governance in Timor-Leste'.

9 Interview with author, Caisegu, March 2008.

10 Tetum versions of these essays, in most cases longer and more detailed than the English versions, will be available on the journal website and in soft-bound printed versions in university libraries in Dili.

11 For more information on the research methods, see A. Brown, this volume.

12 The *uma lisan* (or clan network) of the *liurai* is also important in this distinction, however. See also K. Davidson, *The Portuguese Colonisation of Timor: the Final Stage 1850-1912*, unpublished PhD thesis, University of New South Wales, Sydney, in D. Cummins, *Local Governance in Timor-Leste: The Politics of Mutual Recognition*, unpublished PhD thesis, University of New South Wales, Sydney, 2010.

13 See D. Held, *Models of Democracy*, Stanford University Press, Stanford, C.A., 1987.

14 H. Hagerdal, 'The exile of the liurai: an historiographical case study from Timor', in H. Hagerdal, ed., *Responding to the West: Essays on Colonial Domination and Asian Agency*, Amsterdam University Press, Amsterdam, 2009, in D. Cummins, *Local Governance in Timor-Leste*.

15 Return visits to nine communities did allow some initial investigation of the new arrangements. The other major innovation was the introduction of a 'packet' system, whereby the village chief and council are elected as a team (to maintain co-operation) but where the chief chooses and can dismiss councillors. Initial interviews conducted in the nine villages to which researchers returned suggested this undermined council members' independence, weakened the chief's accountability, encouraged domination by a single family and reduced respect for the office.

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

Jose da Costa Magno and Antonio Coa[1]

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.

Electing community leaders: diversity in uniformity

Alex Gusmao[1]

This article investigates the impact of the election of community leaders in local communities (villages or *suku*) in Timor-Leste. After looking briefly at the impacts of *suku* elections on selected communities—particularly on community cohesion—and at some community responses to elections, the article discusses local capacities for managing the challenges to social order and cohesion that can flow from elections, and key sources of those capacities. The study found that applying a uniform mechanism for electing community leaders across all *suku* has raised significant concerns in some communities, and that the differences that exist between communities can mean that uniform approaches to local elections threaten to undermine already working governance systems. During the field research, communities themselves suggested alternative approaches to managing elections or to the process of identifying community leaders. The article considers how best to respond to this desire for local diversity within a spirit of democracy and suggests an approach of 'diversity in uniformity' as a way forward.

The research process and sites

The research for this article was undertaken in ten villages in three eastern districts of Timor-Leste, as well as one *suku* in the district of Dili and one *suku* in the district of Oecusse, from September to December 2009. The research team (Alex Gusmao and Mateus Tilman) stayed for at least one week in each village, observing and conducting interviews and discussions, and in some cases attending community meetings. Altogether ninety-eight participants were interviewed or were part of a discussion, with a total 11.22 per cent female and 88.78 per cent male discussants. Heads of villages made up 10.2 per cent of discussants, heads of sub-villages 17.35 per cent, members of *suku* councils (not including heads and sub-heads) 17.3 per cent, members of the communities 27.35 per cent, elders or *lia-na'in* 16.3 per cent , youth 7.1 per cent, police 2.04 per cent, and NGO and church leaders were each one per cent.

Most of the villages were visited before the second round of *suku* elections had been held in their village and some after it. The research started in Bairo Pite, a relatively new urban *suku* located in Dili. The *suku* is one of the largest in the country, composed of a number of *aldeia* (hamlets, or sub-villages). In the 2004–05 elections residents of Bairo Pite elected a village head from FRETILIN, the party which led and was most closely associated with the independence movement, first in the final years of Portuguese rule and then during Indonesian rule.

The team then went to four *suku* in the eastern district of Baucau. *Suku* Caicua, now headed by an independent, was formed as a result of the Indonesian military forcibly moving people from the mountain areas and 'concentrating' them along the coast. Here, people from different origin communities and ancestral lands were brought into one village. Another *suku*, Bucoli, is a village of fertile agricultural lands that was the home of a famous guerrilla commander and leading member of FRETILIN during the 1970s, who was killed in battle with the Indonesia army in 1979. Under this commander's leadership, Bucoli was a centre for political education during the mid-1970s. The head of the village is a sister of this commander and also a daughter of the former *liurai*. Another *suku* visited, Triloka, was again a 'new' village formed as a result of Indonesia occupation. While a new village, Triloka has a strong practice of *tarabandu*—a traditional system of community policing though a complex sacred ritual but also involving community decision-making. This *suku* is socially and culturally linked with a bordering *suku*, as they originally came from the same 'kingdom'. The last destination within the Baucau district was Uatulia, an 'old' village also notable for a strong practice of *tarabandu* and with a *suku* council composed of representatives of different parties and independents.

The team then travelled further east to the district of Lautem, about 200km from Dili, and visited three *suku*, Parlamentu, Fuiloro, and Tutuala, then onwards to three *suku* in Viqueque. Viqueque, also an eastern district, has a reputation for conflict, but not all villages in Viqueque can be so characterised. The head of *suku* Loihunu has been in his position since the 1980s. In 2005 he was re-elected as a FRETILIN candidate. The *suku* council, however, has members from various parties. *Suku* Waimori is a very isolated mountain village which took twelve hours by foot to reach. The last village visited in Viqueque, Uma Wa'in Kraik, consists of a number of rural and more urban sub-villages, and is very unusual in Viqueque (and Timor-Leste) in the degree to which it adopts a highly traditional governance system. The leader of the *suku*, following traditions established before Portuguese colonialism, has been in his position since 1998, when he was a nineteen year old. Some of the community leaders have been in their positions for more than thirty years. Finally, all eight members of the broader National University of Timor-Leste research team came together to research in the exclave of Oecusse. Travel within Oecusse is difficult, and in the wet season it can take days to reach even those villages relatively close to the regional capital. Our sub-team visited a *suku* close to the Indonesian border, Ben Ufe, where betel nut production is a dominant activity.

The impact of *suku* elections 2004–05

In 2004, the National Parliament approved Law 5/2004 establishing that all local village and sub-village leaders must be elected directly and instituting an elected village council. This contrasts with the 'engineered' elections introduced by the Indonesian military regime before independence. The introduction of democracy at the village level created a new dynamic in communities and people have had a number of responses. Some community members considered democracy to be an opportunity to exercise their freedom to elect their leaders and to be elected, enabling not only those from particular kinship groups to be a leader. Community leaders could now be either male or female, traditional leaders, the descendants of *liurai*, those who distinguished themselves during the resistance against Indonesia or simply locally respected ordinary people. Some *suku*, or members of communities, preferred to emphasise their cultural practices for identifying leaders.

These different responses to the new law on local elections are also evident in the ways different villages put forward candidates. Communities that particularly emphasised maintaining their culture, for example, nominated and elected candidates with strong links to traditions and customs, or tried to maintain the traditional leadership structure. In Uma Wa'in Kraik (Viqueque) and Ben Ufe (Oecusse), for example, customary leaders were simply elected as village head. In some villages, for example, Bucoli and Tutuala, candidates with strong party affiliation were elected, but these candidates were also descendants of *liurai*. In other villages, candidates were elected more on the basis of strong personal standing, for example arising from leadership in the resistance (such as Waimori, Loihunu and Fuiloru) or through their position within a party that had a popular following in the village (such as in the new villages of Bairo Pite and Triloka). There are no clear dividing lines between these categories, however, with many villages having a mixture of two or more features. The desire to maintain culture is strong and widespread. This is a matter of identity, but also of governance, security and social order. In reality, across the rural areas, *suku* are still governed to most practical intents and purposes by traditional elders and customary systems. Most community disputes are solved through traditional systems or mechanisms, a finding supported by Asia Foundation research among others.[2]

In none of the research discussions did people question the value of democracy. Nor was the existence of political parties to elect leaders in the national arena questioned (although the capacity of national leaders to responsibly lead parties was questioned). Regarding the election of community leaders, however, views on political parties varied strikingly with concern and criticism preponderating, particularly regarding the effect of parties on community relations. The changes to legislation in 2009 have tried to address this concern (while raising some new problems). While we heard many accounts of successful elections and effective leadership, there were also a number of problems or challenges arising from elections affecting social cohesion and co-operation. Moreover, the effects of these problems were ongoing in some *suku* and capacity to manage them varied; the role of leadership in this context will be discussed later.

Timor-Leste has not long emerged from conflict. As Sanson and Bretherthon note, '[c]onflict can have damaging consequences. It can create suspicion and distrust, obstruct cooperation action and damage relationships, escalate the difference in positions and . . . lead to violent confrontation'.[3] The challenges of democracy in Timor-Leste need to be understood in this context. One widespread impact of the *suku* elections was increased suspicion and distrust within communities. Campaigning, particularly in the context of party competition, led some candidates to humiliate others publicly, sparking conflict in the community. Interviewees in six *suku* commented particularly on this situation. When elders, community leaders or family members are humiliated publicly the situation can become extremely tense. Interviewees considered that this was a common occurrence in elections.

The experience of electoral competition led many interviewees to express feelings of insecurity and anxiety about the future of their village. Some have particular concerns about political parties which were seen as rooted in a violent history. The struggle between political parties in the period of 1974–75 was seen as having ushered in a disaster which in turn saw almost one third of the population killed or die from hunger. Today the same parties were regarded as again playing politics in Timor-Leste, this time under the name of reconciliation and democracy. In addition, some of the new political parties had emerged through crisis, or from the fracturing of other parties, particularly FRETILIN. Political parties were considered by some as inherently divisive and conflict ridden, so that even if 'God sends all His Angels' they will not stop fighting. These people felt trapped by political division.

Distrust generated around electoral processes also led to lack of co-operation in some *suku* councils, particularly in the case of party competition. The *suku* council was a new initiative in Timor-Leste and people had no problem with its introduction. However, lack of co-operation between members from different parties meant that some councils simply did not function and existed in name only. In other instances however mixed councils appeared to work, and in places such as Bucoli or Fuiloro where all council members were from the same party, the council functioned well.

A further impact concerned the legitimacy of the village head in providing or distributing services. According to some respondents, village heads associated with political parties would serve only their own political party and their party members, instead of the community. One of the Baucau district village heads (himself a party member) noted that membership of or support by a political party created a dilemma in a community with mixed party affiliation. Needs were huge, but resources were limited. However he distributed resources, his actions were read through a lens of distrust built around party affiliation and the conviction that he would be seeking unfair advantage for fellow party affiliates. In effect, in the context of mixed party affiliation and intense competition, his legitimacy was weakened, creating problems for the community.

In some villages *suku* elections were considered to threaten tradition and identity. In Uma Wa'in Kraik and Ben Ufe it was argued that the aim of independence was to enable expression of people's culture and identity. The polarisation and threat to community cohesion seen as posed by electoral competition was also regarded as a threat to culture, as maintaining co-operation is a fundamental goal of community life in Timor-Leste and often essential to survival. Even in villages where locally popular candidates were elected, people emphasised the need to maintain their culture, as a source of identity but at the same time a source of governance, community spirit and co-operation.

Local resources in managing social order

While these challenges to social cohesion were widespread, the capacity of communities to manage them differed. In general the cultural system and the legitimacy of leaders played a very significant role in maintaining and rebuilding peace. To focus on leadership, there were three main sources of legitimate authority in the villages in which we researched. The first was involvement in the resistance struggle—not only had such people demonstrated leadership skills under very testing conditions and thus were seen as being committed to the community, but they also related symbolically to people's suffering through the period of occupation. The second source of authority evident in some of the *suku* studied was close affiliation with FRETILIN, the political party most associated with the struggle for independence and which has strong bases of support in parts of Timor-Leste. The third source of authority arose from being of the family of the *liurai*. The *liurai* represents a deeply embedded cultural system and being from the *liurai* clan represents integration into the belief systems of society. Those who hold one of these sources of authority can generally handle tensions in the community.

In Fuiloro, Loihunu, Bucoli and Waimori the *suku* heads were former resistance leaders; their villages were relatively calm. Moreover, in the 2004–05 *suku* elections, the heads in the first three *suku* nominated as FRETILIN representatives. In that sense, these village heads held another 'card'; holding these two cards played a very significant role in their communities and meant they could more easily manage social divisions when they occurred. Fuiloro is noteworthy here as it is a 'new' and large village. As a 'new' village, more customary mechanisms for maintaining social order are less immediately available. The village head, however, is widely respected. Fuiloro relies on election to establish leadership, but it is substantially dominated by one party, FRETILIN. In Waimori, by contrast, the head of the village stood as an independent. As well as being a resistance leader, he was well known and valued in his community for regularly walking the six to twelve hours needed to visit the *aldeia* and keep in touch with the different parts of the *suku*.[4] Waimori was also very quiet compared to other *suku* in Viqueque.

Bucoli is also interesting in this context. The village head is a member of FRETILIN in a village historically strongly linked to and even now dominated by this party. Furthermore, the village head was herself active in the resistance and is related to a famous resistance leader. Moreover, she is also from the Bucoli *liurai* family. She therefore holds many 'cards', which form a strong foundation for authority and social cohesion and, in fact, the village is relatively quiet and well managed. Both rounds of *suku* elections have occurred without particular incident. However, it is worth noting that in the 2010 election the village head was the only candidate. Even in the 2004–05 election all members of the *suku* council were from FRETILIN (and this would also be the case under the new regulations); there is no problem with the co-operation of *suku* council members in this village. The village head and *suku* council fully endorsed party activity in *suku*. Interestingly, however, this village is also a strong supporter of custom and has an active local variation of *tarabandu*. This form of internal regulation was democratically developed in Bucoli, was launched by senior district government officials, and involved not only members of the village but representatives of various locally active institutions. According to a senior resident this internal regulation is one of the significant achievements of the village and reduces tensions at the community level. When problems occur people know where to go, how it will be dealt with and what sort of penalty could be applied.

In Uma Wa'in Kraik cultural practices remain unusually strong; the *suku* still maintains the *liurai* system with descent believed to reach back some hundreds of years. This system of governance is understood to derive from their ancestors pre-dating colonialism. This gives great authority to the current *suku* head, who has held his position since 1997. In 2005 the government tried to introduce political parties, according to interviewees, but political parties have so far had little influence in this village. The *liurai* was elected head of village standing as an independent in both elections, with the vote only undertaken to fulfil government requirements (according to respondents, who depicted it as a 'cultural vote'). This village has very few conflicts and people are still 'held tight' to each other by their customs. An elder and senior figure in one sub-village commented:

> in this place we trust each other and respect each other. When there is a problem, we manage it through existing structures. . . Most of villages in Viqueque have lots of problems, but in our village there are few. You hardly find people fighting each other here.[5]

The aforementioned *suku* have strong capacities for dealing with social divisions or tensions. While problems arise, the legitimacy of leadership is strong in all these cases, enabling the *suku* heads to manage the tensions. Even in these examples, however, when tensions involved national players it was extremely difficult for local leaders to manage. When a village faced this situation, it to some extent paralysed their functions, especially when those who hold these 'cards' are used or misused by political powers from above.

Views on *suku* elections: a community matter

More generally, responses to the process of village elections suggested the importance of community autonomy, and/or questioned the desirability of political party involvement in communities. In the first category is the argument that the selection of village leaders is a community matter. In the strongest articulation of this position, while interviewees felt that democracy was necessary and beneficial at the national level, elections were seen as not necessarily appropriate for communities that already had systems of governance that were working to the satisfaction of the community. Uma Wa'in Kraik was the clearest example of this view. While they had in many respects adapted elections to their cultural requirements (through the election of culturally determined leaders) they regarded electoral mechanisms as having been forced upon them without consultation or consideration. Their governance system was seen as part of their spiritual and cultural life, which was in turn integrated with the cycles of agricultural life, enabling them to communicate with their ancestors, deal with their sacred places, work with their plantations and animals, and maintain harmony. Certain positions across the village (including head of the village) were seen as sacred; only those with such cultural powers could successfully exert authority. Even in those *suku* where elections were supported, local leadership was seen as the business of the community rather than outsiders, and there were views expressed regarding the preferred mechanisms for nomination of candidates, the role of political parties, the operation of the council and so on. In different ways, for all villages, the election of their leaders is a community matter.

In Caicua, Uatulia, Triloka, Loihunu, Parlamentu, Waimori and Ben Ufe community members argued strongly against the involvement of political parties, mainly on the grounds of the security of the local community, the challenges of managing divisions that political parties generated and the threats to socio-cultural life noted above. A common view put forward was that their villages were 'not ready' or were politically too 'immature' for direct party competition. It is interesting in this context to note, however, that a number of group discussions also suggested that the national leaders were themselves not sufficiently 'mature' to manage competition constructively. National leaders were not always regarded as good role models of political engagement. They influenced their grassroots supporters to pointless conflict, the consequences of which were borne by the communities. When the national leaders fought it affected people on the ground. It was extremely difficult for communities to manage conflicts that were started and supported by national organisations and forces.

There was a range of views across these villages on how independent candidates should best be put forward and ways of integrating cultural legitimacy with the electoral process. For example, candidates could be from the *liurai's* bloodline, those involved in the resistance (which can also bestow cultural authority), or ordinary people with the necessary capacity, or a combination of these factors depending on the history and characteristics of the village. Discussions in Triloka (Baucau) and Uatulia (Venilale) proposed that each sub-village put forward a candidate, chosen either by election or by elders and *lia-na'in* ('holders of the words', traditionally responsible for conflict resolution), and representing either an *uma lisan* (clan) or simply a person considered of capacity, depending on the preference of the sub-village. Parlamentu, Caicua, Waimori, Loihunu, and Ben Ufe suggested that a group of elders and *lia-na'in* nominate candidates for the village to vote on (not based on the sub-village), that each *uma lisan* should nominate one candidate, or that a broader village committee nominate candidates after consultation across the village. Elders and *lia-na'in* were seen as playing roles of varying significance in the consultations leading up to voting. For all proposals, candidates would be introduced to all parts of the village and election would be by secret ballot. Following elections, a number of *suku* consider it a necessary part of the process of identifying leaders to undertake a series of rituals that confer authority. In Ben Ufe, for example, they perform a traditional ceremony to hand over the symbols of power, as part of conferring upon the village head the obligation of responsibility and authority to be a good leader serving the whole community.

By contrast, some villages were happy with party activity in the community; however, these villages also fell into very distinct categories. Urban villages, such as Bairo Pite in Dili and Fuiloru in Lautem (which are both also new villages), face different circumstances from the long-established rural communities. In urban villages, there are no dominant cultural practices tied to particular *uma lisan*. In Bairo Pite, for example, residents come from every district in the country, while in Fuiloru, they come from different villages around Lautem. Moreover, urban villages are not structured around dealing with the lifecycles of primary food production, the management of environmental, social and ritual matters arising from those cycles, and the relationship of *uma lisan* with a particular part of country—generally significant tasks of rural *suku* leadership. While all *suku* heads and councils in principle must work with requirements and resources from central government or other external bodies, this is a greater part of the work of urban *suku*. Overall, too, the more urban population is likely to have a different educational background and greater access to information. Interviewees in Bairo Pite (in the capital), for example, were happy with party involvement.[6]

Bucoli, however, is a strong example of an apparently different dynamic. This village welcomed party involvement, with the village head asserting eloquently that political parties were necessary institutions to bring together and organise those who share the same vision and passion for the development of the country. According to the village head, being an independent is without logic. This village has a long history of association with FRETILIN and in the 2010 elections the standing *suku* chief was re-elected, unopposed. While the village welcomes party affiliation, it is not clear whether it would welcome actual party competition.

A way forward: diversity in uniformity—options for discussion

The necessity of democracy for Timor-Leste is indisputable; however, the challenge facing communities and government is how to enable a grassroots democracy that is sensitive to, and reflects, the diversity and the characteristics of communities across the country. The uniqueness of each village should not be 'washed away' by policy for the sake of uniformity. Rather the principles of the Constitution, recognising Timor-Leste's unique cultures, need to be satisfied. The richness of a country derives not only from material resources but also from its socio-cultural life and values.[7] Nor should villages be locked into stasis; the characteristics of a village need to genuinely come from community practices which people feel part of, allowing natural selection to determine the survival of these characteristics. The important thing is that community practices should not abuse human rights.

Traditional systems have weaknesses and indeed they can violate the human rights of the weak, such as women and children. These issues need to be worked on through continuing exchange, creating a common understanding, instead of 'burying community life with a bulldozer', as an interviewee in Ben Ufe put it. Members of the *suku* council in Tutuala, for example, suggested preparing a long-term plan to build a sustainable local political community that would meet the requirements and needs of both the national government and the local community.

In the spirit of democracy, what sort of mechanism could be applied in villages such as Uma Wa'in Kraik? What could be learnt from other countries' experiences? Indonesia employs a category of 'special province' and *suku adat* (traditional village), while the Autonomous Region of Bougainville (within PNG) allows villages to opt for one of a range of systems for the identification of community leaders. Allowing flexibility is also not to defend the *liurai* system per se; however, if the system has deep roots in some communities and people are happy with their arrangements, is it beneficial for this system to be changed? In other communities, even where elections are accepted, communities still want to better align elections with already operating cultural governance norms and practices.

In reality, it is cultural norms and practices that still underpin governance and order in local communities across Timor-Leste. Could not these systems be recognised as a 'fence'—whether temporary or permanent—protecting people, at least while Timor-Leste is still in process of shaping its own democracy from the grassroots as well as from the central government? In Viqueque some argued that national systems in Timor-Leste are still weak, including the police. In most of the villages in this study, police visited once every one to three months. In effect, there are no police; people do not know whether laws are operating or not and the laws themselves are written in a foreign language unintelligible to the community. It is cultural or traditional leaders who are living with the people, managing through systems and practices such as *tarabandu*, which are still relatively effective in maintaining social cohesion.[8]

Given this context, communities could proceed according to three options. They could determine local leadership according to entirely customary forms, without elections. The government's role would be to ensure that the process does not violate human rights or create serious division. Very few *suku* would opt for this path. Alternatively, *suku* could hold elections but integrate elements of customary legitimacy more openly into the process and work to ensure that fundamental elements of customary life are not disrupted. As discussed earlier, proposals have been put forward by communities to establish legitimacy for elected village heads or to help ensure that candidates would work co-operatively with customary authority. The villages emphasising this option tended to prefer independent candidates, as independents were considered less likely to encourage polarisation, particularly important in the context of Timor-Leste's legacy of conflict and in being more aligned with cultural approaches to conflict resolution. However, some notably customary villages have strong party affiliation, but not necessarily party competition.[9] A final option could be that *suku* could decide to allow, or disallow, the competition of political parties in their village. Allowing political parties to compete was satisfactory for a number of *suku*, particularly in urban areas. The 2009 legislation has stopped political parties campaigning directly in *suku* elections. However, individual candidates can be party members and their affiliation is generally in the community, so parties remain a factor, albeit at one or two removes. This final option suggests that the 2009 legislation should respond to some of the concerns raised during this research; removing party campaigning but accepting that various candidates are already affiliated with particular parties may in effect allow some flexibility for communities around political parties.[10]

Conclusion

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. The role of government and civil society is to ensure that all processes support human rights and do not foster division. This element of flexibility allows space for sharing responsibility between community and government to ensure the sustainability of democratic processes.

Some of the country's traditional cultural values and systems are open to absorbing democratic practices.[11] If the implementation of democracy could likewise absorb some East Timorese cultural values it could enable democracy to be stronger and more sustainable—drawing on existing systems can help the roots of democracy go deep into people lives. By overlooking both the diversity of *suku* and the value of systems that are already working to people's satisfaction there is a danger of alienating people in the long run. It may also undermine acceptance of new systems. Without being attentive to local forms of governance embedded in people's cultural values and practices there is a danger that the uniqueness of Timor-Leste will disappear, and with the uniqueness will go people's pride in being East Timorese.

This research uncovered many success stories, but also many sad stories of unnecessary division, suffering and disruption of culture. It is fundamental that the development of policies should answer not only to the demands of the international community, or even only to national interest. Policy making also needs to take account of what Sen terms 'development as freedom', where development is the expansion of capabilities, having the freedom to choose between different ways of thinking, the enrichment of human lives, and being able to choose *how* you want to live.[12]

Endnotes

1 This article draws on research undertaken for and funded by an AusAID Development Research Award. The author would like to express appreciation to AusAID for making this research possible. A longer Tetum version of this paper will be published on the website for *Local-Global*.

2 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 >.

3 A. Sanson and D. Bretherthon, 'Conflict resolution: theoretical and practical issues', in D. Christie, R. Wagner, and D. Winter, eds, *Peace, Conflict and Violence: Peace Psychology for 21st Century*, Prentice Hall, New Jersey, 2001, p. 194.

4 Villages in Timor-Leste are often highly dispersed, with a number of smaller communities, or *aldeia*.

5 Interview with elder and senior resident, Uma Wa'in Kraik, Viqunque district, September, 2009.

6 It is worth noting that Uma Wa'in Kraik is also partly urban, albeit a rural town; however, the demographic profile is significantly different than the melting pot of Bairo Pite and the views there are distinctly different.

7 W. Davis, *The Wayfinders: Why Ancient Wisdom Matters in the Modern World*, CBC Massey Lecture, Anansi, Toronto, 2009.

8 A. Gusmao and M.A. Brown, 'Politika komunidade no harii-dame iha Timor Leste', in M. Leach, N.C. Mendes, A.B. da Silva, A. da Costa Ximenes and B. Boughton, eds, *Understanding Timor-Leste Proceedings of the Timor-Leste Studies Association Conference*, Swinburne Press, Melbourne, 2010, pp. 21–5.

9 Bucoli could be an example here, but also see A. McWilliam's discussion of *suku* Saburai, Bobonaro district in 'Customary governance in Timor-Leste', in D. Mearns and S. Farram, eds, *Democratic Governance in Timor-Leste: Reconciling the Local and the National*, Charles Darwin University Press, Darwin, 2008, pp. 129–42.

10 The new system was criticised by communities where voting under the new legislation had already taken place on other grounds, relating to the 'packet system' whereby the village head and the council are now voted in as a team, with the

village head having the power to choose people as part of the ticket and to remove them from the council.

11 See M. Tilman on 'organic democracy', this volume.

12 A. Sen, *Development as Freedom*, Oxford University Press, Oxford, 1999.

Customary social order and authority in the contemporary East Timorese village: persistence and transformation

Mateus Tilman[1]

Introduction

In May 2002, Timor-Leste formally became an independent, democratic state and the millennium's newest nation. This was the culmination of lengthy processes of change, continuity and resistance in politics, society and culture throughout 450 years of Portuguese colonisation and, following this, the invasion and twenty-four year occupation by neighbouring Indonesia. The emergence of Timor-Leste as a newly independent nation provides a space for the East Timorese people to begin to seek a new political identity.

While formal democracy is quite new to Timor-Leste, there is an authority and leadership system embedded in East Timorese cultures that was established prior to Portuguese colonisation and that continues to guide communal life within most *suku* (villages). Through this system, people are governed by traditional authority figures, including the *liurai* (a hereditary ruler, 'lord of the land'). The *liurai's* authority emanates from a social and political system that is guided by *uma lisan*. *Uma lisan* refers both to physical structures, literally 'sacred houses', but also to social structures that guide relationships between members and between the natural, social and ancestral worlds. This study considers the current situation and influence of traditional rulership and social systems in contemporary East Timorese *suku*, identifying four broad categories that reflect the continuing importance of these systems in Timor-Leste. This article also reflects on the complex relationship between *uma lisan* and the figure of the *liurai*.[2] The research findings are based on fieldwork conducted in fifteen *suku* listed here with their respective districts: Bairo Pite (Dili), Caicua (Vemasse), Bucoli, Triloka and Uatulia (Baucau), Parlamentu, Fuiloro and Tutuala (Lautem), Loihunu and Waimori and Uma Wa'in Kraik (Viqueque), and Ben Ufe, Lifau, Nipane and Bobometo (Oecusse). Further information on the methodology for this research is available in Anne Brown's article in this volume.

Uma lisan and their attributes

Uma lisan, also known as *uma lulik*, are the primary symbols for social and cultural order in local communities across Timor-Leste. The community considers *uma lisan* a central part of their identity, and they have deep significance in people's everyday lives. They have particular importance during ritual celebrations such as for marriage, prior to harvesting corn, *tarabandu* (which as will be explained regulates activities and use of resources), and other rituals that provide opportunities for people to gather together. The ancestors and elders of each *uma lisan* continue to protect the *uma lisan* by passing down sacred knowledge through each generation.

Within the social structure of the *uma lisan* there are a number of different authority figures, one of whom is the *lia-na'in*, which literally translates as 'owner of the words'. The *lia-na'in* are responsible for leading and caring for all the families and descendants of the *uma lisan*. Through rituals, they pray to the ancestors for help, asking that the ancestors always accompany the descendants of the *uma lisan* so they can carry out their work in a positive environment. As *lia-na'in* safeguard peace and stability in the family, they also take on an informal role resolving problems or conflicts that arise at the *aldeia* (hamlet) or *suku* (village) level.

In every *suku* there is a complex network of *uma lisan* that mediates and governs relationships between members of the same *uma lisan*, and also regulates relationships between different *uma lisan*. Everyone knows their *uma lisan*, and knows where they fit within the family structure that ties them together. Even though some members may move away from their traditional land and *uma lisan*, they often continue to maintain contact with each other and with the ancestors through this shared identity.

Some families in Dili no longer follow the ways of their *uma lisan*, signifying the loss of a generation from the *uma lisan*. However in almost all other districts across Timor-Leste, the *uma lisan* is central for managing family relationships and for forming new relationships through marriage for the creation of new families. The *uma lisan* also acts as a place to link people with their deceased ancestors. As a *lia-na'in* and *xefe suku* (elected village councillor) from within Lautem district explains, '*uma lisan* represent all of the deceased ancestors ... even though their bodies have died, their spirits continue to live around us, and they are always close to us through the *uma lisan*'.[3] As a priest from Venilale put it, 'it is through the *uma lisan* that people can communicate with other people. Every year when we do the ritual before the *sau batar* [corn harvest], they [the current members of the *uma lisan*] pray with gratitude to that which is most high'.[4] Through these rituals, the people communicate with supernatural powers, using betel nut and betel pepper, sacred swords and other objects that symbolise and represent their ancestors' residence in the spirit world, and asking that they continue to accompany people during their daily lives. According to them, this life does not end with this world. Through death, a new life is gained in another world.

As membership of the *uma lisan* carries an identity that is central to all the house members, this provides an important basis for building peace between related families. This is clearly evident when discussing the experience of political parties in local communities. While the influence of political parties has created some deep divisions in national politics, this does not appear to have been the case in many local communities. As a senior resident of Tutuala, Lautem district, noted, '…in *suku* Tutuala even though the political parties have come and adopted the party system and some small conflicts have arisen, this hasn't become an obstacle that has torn apart our family relations'.[5] As he went on to explain, it is relatively easy for the people to resolve problems that arise among themselves because the *lia-na'in* from the *uma lisan* uses family relations to resolve any issues.

There are a number of significant cultural practices through which *uma lisan* contribute to the maintenance of communal cohesion and peaceful social relations. Firstly, the process for preserving or restoring the physical structure of an *uma lisan* also involves strengthening and repairing the social structure of the *uma lisan*. All family members, including in-laws, from close by and far away come together not simply to discuss and agree on how to rebuild the *uma lisan*, but also to resolve any problems between family members. This was seen in one *suku* visited by the research team when a particular *uma lisan* needed to be rebuilt. Before physically rebuilding the sacred house, the *lia-na'in* called all of the members of the *uma lisan* together—particularly those who were involved in various disputes amongst themselves—to sit together and resolve their problems.

Conflict is also dealt with in the *uma lisan* through the *nahe biti bo'ot* tradition, a localised system of conflict management that literally translates as 'rolling out the big mat'. When a conflict arises, the issue is taken to the central *uma lisan* for resolution. There are many ways to conduct a *nahe biti bo'ot* ceremony but there are two broad paths through which the conflict can be resolved. The first is through a system of arbitration, whereby those involved in the conflict gather together with their families and the *lia-na'in* or the *liurai* resolves the dispute. The second path more closely resembles mediation, through which consensus is sought. Both paths are very strong and are trusted throughout the *suku* of Timor-Leste as the first point of call in resolving disputes. If the *liurai* is involved, the ceremony uses some of the *liurai's* symbols to demonstrate the *liurai's* governing power. Alternatively, *nahe biti bo'ot* may also be carried out using the general community *uma lisan*.

Complementing *nahe biti bo'ot* is the social institution of *tarabandu*—a traditional system for establishing social contracts, sanctioned through the power of the ancestors and established through a commitment between all the members of the *uma lisan* in a *suku* or a particular territory. *Tarabandu* operates through ritually banning some activities and requiring others for the good of the community. Each community member, for example, has the right to receive resources from within the *suku*, such as access to clean water and other goods, but also has a responsibility to be careful with these things if they have been consecrated through the *tarabandu* mechanism. In some communities visited, the people are working to re-establish *tarabandu* by referring to democracy, human rights and religious mandates as measuring tools, in a very deliberate effort to maintain and revitalise their culture so that it can align with and complement the democratic principles espoused by the national government.

Through these traditional institutions of *nahe biti bo'ot* and *tarabandu*, each individual has certain rights and obligations as a member of their community or their cultural society. They have the full right to express themselves, as well as a responsibility to comply with the social contracts that have been established in a particular territory—including activities that are banned or required through *tarabandu*. Both *tarabandu* and *nahe biti bo'ot* are very old institutions, and the ongoing importance of these and other local institutions demonstrates that before modern democracy came to Timor-Leste there already existed an original and organic democracy that organised members of society with both responsibility and rights. Before the new nation of Timor-Leste was formed, all the population were already living with their own social mechanisms and processes of joint decision-making and consensus.[6] Because of this, some communities remain uneasy about the implementation of formal democracy, and are concerned that it might undermine the resurgence of East Timorese culture. While the system of *uma lisan* continues to provide the foundation for social order and authority within East Timorese *suku*, the strengths of this system for peace and stability are not being recognised officially or protected, and possible methods that could strengthen East Timorese culture, particularly positive aspects that contribute to social cohesion, are being neglected.

The significance of the *liurai*

While the network of *uma lisan* and associated institutions of *nahe biti bo'ot* and *tarabandu* provide the foundation for social cohesion in East Timorese communities, another aspect of customary authority involves the *uma lisan* of the *liurai*. The authority of the *liurai* varies significantly from one *suku* to the next; indeed there is no single model for understanding the authority of the *liurai* in democratic Timor-Leste. Before discussing trends we observed in the various types and degrees of *liurai* authority that exist across Timor-Leste, we must first understand the structure and character of that authority.

Liurai *structure*

The hereditary rulership of the *liurai* and the rituals and customs surrounding their authority can be traced back many centuries prior to Portuguese rule. Historically, the authority of the *liurai* was established and maintained through the class system of Timor-Leste, which holds political, cultural, and economic significance in each territory or *suku*. At the highest level was the *liurai*, who historically controlled a large territory and population, and during colonial times was referred to as *Dom*, the Portuguese title for prince. Beneath the *Dom* was the council of elders, named *Bahen*. The *Bahen* came from different *aldeia*, and each had different functions. The Portuguese ruled through the *Dom* until the rebellion of 1911–12 (led by the *liurai* of Manufahi, Dom Boaventura) after which the power of the *Dom* was severely curtailed. Following the defeat of Dom Boaventura, the Portuguese colonisers divided the *liurai's* authority among the lower-order aristocracy that ruled beneath them, rewarding those who had been faithful and removing others from power.[7] The Portuguese then ruled through this new class, who were also referred to as '*liurai*', and who collected taxes and labour from the people on behalf of the Portuguese.

However, even prior to the rebellion of Dom Boaventura and the consequent consolidation of Portuguese colonial authority, the presence of the Portuguese had already had a significant impact on the authority structures of the *liurai*, by requiring that the *liurai* exercise various administrative functions and that he be capable of speaking a common language with the Portuguese. As a consequence, the original *liurai* sometimes had their role, power and leadership functions diminished. This was evident in Oecusse, for example, where new *liurai* emerged, known as the 'white *liurai*', who were better able to operate according to Portuguese requirements, taking some of the roles of the original *liurai*, known as the 'black *liurai*'.

Despite this, the original *liurai* sometimes maintained their cultural responsibilities and power, and passed this on to future generations who were genuine blood-related descendants. In *suku* Tula Ika, Oecusse district, an original 'black *liurai*' chose a new 'white *liurai*' from another *suku* to take on his administrative and management work. As a senior person of Tula Ika explained:

> Our ancestors said, 'I am choosing you as *liurai*. I am uneducated, I speak like a *lia-na'in*, I look after the *uma lisan* and have given power to *Liurai* Costa to undertake the administrative work'. *Liurai* Costa came and lit a candle here. They know their roots. Until today the *liurai* of Tula Ika, *suku* Lifau and the *liurai* of *suku* Costa continue to exist through the consideration of culture. These two types of *liurai* continue to be respected and obeyed by the people.[8]

It was through dynamics such as these that the structure of two *liurai* emerged in Timor-Leste. The 'black *liurai*' were all known as people who hold the cane and the flag and are original landowners, signifying that they are the ones who govern the *suku*. But beginning with this second phase of *liurai* rule, which adapted itself to Portuguese requirements, a new *liurai* could also be chosen (preferably from the blood-related descendants of the *liurai*) in order to continue the line of rule in that *suku*. The *liurai* clan would identify among themselves someone who was strong, had natural intelligence and knew how to govern, and they would become the new *liurai* to govern the *suku* when the old *liurai* died or stepped down. If someone did not govern well according to the members of the *liurai's* clan, then the clan would decide to change to a new person of *liurai* descent who would continue the position into the future.

Despite this turbulent history, there are still *liurai* in some parts of Timor-Leste who belong to the structural level of the *Dom*. It is clear that the exact dynamics of how the structure of the *liurai* changed during Portuguese times varies significantly from one place to the next, depending on the needs of the community and the extent of external pressure from the Portuguese colonisers.

During the Indonesian occupation of Timor-Leste the authority and structure of the *liurai* was impacted yet again, as Indonesia adopted an electoral system that replaced the Portuguese system of indirect rule through the *liurai*. Through the implementation of *Pancasila*, East Timorese communities experienced a 'social shock' as the system was transformed to allow ordinary people to be elected to the position of *liurai*, who then became known as *kepala desa* (village head). In some places, where the *liurai* continued to be trusted to look after their community and were sufficiently educated to deal with the Indonesian administration, communities voted for *kepala desa* who came from the *liurai's uma lisan*. This was the experience of one former *kepala desa* of Parlamentu *suku*, who was a descendant of a *liurai* and served as *kepala desa* for five years.

However, the possibility of voting for people who were traditionally empowered to rule was also highly dependent on the situation under the Indonesian military. For example it was not possible in *suku* Caicua, where from 1980 onwards, the Indonesian military moved the population together with other nearby *suku* groups into the sub-district of Vemasse and chose the village head for the *suku*. This meant that for the duration of the Indonesian occupation, the *kepala desa* of Caicua was chosen through the authority of the Indonesian military and did not come from the *liurai* family. Unlike some *suku* that use the terms *liurai* and *xefe suku* interchangeably, the distinction between the traditional *liurai* and the elected local leader continues to be reflected in *suku* Caicua through the strict use of the term *liurai* to refer to the descendants of the *liurai*, and *xefe suku* to refer to those who have won power through *suku* elections and who therefore govern.

Since the referendum in 1999 and restoration of independence in 2002, East Timorese communities have been experiencing many more changes. Liberal democracy has developed very quickly, and the influences of globalisation and technology now pose a great challenge for the power of the *liurai*. In 2004, the first free *suku*-level elections were held for the *konsellu suku* (council of elected community leaders). Most of the 2004–05 candidates for *xefe suku* came from political parties, but some preferred to run as independent candidates. In this new state of affairs, where sovereignty is no longer in the hands of the *liurai*, there are nonetheless many elected *xefe suku* across Timor-Leste who are from the *liurai's uma lisan*.[9] The *liurai* are also East Timorese citizens in this democratic state, and democracy does not deny opportunities for *liurai* to obtain positions of power through a political party or as an independent candidate.

While the political structure of the *liurai* no longer exists as it did in pre-colonial and colonial times, the *liurai's uma lisan* continues to carry important rights and responsibilities in almost all *suku*, functioning according to the needs of each *suku* or territory. In many places the community or people continue to consider the *liurai's uma lisan* as the highest in the *uma lisan* structure, leading the other *uma lisan* during popular traditional celebrations and rituals. This integral role in traditional custom, explored further below, accounts for its persistent influence in contemporary society in Timor-Leste.

The character of liurai *authority*

The authority of the *liurai* is deeply enmeshed with customary institutions, and traditionally the people both deeply respect and are in awe of them. The *liurai's* power over subjects was dictatorial and when a person went against the *liurai*, they were physically sanctioned. This can be considered an authoritarian, even at times exploitative, model of rule. Even in *suku* where the *liurai* continue to command respect and significant authority within the community, people recall instances in the past when the *liurai* 'governed using a formal whip'. For example, a *liurai* within the Oecusse district, who continues to be highly respected in the community, commented that:

> [I]n the past it was good because if we spoke and they didn't believe us we used... the right to beat people up; in the past I hit people, if people from my area didn't follow my directions I just beat them up.[10]

Despite this, people still trusted him to lead and protect them during Indonesian times. Similarly, an elder of Uma Wa'in Kraik *suku* of Viqueque district, revealed characteristics of the customs that underpin a *liurai's* authority in that *suku*:

> ...they existed in the past and continue to exist today. People are not allowed to speak or wave when they meet the *liurai*, this culture must be respected … The elders in [this *suku*] who are thought of as the mother and father of the *liurai* protect the *liurai* from everything. They protect him within the *suku* as well as if there are interventions from beyond the *suku*. They do whatever the *liurai* says. If the *liurai's* child wants to get married, it is the elders who speak, the parents don't speak. The people give buffalo as the brideprice. The parents cannot give buffalo as a brideprice otherwise the marriage won't endure, they could all die, from the children up to the mother. Their role is to work in the vegetable garden and rice fields to give food to the *liurai*. If there is a message from the *liurai* then the elders are the ones who go. The elders look after and take care of the *liurai*. This custom began with the first *Dom* and continues today. There is an oath between the *liurai* and their subjects so they cannot separate. If the *liurai* visits his subjects and picks out a young piglet, the people will catch it and kill it so the *liurai* can eat. During traditional celebrations with dancing if the *liurai* wants to take a *tais*, sword or *belak* from one of his subjects then the person will give it to him. When playing cards for money, if the *liurai* wants to take everything then he will.[11]

This explanation is revealing. While the *liurai's* authority demands submission and tributes from his subjects, the community continues to trust him to lead them. In this *suku*, the power of the *liurai* is very strong, and his legitimacy derives from the place he has in *lisan* (or custom). This demonstrates a very specific type of legitimacy—one which is underpinned by a very different worldview to that of the state, and which is symbolised through various customs and objects. There is a deep relationship between the *liurai's* identity and symbolic objects, such as the *rotan* (cane), *kaebauk* (crescent-shaped crown), *mortel*, *kretek* (cigarettes), books, *aimean* (red wood), *babadook* (traditional drum), *tamboor* (drum), and other materials symbolic of the *liurai*'s right to rule.

The continuing importance of these rituals and objects demonstrates that many communities continue to recognise the cultural importance of the *liurai*, for a variety of reasons. However, across the *suku* of Timor-Leste, communities now have a variable and complicated relationship with their *liurai*, which is reflective of the ongoing changes to the role and powers of the *liurai* that have taken place in the *suku* since Portuguese colonisation, as communities endeavour to adapt to the overarching requirements of the state.

Analysis

In this study, we have identified four categories that describe the current situation of the *liurai* in different *suku*. The first category considers those *suku* in which the *liurai* no longer have any real power, but the *liurai's uma lisan* continues to be strong. The second category covers those 'new *suku*' that were formed during Indonesian occupation, often comprising of people from different areas, and (as a result) in which both the *liurai's* governing power and the *liurai's uma lisan* are not present. In the third category, there are *suku* that are not new, but where for various reasons the influence of the *liurai* and the *liurai's uma lisan* appear to have died out. In the final category, there are *suku* in which the power of the *liurai* and their *uma lisan* remains strong. The following analysis explains these four categories in more depth.

The liurai *no longer has formal power, but their* uma lisan *remains strong*

In the great majority of *suku* that were visited in this research, the *liurai* no longer exercise any formal governing power, but their *uma lisan* remains strong. These *suku* included Uatulia and Caicua in Baucau, *suku* Parlamentu, Fuiloro and Tutuala in Lautem district, and *suku* Nipane, Lifau and Bobometo in Oecusse district. During the Indonesian occupation there were some *liurai* in the *suku* visited who continued to receive trust from the people and therefore won the *suku* elections. However, since independence, times have changed and the *liurai* in these *suku* no longer rule.

Nonetheless, in these *suku* the symbols that signify the power of the *liurai's uma lisan* are clearly in evidence, and the cultural influence of the *liurai* continues to be strong. Even though they are not governing, the *liurai* continue to be trusted and respected by the elected *suku* council and community members. It is through their cultural authority that some *liurai* continue to assume important roles through their *uma lisan*, maintaining the symbols, rituals and traditional knowledge that underpin their authority, and leading cultural celebrations in the *suku*. For example, in *suku* Uatulia, the *liurai* continues to lead the celebration of *tarabandu* which has important implications for governance. In Uatulia, the *liurai's uma lisan* and the *liurai's* symbols are full of significance for the community. All other *uma lisan* in this *suku* still consider the *liurai's uma lisan* the most important and it continues to be the central location for the implementation of *tarabandu*. The *liurai's* symbols that are used in celebrating *tarabandu* and for other purposes are the *babadook* or *tambor* (a small drum used in ritual dance), *surik* (a sword), and the *liurai's rotan* (cane). These symbols are all full of meaning for safeguarding peace in the community. Whenever a *tarabandu* is re-established in the *suku*, these symbols are taken around the different *aldeia* to make a public announcement to the whole community, whereupon everyone is brought together on a particular day to celebrate and implement it.

It is very common in contemporary Timor-Leste communities to find a separation of powers between the elected *xefe suku*, who is responsible for administrative matters, and the traditional *liurai*, who is responsible for culture and custom. As found in in *suku* Caicua and *suku* Nipane, this separation often involves a ritual bestowal of power from the *liurai* to the *xefe suku*. In *suku* Nipane, the elected *xefe suku* must ask permission of the *liurai's uma lisan* before taking on his role. In this *suku*, when a person is elected who is not a direct descendant of the *liurai*, the new *xefe suku* must take a goat, pig and several chickens to be killed and eaten at the *liurai's uma lisan* in a ritualised request for permission from the *liurai's uma lisan*. The elected *xefe suku* stands at the sacred male pillar in the *liurai's uma lisan* to pray for permission, asking for the spiritual power and strength to lead the people of the *suku*. Through gaining this permission, it is believed that the *xefe suku* will not face any difficulties for the duration of his leadership, because he is not only governing with formal power that he has obtained through the elections, he is also governing with cultural power that comes from the spirits of the *liurai's uma lisan*.[12] The people are frightened to take up the role of *xefe suku* if they do not first carry out this ritual, as there have been situations in the past where natural disasters have been attributed to the failure of the *xefe suku* to take into consideration the *uma lisan* of the *liurai*.

Even where a community has fully embraced the democratic system, many disputes continue to be resolved by traditional authorities through the institution of *nahe biti bo'ot*. *Nahe biti bo'ot* may also draw on the authority of the *liurai* and the *liurai's uma lisan* to give added authority to the proceedings. The central role of the *liurai* or the *liurai's uma lisan* in ongoing traditional practices such as *nahe biti bo'ot* clearly demonstrates the hybridity of authority and governance practices at the local level.[13] This hybridity is being negotiated in very different ways, depending on the needs of the community. In *suku* Tutuala, the *suku* council and the *suku* community have formed a new network called *Forum Mata Dalan* (FORMADA). This forum gives a voice to the many different authority figures in the *suku*, including representatives from youth, non-government organisations, students, the *lia-na'in*, and the *liurai*, referred to locally as *rai na'in* or 'landowner'. All members of FORMADA take on a particular role in the forum. The *liurai's* function is to carry out his responsibilities as the original landowner, making judgments about culture and customary traditions when there are family or community problems, and drawing on his deep knowledge of the land and traditional methods for resolving disputes.

In *suku* Lifau, there is a unique mode of cultural recognition of the *liurai* that involves the Catholic Church and can be observed during ceremonies such as those held at Easter or Saint Antonio Day. On these days, when all the Catholic members of the *suku* take candles, flowers and food and gather to make offerings at the Church, this is also understood to show respect to the *liurai*. This is because in Oecusse, the *liurai* were the first to convert to Catholicism. While the *liurai* in *suku* Lifau no longer has any official governance role, his cultural authority is still very strong, and he also is responsible for mediating and incorporating the cultures and beliefs espoused through the Catholic Church.

The reduced role of liurai *in new* suku

During Indonesian occupation, there were new *suku* established as people were resettled in accordance with the political interests of the Indonesian military. These new *suku* were immediately opened to the Indonesian-run electoral processes and as the *suku* boundaries did not reflect the old kingdoms of Timor-Leste, the *xefe suku* who led these *suku* were not descendants of the *liurai*; rather, they were ordinary people elected directly by the people.

One such new *suku* is Bairo Pite (within the capital city) in the district of Dili, established as a consequence of urbanisation and migration during Indonesian times. There is no *liurai* in this *suku*. However, the *suku* territory was formerly recognised as part of the traditional territory of the Mota Ain *liurai* from *uma lisan* Karaketu Mota Ain. As such, the people and the elected *suku* council members consider *uma lisan* Karaketu Mota Ain, which is located in Bairo Pite, as important for the community. The significance of the *liurai's uma lisan* is most obvious in its role in implementing *tarabandu* in the *suku*. The contribution that the *liurai's uma lisan* makes through this process is significant, and people consider it an important source of wealth, encouraging peaceful relations and managing the community's natural resources. However implementing the *tarabandu* is not without problems here, as the residents of Bairo Pite come from many different parts of Timor-Leste, and their traditional affiliations and obligations are with the *uma lisan* of their families. This means that some do not consider themselves bound by the *tarabandu* mechanisms that the people have established.

A second case in this category of 'new *suku*' is Triloka, which was established as a consequence of the war. In accordance with Indonesian military requirements, the population were moved from their traditional lands and forcibly resettled, bringing several different *aldeia* from different *suku* together to form *suku* Triloka. There are no *liurai* recognised in this *suku*, but other aspects of culture remain strong—in particular their commitment to *lisan*, and the celebration of *tarabandu* in the *suku*. The situation in Triloka clearly demonstrates that while the significance of *uma lisan* and the influence of the *liurai* are closely related, they are nonetheless different and need to be analysed separately from each other. While the 'monarchical' rule of the *liurai* is no longer in existence in Timor-Leste, the cultural importance of *uma lisan* (which may or may not include the *uma lisan* of the *liurai*) continues to be strong.

The liurai *and the* liurai's uma lisan *are no longer relevant in some* suku

This third category analyses those *suku* where, for a variety of reasons, the influence of the *liurai* and the *liurai's uma lisan* has died out. This situation was found in *suku* Loihunu, where the *liurai* had governing power during Portuguese times but was replaced thirty-three years ago by the current *xefe suku*, who was formally re-elected in 2005. Although he was not traditionally empowered to rule, the *xefe suku* clearly had the trust of the community.

A second case, in a *suku* in Viqueque, is a little different in that the elected *xefe suku* is a descendant of the *liurai*, but clearly prefers to use the democratic system and describes his own legitimacy as obtained through the electoral process rather than his family heritage. When asked if the *liurai* in this *suku* still exists, the *xefe suku* replied, 'I refuse to say *liurai*, otherwise people will say I am arrogant—leave it up to the people to see and decide'.[14] Nonetheless, there are still cultural considerations that he must take into account in exercising local leadership, as he explained:

> [I]t is best if the *liurai* and non-*liurai* co-operate and do good work for the future. The *liurai* position passes from the old generation to the new generation. My interest is in continuing to consider the council of 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.[15]

This situation represents a very interesting hybridity of elected and cultural authority. While the position of elected *xefe suku* is described as having replaced the authority of the *liurai*, the council of elders (an authority that traditionally provided checks and balances to the *liurai's* power) nonetheless continues to be respected. This continuing traditional influence, however, does not represent a settled state of affairs. Like all *suku*, the *suku* in question is in a state of transition and there are very real concerns that the cultural practices that are consecrated through the *uma lisan* will be lost. This is because there is now nobody who has the traditional power and knowledge to rebuild the *uma lisan*. As the *xefe suku* explained:

> They were going to rebuild the *uma lisan*, re-establish the *tarabandu* system, but it cannot be done because all the *lia-na'in* have died and no-one is brave enough to become a *lia-na'in* and say the prayers. New people are scared to become a *lia-na'in* because if their prayer is wrong they can face suffering such as illness or death.[16]

In addition to the fear that their cultural knowledge and traditions are being lost, there were also comments that the influence of democracy and modernisation pose a direct threat to people's culture. As the *xefe suku* stated:

> … according to the people's observations, democracy is running smoothly but the people who are receiving and implementing democracy do not know how to use it. Democracy gives freedom for people to speak but people don't listen to each other. They also note that in the past everyone had to act according to their parents and the *liurai* and this also sometimes means that people do not progress forward. Finally there is movement down a democratic path of freedom but it is better that not everything is free; there must be respect for our culture.[17]

During our research, people often commented that democracy was understood as giving unlimited freedom and the right to act according to one's own desires, but without respecting the rights of others.[18] Interpretations such as these have naturally led to the rights of others being breached, creating significant problems within communities. The concerns that are expressed in these communities represent the very real threat that is posed when traditions, and traditional institutions, are lost to the people.

The liurai's *governing power and culture remains strong*

In this final category, there are two *suku* that were identified during fieldwork where the *liurai's* governing power and the influence of the *liurai's uma lisan* remains strong: Uma Wa'in Kraik, and Bucoli. In both of these *suku*, traditional modes of rule continue to be implemented very systematically, and have endured throughout all the phases of East Timorese history.

In *suku* Uma Wa'in Kraik, the current *xefe suku* is the fifth generation of *liurai*, and the people of the *suku* and *liurai* territory refer to him as '*Dom*' as a title of respect. This *liurai* won the 2005 *suku* elections, and his position gained further strength during the 2009 elections as he was the only candidate. A similar situation also exists in *suku* Bucoli where, since Timor-Leste gained independence, the *liurai* (in this case a woman) has continued to win the *suku* elections. Like in Uma Wa'in Kraik, the *xefe suku* of Bucoli effectively has a dual authority, where she has both a formal mandate to govern through the *suku* elections and is also informally trusted as a *liurai* to lead the community. When asked about the existence of *liurai* in *suku* Bucoli, a senior resident stated:

> … the *liurai* governed in the past, now it's the *xefe suku*. If the *liurai* is abolished we are also abolishing a particular culture. The *liurai* has power and influence that people respect as sacred. People respect the

> *liurai* in the same way they respect a culture, so to abolish it depends on the people. Now people are embarrassed to do the traditional dance, but they are not embarrassed to do the modern dance. This is a sign that it is possible the culture will be lost.[19]

There are several reasons why the people may prefer the *liurai* as leader of these *suku* at the present time. The *liurai* maintains and strengthens cultural leadership and is able to use his or her cultural power and authoritarian leadership style in order to guarantee stability and reduce violence in the *suku*. Those who are not descendants of the *liurai* may be afraid to nominate themselves as a candidate for *xefe suku* because the position is considered *lulik* (sacred). For these and possibly other reasons, the people of these *suku* use the democratic process to strengthen the pre-existing traditional governance system in the *suku*. However, as suggested by the senior resident of Bucoli quoted above, this may well change in the future.

Conclusion

The varying results across different *suku* clearly demonstrate the diversity of approaches that communities are taking in negotiating the continuing importance of *lisan*, *uma lisan*, and the *liurai*, while also adapting to the requirements of liberal democracy. While in some *suku* it appears that democracy has posed a challenge to the existence of the *liurai*, other *suku* have used the democratic process to continue to re-elect those who are traditionally empowered to rule. In some new *suku* formed during Indonesian times, they have recognised the strength that the *liurai's uma lisan* can offer to a community, and have effectively 'borrowed' the leadership of the traditional *liurai*—despite the fact that they are not traditionally related—in order to reinstitute various cultural practices such as *tarabandu*. The various ways in which communities are adapting to democracy is very dependent on local history and politics and the particular requirements of *lisan* in that community. These requirements will continue to change according to communal needs and external pressures.

There is however, a very real fear that adopting democracy means that important cultural practices will be lost. Nonetheless, despite communities' sense of unease over what democracy means for culture, there are also many people who are actively working to maintain and revitalise their culture. In almost all *suku*, there is a commitment to rebuilding the *uma lisan*. And in almost all *suku*, there is a push to re-establish systems of *tarabandu*, which may also incorporate new methods to ensure that their culture is in line with the modern system. The continuing role of the *liurai* and the *uma lisan* is a message to East Timorese society and the international community that the formation of Timor-Leste as a nation did not begin from zero. Across the *suku* of Timor-Leste, there was already a cultural package that worked to safeguard the community, regulating people's relations with each other, with the environment, and with the ancestors. While there are some customs that persist in these communities that are not beneficial to people fully realising their rights as equal citizens, our research clearly demonstrates that the implementation of democracy should give proper consideration to the *uma lisan*, other cultural symbols and practices, and the traditional authority that continues to exist in East Timorese society.

Endnotes

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2 A more detailed account of research findings on cultural practices and the significance associated with *uma lisan*, the *liurai*, and the current influence of these institutions in Timor-Leste is available in a longer Tetun version of this paper published on the website for *Local-Global*.

3 Interview with *xefe suku* and *lia-na'in*, Lautem district, 12 September 2008.

4 Interview with parish priest, *suku* Venilale, Baucau district, 28 September 2009.

5 Interview with senior resident, *suku* Tutuala, Lautem district, 12 September 2008.

6 See also D. Cummins, 'Democracy or democrazy? Local experiences of democratisation in Timor-Leste', *Democratization*, vol. 17, no. 5, 2010, pp. 899–919; and M.A. Brown and A. Gusmão, 'Peacebuilding and political hybridity in East Timor', *Peace Review*, vol. 21, no. 1, 2009, pp. 61–9.

7 A. Capell, 'People and languages of Timor', *Oceania*, vol. 14, no. 3, 1944, pp. 191–219. See p. 198.

8 Interview with senior figure, *suku* Tula Ika , Oecusse district, 5 December 2009.

9 See, for example, Z. Grimshaw, 'Interview with Comandante Ular Rihik/ Virgilio dos Anjos', 16 October 2009, Dili, Timor-Leste, <http://www.etan.org/et2010/01january/16/14intrvw.htm>

10 Interview with *liurai*, Oecusse district, 7 December 2009.

11 Interview with elder, *suku* Uma Wa'in Kraik, Viqueque district, 28 September 2009.

12 See also J. Fox, 'Repaying the debt to Mau Kiak: reflections on Timor's cultural traditions' in D. Mearns and S. Farram, eds, *Democratic Governance in Timor-Leste: Reconciling the Local and the National*, Charles Darwin University Press, Darwin, 2008, pp. 119–28.

13 See 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 M. Fisher and B. Schmelze, eds, *Berghof Handbook for Conflict Resolution Dialogue Series: No 8 Building Peace in the Absence of States*, Berghof Research Centre for Constructive Conflict Management, Berlin, 2009, pp. 15–35.

14 Interview *xefe suku*, Viqueque district, 27 September 2009.

15 ibid.

16 ibid.

17 ibid.

18 Such comments have also been noted in other studies, see for example D. Cummins, 'Democracy or democrazy?', and M.A. Brown and A. Gusmão 'Peacebuilding and political hybridity'.

19 Interview with senior resident, *suku* Bucoli, Baucau district, 30 September 2009.

Introduction of a modern democratic system and its impact on societies in East Timorese traditional culture

Abel Boavida dos Santos and Elda da Silva[1]

As a newly emerging nation, Timor-Leste is still in the process of seeking the most appropriate local governance system for its people. As part of this process and in accordance with their commitment to liberal democracy at all levels of governance, the East Timorese government created the institution of *konsellu suku* (*suku* council) to operate in the 442 *suku* (villages) of Timor-Leste. The *konsellu* is elected by the community and includes the *xefe suku* (*suku* chief), *xefe aldeia* (hamlet chiefs), one *katuas* (elder), two women's representatives and two youth representatives.

However, long before the introduction of *konsellu suku*, there were localised systems of authority that operated across Timor-Leste. The traditional local governing systems trace back to pre-colonial times, enduring through the various stages of Portuguese colonisation and Indonesian occupation, and they continue to operate in contemporary Timor-Leste. This makes a unique governing environment in which democratisation is now being pursued in East Timorese communities. Drawing on fieldwork that we conducted in twelve *suku* across the districts of Liquica, Ermera, Aileu and Oecusse, in this article we examine the impact of democratisation through the institution of *konsellu suku*, and the lessons that this holds for our understanding of democratisation and legitimacy in societies that operate according to customary modes of governance.

Setting the scene: the historical context

To understand local governance in contemporary East Timorese communities, it is important first to understand the governance history of Timor-Leste. According to Cardoso, before the arrival of the Portuguese colonisers, the island of Timor was politically divided into two large areas.[2] The eastern half, which approximately corresponded to the current territory of Republíca Democrática Timor-Leste, comprised forty-six different kingdoms and was under the control of the *Maromak Oan* (the 'Great Lord') in Wehali. The western half of the island, comprising sixteen kingdoms, was ruled by King Somba'i. The minor 'kingdoms' that were under the *Maromak Oan* and King Somba'i were ruled by the *liurai* (hereditary rulers, 'lord of the land') and *datu* (princedom governors who ruled below the *liurai*), and were often very small—with some of them approximately corresponding to the size of a contemporary sub-district. Within these smaller kingdoms were the *suku*, which exercised significant autonomous power over local matters. Each of the traditional authorities had important responsibilities, and each was part of a complex web of interrelationships mediated through the *uma lisan* (sacred houses).[3]

Throughout over 450 years of Portuguese presence in Timor-Leste, traditional governance structures continued to guide the lives of East Timorese communities, with the Portuguese recognising and co-opting these systems for their own colonial purposes. The Portuguese policy of indirect rule distorted the authority of the *liurai* through changing the balance of power within communities and removing various checks and balances on the *liurai's* rule. Nonetheless, the belief structures that underpinned the *liurai's* rule remained. During the twenty-four years of Indonesian occupation, the *suku* of Timor-Leste were highly militarised, with military force dominating all aspects of community life, including the militarisation of the local governance system.[4] The Indonesian government introduced many changes to the local governance system, replacing the *liurai* with local leaders that were either elected or appointed, depending on the military situation in that area. Nonetheless, even though the government at that time established and extended local governance structures to the rural areas, the people still relied on the traditional structures that had existed prior to the Indonesian invasion.

Both the Portuguese colonising and Indonesian occupying governments used various strategies to force people to obey systems designed to dominate and exploit them. Despite these efforts, traditional governance systems continued to exist in the rural areas, where the majority of the population live. The role of the *liurai* throughout this history has been ambivalent, as many gave support to the Portuguese government to suppress their people, and did not allow the people to participate in debate or discussion on how to establish a local government structure that benefited the local people.[5] Nonetheless, despite the fact that the *liurai's* rule was feudal and oriented towards benefiting the elites, the *liurai* and the *liurai's uma lisan* continue today to have an important place in traditional systems of governance.

Since Timor-Leste has achieved independence there is now an opportunity to consider how to build a system of governance that respects communities' ongoing attachment to traditional systems but which also secures maximum participation of the people. However, for a variety of reasons, there has been insufficient consultation with those in the rural areas on what local government structures will be of most benefit to them. The results of this research indicate a need for open discussion on these issues, with the aim of deepening the process of democratisation for the people of Timor-Leste.

Impacts of the introduction of a modern democratic system on rural communities

One of the key challenges for Timor-Leste is how best to introduce liberal democratic institutions so that they are reflective of, and responsive to, the reality of people's lives. This issue is integral to broader international debates on democratisation. According to Case, democracy can be understood either substantively or procedurally.[6] While substantive democracy is closely linked with social justice, involving issues of equality based on class, gender or other forms of identity, procedural democracy instead focuses on the participation of citizens in free and fair elections.[7] Both are important aspects of democracy as understood across the world; however, they do not always relate easily in practice.

Procedural democracy involves introducing and promoting a modern democratic system through formal institutional transfer, with particular focus on developing institutions that reflect various global interests in democratisation. Definitions of the procedural approach to democracy emphasise the importance of honest, open and impartial elections for change of government.[8] According to Lipset's understanding, procedural democracy is a mechanism that offers an opportunity to the majority of people to influence the decision-making process at the highest level through periodically choosing their representatives.[9] Procedural definitions of democracy have the important strength of measurability, for instance the frequency of elections, or the number of voters or votes cast. However, a weakness in this approach is that the role of the people is not clearly defined beyond their participation in electoral procedures. By contrast, a substantive approach to democracy shifts attention to the results that ideally emerge from democratic institutions, for example Bollen's definition of democracy as a means to minimise or limit the political power of elites and to maximise the interests of non-elites.[10] In focusing more on results than procedure, substantive definitions emphasise that the political process must work for the people as a whole, rather than a small group of elites who hold decision-making power.

Perhaps because of its measurability and the consequent favour it has attracted in the international community, the process of democratisation in Timor-Leste has focused more on the procedural approach, in particular on the electoral process. However, while there has been strong participation in elections thus far, our research indicates that many people believe that the processes of state-building and democratisation are failing to respond to their needs. In contrast to the procedural approach taken, an emphasis on substantive democracy would suggest that state formation must start with a consideration of East Timorese history and socio-cultural identity, in order to better reflect the culture of East Timorese societies. In terms of how democracy is implemented in communities, these two approaches involve fundamentally different activities.[11]

Nonetheless, the introduction of an electoral system has had a clear impact on local governance. According to many communities and our own observations, in many places the new democratic electoral system has transformed local traditional institutions, and in particular has modified the role of the *liurai*, which previously was considered sacred and unchangeable. Concurrent with limiting the authority of the *liurai*, the new system has opened up positions of local authority to sectors of the community who were previously unable to take up the post. In the past, only a small group of elites was empowered through the *liurai* system to make decisions. By contrast, the new system is based on the idea of majority rule, opening up the possibility for people to make decisions collectively, and in principle enabling people to become owners in the processes and results of local governance. This ideally will work to encourage people's self-confidence to voice their rights for transformation of their communities, and will provide greater opportunity for the people to organise themselves to meet their daily needs and to criticise their leaders' decision if it does not benefit them. While we are only just beginning to see the results of the change in the system, it has given birth to the formation of new local elite groups that now include educated people and political leaders, rather than preserving local leadership only for the *liurai*, landlords and the wealthy. In addition, the new system has transformed the possibility for women to exercise leadership in their communities.[12]

These changes are having a direct influence on communities' ideas of legitimacy regarding local leadership. When we consider the changes that have occurred since the introduction of *suku* elections, it appears likely that as education and access to technology continues to advance in the rural areas, the system that places the *liurai* at the centre of decision-making will slowly decrease and the modern system will become stronger. While in the past the *liurai* had singular power and privilege, already in many *suku* their role is limited to functions that are more ceremonial. Nevertheless, as discussed later in this article, the relationship between leadership and authority—through custom and through election—is complex and variable across *suku*.[13] Our research also indicates that the introduction of the democratic system can create high social tensions, which can have both vertical and horizontal elements.[14] As communities are responding to new external influences, people who used to live together peacefully in the past are sometimes now separated and grouped according to their political parties, which can have a divisive impact on communities. It appears likely that as the new system progresses, it will help to limit the mystification of power through which traditional authorities gain their legitimacy—however, what emerges in its place is highly dependent on how democratisation is pursued in Timor-Leste.

Community responses to the introduction of the democratic system

Community responses to the introduction of elections in the *suku* we studied can be grouped around four major themes. First, an issue that was repeatedly raised by members of the villages was that the focus for nation-building needed to be on meeting people's basic needs and responding to their priorities, rather than on the formal mechanisms of democracy. Second, there were concerns in some *suku* about the potential of political parties to create or exacerbate conflict in communities. A third theme was the different ways in which communities have creatively incorporated the new democratic system into their pre-existing systems of community governance, to create various forms of hybrid local governance. The final theme considers what the coexistence of democracy and *lisan* means for communities—and for Timor-Leste more generally—when considering issues of legitimacy according to liberal democracy and according to *lisan*.

The new suku *electoral system is neither important nor a priority*

Across the *suku* in which we conducted research, the majority of research participants stated that although there was an election for the *konsellu suku* and *xefe suku* in 2004 or 2005, and they recognised these as successful, the introduction of democracy at the local level has not made a significant impact on people's lives. Many people stated that in the early days of independence, rather than prioritise the introduction of a modern democratic electoral system for local leadership, the government should have prioritised the existing social crisis that followed the violence in 1999, with hunger, poverty, lack of access to clean water, health and the availability of farming land requiring immediate attention. As they explained it, the system is less important than the people who implement it—and their priority was on getting a commitment from community leaders to find a better solution for their people. As an elder from *suku* Maubara Lisa within the Liquica district argued:

> A *xefe suku* being elected by people is better than being directly appointed by the *liurai* as happened in the past. But either appointed or elected, both will not give significant changes to people's lives if they don't work for the interests of the people. We have seen many *xefe suku*, they keep changing but people still suffer from poverty. The system has changed from direct appointment by the *liurai* to elections, but still they cannot resolve problems that the community is facing. Is it the system or the people who implement the system? For me, it is not the system but the people who implement the system, who must have high dedication and commitment to work for the people.[15]

Throughout our fieldwork, we heard comments such as these repeated many times. While people did not question the introduction of the modern democratic system, they were frequently more concerned about issues of government responsiveness to their basic needs. Clean water, education, health and, in particular, access to land were reported as ongoing needs.[16] In the absence of state or other support, in parts of Ermera various community leaders have come together by establishing a union, *Uniao Agricultores Ermera* (UNAER). This has become a base from which to mobilise their activities to demand access to agricultural land and to respond better to their community needs. UNAER, however, also draws on local tradition and custom to motivate, strengthen and legitimate their work, and they receive strong support from the community *lia-na'in* in their activities.

We spoke with a *xefe suku* within the Ermera district who was one of those who actively organised community members to fight for land reform. He argued that the new electoral system is good, but the most important issue within the area has to do with people's access to land. As he put it, 'I was elected as *xefe suku* because I have had commitment to fight together with community members to get access to land. It is no good being independent but people do not have access to land'.[17] Endorsing this view, a senior resident in Maubara Lisa stated that 'whoever is elected as *xefe suku* here, he must fight together with us to get access to land'.[18] Comments such as these highlight a gap between the formal process of democratisation in Timor-Leste, and the reality of people's lives. What appears to be at issue is that the procedural approach to democratisation is seen to have prioritised institutions such as electoral systems over the fundamental realities of people's lives, and has therefore failed to address the gap between the decision-makers in government and the needs of rural communities.

Concerns regarding political parties

According to the majority of research respondents, the introduction of the modern democratic system—and particularly the introduction of political parties—has not contributed to strengthening communal solidarity, collectivism and peace, all of which are important cultural principles enshrined in *lisan*. By contrast, respondents suggested that the new democratic system creates individualism and divisionism, which run against the needs of a subsistence-based, agricultural community. Their rejection of political parties in local elections did not represent a disagreement with democratic principles in themselves, however. Across a number of *suku*, the majority of research respondents clearly preferred the use of independent candidates so that people could choose the most appropriate and qualified candidate to be their *suku* chief. As they saw it, a *xefe suku* who is independent of political parties is more likely to work directly to improve people's lives, as he is not beholden to his party. The experience of political parties in these *suku* has not been positive, with a number of people accusing party officials from outside the community of having lied to them or not followed through with promises. As a result, a *xefe suku* within the Aileu district noted that people in his community were losing enthusiasm for the democratic process.[19] The preference for an independent candidate was made very clearly by a *xefe suku* within the Liquica district:

> I disagree with the involvement of political parties in *xefe suku* election. Political parties should exist in urban areas only but not in rural areas because they can separate us in the rural areas. During the campaign, people are separated according to their political parties; this is dangerous because history has shown that the mentality of people on different [political] ideas is still low. This may lead to violent social conflict within the community members. For example, my deputy and I: we are from different parties and do not cooperate well. When I convene meetings to discuss development within the community, he and others many times did not show up.

> We should serve the people not political parties. If we serve the political parties then it is a big mistake.[20]

While the primary reason for rejection of political parties concerned the divisive impact that they can have, there was also a second interesting point raised in a different *suku* within the Liquica district. In this *suku*, the *liurai* were historically very powerful and the people have no desire to return to their rule. However, in the new system of governance political parties now represent a powerful avenue through which local elites can promote their own interests. Some community members were concerned that the *liurai* of the area could use their economic power to regain political power, in particular through the mobilisation of political parties. These concerns raise a very interesting point regarding the procedural approach to democratisation as it has been implemented in Timor-Leste. While it is commonly presumed that the introduction of liberal democratic institutions, including political parties, would work against the power the *liurai* and promote equality of citizenship, the power that is posed by access to wealth can create new forms of patronage and dependency and serve to promote old elites under new guises.

Another very important theme that emerges when discussing the issue of political parties in Timor-Leste revolves around past violence and trauma. Beginning with the civil war in 1975, the history of political parties in Timor-Leste has been a traumatic one. As with other countries that have introduced democratic processes following a period of conflict, competition between political parties has posed a direct threat to post-conflict reconstruction[21], and party politics continues to be identified as one of the most important sources of conflict and potential conflict in Timor-Leste.[22] Recent incidents of party-political violence have deepened fracture lines within East Timorese communities and added to the traumas of the past. Because of this history, many people are fundamentally against the involvement of political parties in the election process, particularly at the local level.

The impact of trauma was clearly evident during an interview with a *lia-na'in* in the Liquica district. During the interview, we noted that he seemed afraid to answer some of our questions. When asked about his opinion on the *suku* election and various political activities within his village, he answered:

> 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 and enjoy my last days on the Earth. I don't have a party, and if I do have, it is similar with yours. Please do not talk about political parties in this place, I don't feel safe.[23]

The violent social conflict caused by political parties in the past, together with the potential for party politics to lead to violence in the future, has led many people to argue against party-political affiliation for *xefe suku* and *konsellu suku*.

However, the *xefe suku* of a third *suku* we visited within Liquica has a different view on the influence of political parties. While he recognises the high social tension in his village due to different political backgrounds, which was particularly a problem during the 2006 crisis, he supports the involvement of political parties in the *xefe suku* election. Although he concurred that elected members of *konsellu suku* often did not work effectively if they came from different political parties, he argued that this is due to a lack of genuine political consciousness. In addition, he stated, the political parties often did not communicate effectively with their membership between elections, or give information regarding their policies to the people in the communities. As he explained:

> It is true that many people are still traumatised by the involvement of political parties, but if we talk about and accept democracy then it must cover the roles and function of political parties within the societies as well. One of the many roles of political parties is to provide political education to its members or followers. This role is still not working well yet in the community. Political parties come to see their members whenever there is an election or when the election date is coming closer. This process quits once the election is already done. They lose contact with their members after that.[24]

By this analysis, political parties should be encouraged to provide better information to their members, allowing a constructive dialogue to take place between political parties at the local level. In his view, this requires better civic education on the different policy platforms of competing political parties, in order to raise the consciousness of the people to live with competing political ideas. As he goes on to explain, people must live together despite their different political backgrounds:

> Different ideas [and] political parties are normal to democracy. Democracy cannot exist if we all have the same opinion. Democracy guarantees freedom. Everybody should have freedom in mind or thought, freedom of speech and freedom of choice. We must realise that different ideas must exist; without it, it is not democracy.[25]

However, currently attitudes such as these appear more aspirational than reflecting the reality of local politics. The present lack of civic education, together with the conflation of democracy with party politics and the electoral system, appears to have created a great deal of confusion at the local level where people are unable to disentangle political violence from party politics in their village. Only a few research respondents, however, thought that the party-political violence of the past was due to a lack of understanding of democratic principles. Most laid the blame squarely on political parties.

Since independence, the speed with which competitive electoral processes have been introduced into Timor-Leste appears to have resulted in a type of 'social shock' in the *suku*. While people have embraced democracy, the competition of political parties is in direct opposition to the imposition of uniformity during Indonesian times and the emphasis on consensus that exists according to *lisan*. Unfortunately, the process of democratisation has not taken this into account and the counter-response of the people has sometimes been expressed through violent acts and conflict. It is clear that the democratisation process needs more time in areas where uniformity and consensus have existed for a long time.

Introduction of the new, continuation of the old

While *konsellu suku* elections have been operating since 2004–05, across the *suku* of Timor-Leste communities continue to govern themselves according to the requirements of *lisan*. This is in part a reflection of the fact that democracy is still new, but also demonstrates the strength of traditional governance practices in these communities and the fundamental importance *lisan* holds in many people's lives. In many of the communities in which we conducted research, respondents stated that while they welcomed the new democratic system, they were also concerned that it could potentially threaten the existence of their traditional culture. What they wanted for their communities is that both systems grow together. As a senior resident in *suku* Lihu, Ermera district, explained:

> Culture is our identity, therefore we cannot destroy all the values that already exist and that guide our lives. Our lives have a strong relation with these cultural values. We should not immediately introduce a new system to the community because the people might be shocked by it [the change] and this may bring negative impact to the people. Any new system introduced must be in accordance with the local system, to avoid collision between the two systems, which may lead to violent conflict within the societies.[26]

In almost all of the *suku* in which we conducted research, we heard similar comments. To avoid collision between the two systems, communities are coming up with creative ways of incorporating both at the same time.

In *suku* Kosta, within the district of Oecusse, the community puts much weight on the traditional *liurai* system. Three traditional organs of governance continue to operate: the *Naijuf*, who is the 'king' or local *liurai*, and who acts as the executive organ; the *Tobe*, who is responsible for establishing *tarabandu* for agriculture-related purposes; and finally the role of *Meo*, who provides security for the land. According to an elder resident from *suku* Kosta, this system of traditional leadership continues to operate because it is important to the people. As he put it:

> Tradition is like a strong root, it is a natural intelligence that has existed since long time ago such as traditional sacred house, sacred rock and sacred water. These three components strengthen our lives. Therefore whoever is elected to lead must respect the traditional culture so that people can live peacefully.[27]

According to this resident of *suku* Kosta, the elected *xefe suku* must be a descendent of the *Naijuf*. [28] Those descended from *Tobe* and *Meo* may also put themselves forward as a candidate for the position of *xefe suku*, however they must first ask permission from the *Naijuf*, otherwise they may get sick. When asking permission from the *Naijuf*, the *xefe suku* candidates must bring with them a cow, a pig, a piece of bronze and speak the ritual words, 'I don't take over your right, but in your name I serve the community'. This traditional system continues to command great legitimacy within the community, and there is a very real fear as to what will happen if the traditional system is lost. As the elder quoted above explained:

> In the past we had a cultural structure which operated as a local governance system, we trust more in our custom and culture than in democracy which has come from outside [the community]. There are negative impacts from modern democracy, as now people no longer obey the *liurai's* orders; in the past, people were afraid to fight each other, but now they are not afraid to fight—for example in 2006, when people fought and killed other people.[29]

A youth representative also stressed the importance of the traditional system of leadership for the Kosta community as a whole, and the significance it has for maintaining communal cohesion. As he argued, 'because of them [*Naijuf*, *Tobe* and *Meo*], there is no theft and people really respect this tradition. Therefore, government must respect any traditional system prior to introducing any new system'.[30] As he saw it, the roles of the other elected *konsellu suku* members are limited because the government has not involved them directly as representatives of the people in the community. As a result, they are not needed in the day-to-day business of the community and tend to only be required when outsiders such as representatives from the central government or non-government organisations visit their *suku*.

In *suku* Maubara Lisa, Liquica, there is a similar system of authorisation for elected *xefe suku*, even though the structure of *liurai* rule is no longer as clearly defined as in *suku* Kosta. Because of a change during Indonesian times, non-*liurai* descent people can now become leaders of the *suku*, for instance as *xefe*, as long as they first seek permission and consecration through the *liurai's uma lisan*. Through a ceremonial blessing the candidate *xefe suku* states that he will serve as a representative of the *liurai*, on whose behalf he will perform his work, but will not take over the *liurai's* position. By contrast, the people from *suku* Lihu in Ermera have developed a different way of incorporating the new electoral system into their community. Here the *lia-na'in* take a very active lobbying role prior to election for members of the *konsellu suku*, and it is they who decide the *xefe suku*. As a community member explained:

> Sometimes we think that the old system has already disappeared but in reality it has not, it still exists. In this *suku* we have many candidates for the *xefe suku* but the *lia-na'in* will decide who should sit as the *xefe suku*. Whenever and whoever the *lia-na'in* decide to be the *xefe suku*, he will be elected in the election. People still trust in the words of the *lia-na'in*. People in this *suku* want the old system

> to remain. It is well known that the *xefe suku* always comes from *liurai* descent and the male clan. Before an election for the *xefe suku* takes place, usually the *lia-na'in* call and meet the ongoing or active *xefe suku*. During the meeting, the *lia-na'in* ask the *xefe suku* if he still wants to continue being the *xefe suku* or to retire. If the *xefe suku* says that he wants to retire, then he must secretly appoint someone to become his successor. He will tell the name of his candidate to the *lia-na'in*. Following this, the *lia-na'in* will call a secret meeting with all *xefe aldeia* within the *suku*, informing the name of the candidate suggested by the *xefe suku*. The *xefe aldeia* will then do a door-to-door campaign to community members, influencing them to vote for the proposed candidate. The proposed candidate normally is elected as the new *xefe suku*.[31]

The people developed this method during Indonesian times, and describe it as 'wrapping up' the old system in the new one. Because of the strength of this practice, even though the people actively participate in elections, it is still the *lia-na'in* who effectively decide their *xefe suku*. Community members explained that they must listen to the words of the *lia-na'in* because culturally the *lia-na'in* are responsible for looking after their *uma lisan*: if they go against the words of the *lia-na'in*, they are going against the traditional system and they may suffer or be cursed. Across almost all of the *suku* in which we conducted fieldwork, research respondents stated that even though the old monarchical system of the *liurai* did not provide a full opportunity to people to express their opinions, it had been with the people for a long time and was closely interwoven with their traditional values. Nonetheless, there was also a strong commitment to using the new system to elect their leaders, as it gives a greater opportunity to vote in new leaders based on their capability to lead, rather than hereditary relations.

Democratisation is an ongoing process, and there are many lessons to be learnt from examining how it has been implemented in East Timorese *suku*. The approach taken in Timor-Leste has been mainly a formal, procedural approach. However, when we examine the various ways in which communities have responded to the introduction of *konsellu suku*, a major lesson to be learnt is that responsible authorities need to first prepare the conditions for the democratic system to be introduced into communities, in order to avoid a clash with the forms of governance that already exist. Many people, particularly in the rural areas, value the traditional system, as they believe it unites them and makes them respectful of each other. This situation indicates a need to take a more nuanced approach to democratisation in East Timorese *suku*.

Legitimacy of leaders

The issues that are faced by communities as they negotiate the dual requirements of *lisan* and democracy raise the question of the different types of legitimacy that exist in East Timorese communities. According to Weber, three different types of legitimacy exist in most societies.[32] First, there is traditional legitimacy, which comes from beliefs and traditions that exist within a society. Second, there is charismatic legitimacy, which comes when a specific individual is given the power to govern because that individual has special characteristics, and the people therefore respect and trust them to exercise good leadership. Third, there is legal-rational legitimacy, based on ideas of normative rule and rational principles, through which individuals are elected to represent the people through a formal process of election. While Weber provides a useful framework through which to understand legitimacy, these three types of legitimacy should be understood as ideals; in practice, they will often work together in various ways. As has also been recognised in other studies[33], individual leaders often draw on various combinations of these different types of legitimacy and the authority that they gain to rule is never absolute.

While legal-rational legitimacy is understood to provide the motivation for implementation of the modern state-based system[34], the question remains how to understand democratisation in communities where other forms of legitimacy based on beliefs and tradition continue to be strong. As mentioned above, to fulfil the dual requirements of *lisan* and democracy, many communities have responded by electing *xefe suku* who are also of *liurai* descent, and therefore are able to claim both legal-rational legitimacy and traditional legitimacy. However, in other places there are elected *xefe suku* who are not of *liurai* descent, and who hence can only claim legal-rational legitimacy. For example in some of the *suku* visited it was explained that during *tarabandu* (ruling through prohibition) ceremonies while it is normally the *xefe suku* who leads the proceedings, he does not have the legitimacy or cultural power to issue a forbiddance order unless he is also of *liurai* descent.[35] This has tended to make governance in these *suku* a difficult proposition.[36]

In addition, many communities have implemented a separation of powers whereby the traditional system has legitimacy for culture-related matters, while the new system is used to deal with matters of government or administration. For example, a senior resident in *suku* Ponilala, Ermera district, described explaining to his people that the *liurai* or *lia-na'in* can deal with issues of culture, but if an issue relates to government, for example if people are involved in land disputes, then it is the *xefe suku* who has the authority to resolve the problem.[37] However, as land is of central importance in both customary and formal systems, making a clear division between the two systems is not as easy as it may appear. In *lisan*, everything is integrated and traditional governance operates through a mystification of spiritual sanctions that entwines governance and culture. By contrast, according to modern political theory, government is considered to be 'rational' and separate to culture. In reality, it is often not clear in community situations what belongs to 'culture' and what to 'government', as both involve important aspects of community governance. Despite efforts undertaken by rural communities to define which issues belong to which governance systems, many aspects of local governance are mixed and lack clear definition or separation.

These complicating factors are also evident in local dispute resolution processes, whereby many people across *suku* in Timor-Leste still bring their cases to *lia-na'in* for cultural resolution. In a number of *suku* nearly all of the research respondents stated that they preferred that their *lia-na'in* resolve culture-related matters. However, the definition of which disputes should be resolved through the state-based system and which through the traditional system is often not clear. This is of particular concern in cases of domestic violence, which is one of the weaknesses of using *lisan* for dispute resolution in communities. The traditional system tends to view domestic violence cases as 'small' matters to be resolved culturally, which further compounds the victimisation of these women. A number of *xefe suku* stated that if a conflict arose, they would first call the *lia-na'in* to resolve it and only later may forward the case to police. Disentangling different ideas of legitimacy and dealing with this situation in communities poses a real challenge for communities and for the government.

Conclusion

In many newly independent countries, the indicators of democratisation processes are based more on formal procedure than on the substance of democracy itself. This has been the experience in Timor-Leste, where the government has busied itself with building political institutions, introducing electoral processes and promoting political parties, but has neglected the substantive issues regarding how people are to engage actively in decision-making processes. While the constitutional state is established and run by formal rules and gains legal-rational legitimacy from the people, this does not mean that the formal, procedural approach to democratisation can be easily implemented in the whole of the country as the traditional system still exists and functions well in some areas. In these places, legitimacy arises from the belief systems of the community, which act to strengthen and enforce the functioning of the traditional system. Sometimes this can result in a clash of cultures, which works directly against the aims of the modern system—illustrated, for example, in situations of domestic violence.

Although the government has introduced the modern democratic system, the new system does not yet function well because it does not respond to the needs of the people as a whole. By contrast, because people still see the traditional system as responsive to their needs, it retains a strong presence in rural communities that believe it better able to facilitate their lives. Because of the strength of traditional governance, elected local leaders sometimes cannot work well and face difficulties in maintaining and using their authority if they fail to follow the rules of the traditional system. It is important, therefore, that the government try to establish good mechanisms on how to incorporate the traditional system into the modern system, so that in the end the systems can help facilitate transformation within the *suku*—effectively capitalising on the strength of the old system in responding to the needs of the people. Across the *suku* in which we conducted research, cultural values continue to be central to people's lives. As such, 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.

Endnotes

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2 F.G. Cardoso, 'Governasaun lokal Timor-Leste: espetativa, realidade no desafius', seminar paper, Hotel Timor, Dili, UN Day, 24 October 2003.

3 ibid.

4 A. McWilliam, 'Houses of resistance in East Timor: structuring sociality in the new nation', *Anthropological Forum*, vol. 15, no. 1, 2005, pp. 27–44.

5 See also M. Tilman, this volume, for discussion of the *liurai*.

6 W. Case, *Politics in Southeast Asia: Democracy or Less*, Curzon Press, Richmond Surry, 2002.

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9 S.M. Lipset, *Political Man: Social Bases of Politics*, Anchor, New York, 1963, cited by D.Y. King, 'Membandingkan pengalaman demokrasi negara-negara maju dan kurang maju: seberapa relevan bagi Timor-Lorosae baru?', seminar paper presentation, Dili.

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11 M.A. Brown, 'Security, development and the nation-building agenda—East Timor', *Conflict, Security & Development*, vol. 9, no. 2, 2009, pp. 141–64.

12 For example, 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; also see L. Woon, this volume.

13 See also M. Tilman, this volume.

14 For elaboration see A. Gusmão, this volume.

15 An elder speaking during a focus group discussion, *suku* Maubara Lisa, Liquica district, 8 August 2009.

16 Focus group discussion, *suku* Maubara Lisa, Liquica district, 8 August 2009.

17 Interview with *xefe suku*, Ermera district, 21 November 2009.

18 A senior resident speaking during a focus-group discussion, *suku* Maubara Lisa, Liquica district, 8 August 2009.

19 Interview with *xefe suku*, Aileu district, 29 September 2009.

20 Interview *xefe suku*, Liquica district, 28 July 2009. The new electoral regulaltions, progressively introduced from November 2009 onwards, now require all members of the council to be from the one 'ticket'.

21 See, for example, E.D. Mansfield and J. Snyder, 'Democratisation and the danger of war', *International Security*, vol. 20, no. 1, 1995, pp. 5–38.

22 D. Shoesmith, 'Country report—East Timor', *Countries at the Crossroads 2010*, Freedom House, 2010.

23 Interview with *lia-na'in*, Liquica district, 17 July 2009.

24 Interview with senior resident, *suku* Dato, Liquica district, 15 September 2009.

25 ibid.

26 Interview with senior resident, *suku* Lihu, Ermera district, 21 November 2009.

27 Interview with elder, *suku* Kosta, Oecusse district, 8 December 2010.

28 ibid.

29 ibid.

30 Interview with youth representative, *suku* Kosta, Oecusse district, 8 December 2010.

31 Interveiw with senior resident, *suku* Lihu, Ermera district, 21 November 2009.

32 M. Weber, in H.H. Gerth and C. Wright Mills, eds and trans, *From Max Weber: Essays in Sociology*, Routledge, London, 1991.

33 See, for example, 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.

34 F.M. Suseno, *Etika Politik: Prinsip-prinsip Moral Dasar Kenegaraan Moder*, Gramedia, Jakarta, 1991, pp. 58–9.

35 *Tarabandu* is an important part of traditional governance. Any entity involved in or who engages with the *tarabandu* activity must follow and obey the requirements and prohibitions accordingly. The people use *tarabandu* to resolve many of their problems, with the exception of criminal cases such as murder. *Tarabandu* regulates the relationship between different people, and between people and animals or the environment, including water and plantations.

36 Also see D. Cummins and M. Leach, 'On democracy old and new'.

37 Interview with senior resident, *suku* Ponilala, Ermera district, 21 November 2009.

Dynamics of democracy at the *suku* level

Martinho Pereira and Maria Madalena Lete Koten[1]

Introduction

From the first national elections in 2002 and first local *suku* (village) elections over 2004–05, the East Timorese people have repeatedly and enthusiastically exercised their right to choose their representatives through direct, secret ballot. The commitment of the East Timorese state to democracy has also been demonstrated through formal steps to safeguard fundamental political and civil freedoms. However, there have also been many challenges in the first decade of independence which have had a negative impact on community life. Violent conflict between members of different political parties has weakened harmony among the people and threatened post-conflict reconstruction.[2] In order to limit these negative impacts and to implement democracy in a manner that will positively contribute to people's lives, we need to understand what impact elections have had on development and community cohesion in the *suku*, and to incorporate this knowledge into our state-building processes.

The East Timorese have now conducted elections for *suku* leaders for two terms.[3] This article focuses on the impact of the 2004–05 elections but its findings are more broadly applicable. Drawing on fieldwork conducted in 2009, this article examines community members' experiences of, and hopes for, democratisation at the *suku* level through the electoral process. The authors collected data in eight *suku* across two districts, Manatuto and Bobonaro, as well as in a *suku* within the district of Dili. These *suku* represent a broad cross-section of communities; geographically, they are a mixture of rural, peri-urban and urban sites, and culturally they represent a spectrum of communities with some significantly urbanised while others still live in ways tied closely to their ancestors. In this article, we identify the impact of the democratic process at the local level, considering possible methods to reduce the negative impacts of *suku* elections and alternative methods and mechanisms that may act as routes for a successful democracy. Drawing on our fieldwork, we argue that in order to minimise violent political conflict a hybrid system of democratisation should be embraced at the local level. This would include the formal electoral system but also allow communities to reinforce this system through traditional methods.[4]

Introduction of elections for community leaders

Strengthening participatory democracy at the *suku* level is fundamental to national democratisation processes, as without this the political process will only reflect the rhetoric of the political elite and the participatory spirit of democracy will be lost. Considering the importance of participation at every level, the role of the *konsellu suku* (village council) in conducting local-level politics and facilitating communities' participation in *suku* development processes is fundamental to the practice of democracy. The practice of local democracy exists to promote people's participation in social and political processes, and keeps decision-making close to the people. However, this can only occur if it takes into account the diversity of linguistic, social, cultural and economic conditions of different East Timorese communities. Because cultural traditions are so diverse across Timor-Leste[5], the process of democratisation must also reflect this diversity and provide space for people to participate in ways that make sense to them.

In the context of Timor-Leste's democratic life today, within *suku* the elected *xefe suku* (village chief) is the spokesman for guiding community development and resolving conflicts in people's lives. However, as discussed by Tilman, communities often have their own pre-existing and varied traditional governance mechanisms.[6] These traditional mechanisms comprise an essential part of local governance and have considerable economic and political significance in people's lives.[7] In such a governance environment, the local electoral system is a part of building democracy at the *suku* level, but it is not the only consideration.

There were a number of objectives that the elected *konsellu suku* were intended to fulfil. The first was to promote people's participation in local social and political processes. Ideally, the establishment of elections for local leaders transforms the relationship between community leaders and their constituents from *authority over* the community, to *representative of* the community. A second important objective was to promote political freedom at the *suku* level. It should not be forgotten that the opportunity to freely elect their representatives is a new phenomenon for most East Timorese who were denied many political freedoms and were unable to choose their leaders during Portuguese colonisation and Indonesian occupation. In some ways, local elections may be a more potent symbol of democracy for communities than are national elections, as they involve candidates that people personally know, and are hence a less abstract concept. A third objective was to encourage citizens to manage conflicting opinions and visions for the future in line with liberal democratic principles, channelled through participation in political party competition and elections.

In general, the party-political violence that has been experienced in local communities has been a result of divisions between national political elites being driven down to the local level.[8] While there has been some conflict between members of political parties during national elections, and party competition has in some areas affected the solidarity of communities (as discussed later) the 2004–05 *konsellu suku* elections show that East Timorese people's implementation of a multi-party political system at the community level has been largely positive. As explained by a senior resident of *suku* Lahomea in Bobanaro district, this positive experience has also translated in some communities into the acceptance of different political parties working together in the *konsellu suku* following the election:

> In our entire [*konsellu suku*] structure in this *suku* most people are from FRETILIN. Even though we are from different parties we don't have any problem in doing our work. We always work together. During the election there was indeed competition between political parties, however after the election the political parties put it behind them and prioritised their work for all the people throughout the *suku*.[9]

This was a common theme in our fieldwork for this project; in some districts there were strong indications of people's enthusiasm for multi-party democracy. In some *suku*, too, there was a high level of political consciousness regarding electoral processes, such as in *suku* Malilait in Bobonaro, *suku* Lahomea in Maliana and *suku* Haturalan in Laleia. These factors bode well for state-building and democratisation in Timor-Leste.

At the same time, however, the situation varied significantly from one *suku* to the next. It was clear that in some *suku* the solidarity of *konsellu suku* in working for their community did not appear to be strong, and some *konsellu suku* members claimed that those who were not in the dominant party were habitually sidelined, or gave examples where resources were distributed according to family affiliations.[10] Such issues can be put down to a number of factors. First, East Timorese communities are still adapting to the requirements of liberal democracy. And second, in a number of communities, the people combine the local electoral system with their traditional system of leadership and governance in order to strengthen effective leadership within the *suku*. Such hybrid systems of governance are often necessary for effective democratisation in the *suku*, however (as elaborated later in the article) they also make for a more complicated local governance environment.

Another important objective and change has been the impact of *konsellu suku* elections on women's involvement in the political process. In both 2004–05 elections and 2009 elections, many women nominated themselves as candidates in the election and some were elected as community leaders. Historically in Timor-Leste, it has been very difficult for a woman to become a leader, due to a number of factors including influences from a patriarchal culture. As a result, the institutional structure of *konsellu suku* has provided four reserved seats: two for women's representatives, and two for youth representatives (one man, one woman). This provision ensures that there are at least three women on every *konsellu suku*. However, as has been noted by Cummins, there is still work to be done in transforming this descriptive representation into something more substantive.[11]

Advantages of elections for community leaders: positive effects

The 2004–05 *konsellu suku* elections were characterised by high rates of participation, suggesting strong community support for the electoral process. Having recently released themselves from authoritarian colonial power, the community leader elections allow an expression of individual pride and freedom, and have transformed the relationship between community members and local authority figures. During both Portuguese and Indonesian rule, community leadership positions were primarily accountable to the governing forces and interests; they were not considered to be accountable to the community, or representative of the community's interests and needs. Nevertheless, there were local leaders who protected their community, and those leaders who governed well during Portuguese and/or Indonesian times have retained the people's trust and loyalty since independence.

Political parties have also been accepted by many as appropriate vehicles for expressing and putting forward political ideas. We observed that there are families in which different family members belong to different political parties, but continue to live together. The *konsellu suku* can also be made up of people from a range of political parties. Our fieldwork suggests that there are many such cases where this works well, although it is also true that in some places the *konsellu suku* have found themselves unable to work together because of party-political difference, as discussed later and in other articles in this journal. The fact that there are some instances where families with multiple political parties can live together, and *konsellu suku* that can work together, suggests a growing capacity of East Timorese communities to live and work with political difference.

Elections for community leaders: negative effects

While the process of democratisation has revealed many advantages for communities, there have also been aspects that have had a negative impact on communities, although impacts have varied significantly from one *suku* to the next. The disadvantages can be identified as: the authority of the elected *suku* leader is diminished; there is a reduced level of community co-operation and participation in development projects in the *suku*; and the level of harmony within the community appears to be diminishing. For each of these disadvantages we will consider the underlying reasons as presented below.

Diminished legitimacy and authority of suku *leaders*

Legal formal legitimacy for community leaders comes from the democratic electoral process. However, in order for this legitimacy to be significant and actually carry authority within the governing process, it must stand together with the other two types of legitimacy identified by sociologist Max Weber, that is, the social-cultural legitimacy found in community's cultural life, and personal legitimacy, based on the capacities, reputation and history of the individual.[12]

Selection of leaders by election—particularly involving different parties and independents—represents a significant departure from traditional methods, which continue to be important in many *suku*, wherein the *liurai* ('lord of the land') and other authority figures gain their positions through inheritance. The authority of the *liurai* is closely entwined with the system of *uma lisan* (sacred houses) that continues to be important throughout the communities of Timor-Leste.[13] In many *suku*, it continues to be the case that elected local leaders come from the *liurai's uma lisan*.[14] However, in other *suku*, new community leaders have been chosen who are not of *liurai* descent. As has also been noted in other studies[15], this has meant that in a number of *suku* local leaders without *liurai* heritage have had difficulty maintaining their authority in carrying out their daily activities. This dynamic was clearly seen in *suku* Umakaduak in the district of Manatuto and *suku* Batugade in Bobonaro district. In the former, the *xefe suku* does not come from the *liurai's uma lisan*, and in the latter the *xefe suku* has married into the area and therefore cannot claim traditional authority. It was explained that the *xefe's* authority was at times not taken seriously by the community because they were not from the *liurai* clan. This is in stark contrast to other places, such as nearby *suku* Waturalan (Manatuto) and Malilait (Bobanaro), where the elected leaders come from the *liurai* clan and have therefore received a strong sense of trust from the community.

Such experiences indicate that in many cases local leaders need to draw on a combination of state-based (elected) authority and traditional authority in order to maintain their position in the *suku*. In many *suku*, without roots in social-cultural standing and personal capacity, legal formal legitimacy would be just floating around, like a car whose engine is running but which has no wheels or steering. This reflects the transitional nature of East Timorese communities, as they adapt to the new liberal democratic processes of the East Timorese state, and also indicates the need to take seriously the hybrid nature of local politics in Timor-Leste as it impacts on daily governance in the *suku*.

Co-operation and participation in community service work in the suku

Another major concern identified during fieldwork relates to levels of co-operation and participation in community work. Contrary to hopes that democratisation would contribute to greater involvement in community development, a common theme that was raised during our interviews and focus group discussions was that, on the whole, community participation in development activities remains fairly low. Many programs and decisions made by leaders from political parties are seen as being in the interests of the political party which in turn diminishes overall participation in those programs. Even where people consider that certain decisions have been made in the interests of the general community, these situations can become politicised, and individuals from an opposing political party may refuse to co-operate or participate. The freedom of every person to participate in a political party according to their own desires has impacted on co-operation and participation in community activities, both in terms of the leaders and among community members.

Such concerns were raised in several of the *suku* we visited, including *suku* Ailili, Kairui and Umakaduak in Manatuto district, and *suku* Lahome, Holsa and Batugade in Bobonaro district. In *suku* Alili, for example, some individuals refused to respect rules that the *konsellu suku* established regarding the maintenance of animals, because they refused to accept the authority of people from parties that they did not support. A senior resident recounted a case where the *konsellu suku* had established rules in the area, including for governing the management of animals.[16] A wandering pig was later captured in the village centre and the owner was fined. But the owner refused to accept the authority of the *konsellu suku*, which was dominated by a party he did not support, and he would not pay the fine.

Diminished sense of harmony within communities

Closely related to the issue of co-operation and participation in the *suku*, a third concern frequently expressed during fieldwork was a rising level of social disharmony. Individuals struggling against each other for political positions can at times have a negative impact on community harmony. This is of particular concern given East Timorese culture and traditional governance where emphasis is laid on maintaining and restoring community cohesion and balance.

According to East Timorese culture and customs, people have a strong spirit of solidarity within their community. Within any single family it is often seen that members should not separate or be divided because their blood-related connections tie them strongly together as a family. This sense of connection means that there tends to be great emphasis on community and family members collaborating and working together. As recounted by McWilliam, this solidarity, based on family relationships tied together through the *uma lisan*, was one of the great strengths of the resistance movement.[17] Even though they faced difficult challenges, East Timorese communities had a basis for working together towards a common goal.

However, these cultural values embedded within communities are being threatened as democracy is being implemented at the *suku* and *aldeia* level. A common theme that arose during fieldwork was that before the formal democratic process was introduced family members lived together in harmony, but after its introduction suspicions arose that diminished social harmony. It appears that although people have embraced their right to be involved in political parties and electoral competition, the divisive impact of these processes can work against community cohesion and threaten the positive elements of family and community networks. While it is true that the *konsellu suku* elections have been conducted largely without incident, the divisive impact of political parties has nonetheless been felt in communities. This side effect of political transition to liberal democracy needs to be carefully managed by leaders at every level of governance. As a society in transition, many people are not yet familiar with a democratic culture that can tolerate different ideas and politics. As such, adequate civic education on the rights and responsibilities in a democracy requires time, supporting structures need to be in place, and communities need to actively incorporate these norms into their local politics.

The existence of traditional authority in the *suku* democracy

Following independence and the introduction of liberal democracy, many questions arose about the power of our traditional leaders within communities and what the relationship between traditional leaders and elected community leaders would be like. Adequately addressing questions such as these is extremely important for effective democratisation at the local level, and for supporting development within the *suku*.

The fact that people have embraced the electoral process as a method for choosing their leaders does not mean that their traditional leaders are not taken into consideration. During fieldwork, we found that in the majority of *suku* traditional leaders continue to be important authority figures. While people have chosen their community leaders through *suku* elections, and many of those community leader candidates come from political parties, traditionally-legitimated leaders such as the old *liurai*, *dom*, and *dato* continue to command respect and retain power over important areas of community life.

As has also been noted in other studies[18], the continuing legitimacy of traditional leaders is a strong determining factor affecting who is voted into community leader positions. In many communities across Timor-Leste, including some that we visited during fieldwork for this research, elected *xefe suku* have also been members of the *liurai's uma lisan*. The importance of traditional legitimacy also has an impact on the acceptance of elected *xefe suku* who are not of *liurai* descent, as mentioned above with regards to *suku* Umakaduak in Manatuto district. In this *suku*, because of their dissatisfaction with the non-hereditary leader, the community encouraged the son of the old *liurai* to stand and instead elected him for *xefe suku* in the recent 2009 elections.

It is clear that many communities continue to trust their traditional leaders and their descendants. The reasons that people give for this are often simple: 'they have the right to lead the people even though today we have democracy'. The phrase 'they have the right to lead', however, is telling. Communities who continue to support traditional legitimacy claim that their traditional leaders have authoritative knowledge and a spirit of humanity. This can be reinforced by the fact that many people of *liurai* heritage have also had access to a good education, so they have been exposed to new ideas and therefore are seen to have a high level of knowledge and moral dedication. With these advantages, it is expected that they can lead their community calmly and will display moral responsibility. In addition, communities trust their traditional leaders because of the spiritual authority they hold and their connection to the ancestors. This authority, however, can at times also be lost because of their behaviour or events in the past, as had occurred in some of the places where we conducted fieldwork, including *suku* Kai Rui, Holsa and Lahomea.

In one particular *suku* visited in the district of Bobonaro, traditional leaders continue to hold authority, and community leaders who stand for *xefe suku* are nearly always descendants of the *liurai*, or are someone whose father or grandfather was a leader of the people.[19] The *xefe* of this *suku*, who was elected for the 2005 to 2009 period, is a descendant of a *liurai* from a nearby *suku*, and his wife is a daughter of the *liurai* of the *suku* that he now heads. This is a slightly unusual situation, as having married into the area the *xefe suku* is not from the *suku* he leads. Nevertheless, he has been recognised as a legitimate leader because the current *liurai* of the *suku* does not have any sons who could inherit the leadership. Even so, his leadership is challenged by the fact that he cannot draw on the combined forms of traditional and modern legitimacy, and as per his following explanation, demonstrates clearly the need for both forms of authority to be present:

> There needs to be a combination between the traditional authority system and the modern democratic system so that we can have a community leader who is effective and can push the development process forward at the *suku* level. As well as this we cannot just make space for the modern democratic system that is being introduced and lose our traditional values that are part of our East Timorese identity. The process of combining the systems is already being practiced by people in [this *suku*] and perhaps also in other places.[20]

The cultural legitimacy of traditional authority figures is backed up by various rituals and prohibitions. For example, as this leader went on to explain, while anybody can be elected to *xefe suku*, a leader who is not a descendent of the *liurai* cannot receive and eat *kelebokar* meat (the meat that is offered to the *liurai* leader when there is a celebration or ritual). If they do eat it, they must cut it up and then pass it on to the leader who comes from the *liurai* family. If this process is not followed, the meat could cause them to become ill or die.[21] The prominence of this ritual is an ongoing reminder to the community that he is not from the *liurai's uma lisan*, and has the effect of subliminally undermining his authority.

Variations on this political hybridity appear across the *suku* of Timor-Leste. During fieldwork, similar dynamics were noted in a number of *suku*. In these places, traditional leadership is still extremely important, and traditional methods of governing through the *uma lisan*, and through ceremonies and rituals such as *tarabandu*, are vital for maintaining order. Communities sometimes struggle in their attempts to combine the traditional system and the democratic electoral system. If democratisation is however to encourage greater political participation at the local level, the ways that local traditional practices can potentially form the basis for a hybrid system that draws on the strength of both customary and electoral legitimacy need to be actively considered. Many communities are already doing this on their own terms, for example by holding a ritual ceremony to hand over power from the customary *liurai* to the elected *xefe*.[22] In some places the elders from the *liurai's uma lisan* will tie a sacred cloth on the elected leader and hand over a sacred cane stick as a symbol of authority.

While rituals such as the ones discussed here can assist the community in accepting the elected *xefe suku*, this does not always work. For instance, the *xefe suku* discussed above from Bobanaro district acknowledges that he has less authority with the community because there was no ritual such as this. This is not just an issue of authority but is also connected to matters that are *lulik* (sacred/spiritual), whereby breaking of spiritual sanctions can potentially carry very heavy consequences, such as illness or death. However there are also some difficult choices to be made in embracing political hybridity. While it is certainly possible to combine the traditional and modern systems in some ways, things that are *lulik* cannot be transformed. The question of how to combine traditional and modern systems is therefore up to the communities themselves, as they negotiate what can and cannot be changed.

Last words

Our fieldwork demonstrated that while democratic elections are embraced in East Timorese people's lives today, in many communities the system of *uma lisan* and the *liurai* nevertheless continue to be central to maintaining social order. As elections and associated changes have been implemented in the *suku*, the interaction of state-based and traditional systems has sometimes been to the detriment of communities. In instance where people no longer work together, there is diminished social harmony and the level of community participation in the development of the *suku* can be reduced.

To transform this situation we need ways to support a hybrid democracy at the *suku* and *aldeia* level, wherein the formal democratic system is reinforced by traditional methods. This would mean creating a democratic process that is full of customs, and which can empower communities and be used to develop the people's own lives. By recognising the reality of people's lived experience in this way, democracy can move beyond procedural institutions such as the electoral system to a more substantive democracy that would respect the place of *lisan* and be empowering to communities. The implementation of a hybrid democracy would vary significantly from one *suku* to the next, as *lisan* also varies from one community to the next. But the defining characteristic that would connect these systems would be the desire for substantive democracy, so that *lisan* and the formal democratic system reinforce one another to ensure that people's lives are sustainable, harmonious and prosperous.

Endnotes

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

2 See, for example, R. Engel, *The Building of Timor-Leste: International Contributions to a Fragile State*, Center for International Conflict Resolution, School of International and Public Affairs Columbia University, New York, 2007; J. Scambary, 'Anatomy of a conflict: the 2006–2007 communal violence in East Timor', *Conflict, Security and Development*, vol. 9, no. 2, 2009, pp. 265–88.

3 The first term rolled out progressively through *suku* over 2004–05 and ran until 2009, and the second term is from 2009 to 2013. The 2004–05 *konsellu suku* elections involved six political parties—FRETILIN, ASDT, PD, PSD, Partidu Sosialista Timor and KOTA. Across the 442 *suku*, candidates registered as part of a political party or ran independently (with 134 independents elected). In the 2009 elections, the relevant legislation had been changed, with candidates no longer allowed to run on a party platform (although they may be members of parties). The *konsellu suku* in the new legislation also runs as a single ticket—they are not elected individually, but as part of a ticket with the *xefe suku*.

4 See V. Boege, M.A. Brown, K. Clements and A. Nolan, 'On hybrid political orders and emerging states', *Berghof Dialogue Series*, no. 8, Research Centre for Constructive Conflict Management, Berlin, 2009, pp. 15–35.

5 See M. Tilman, this volume.

6 ibid.

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

8 D. Cummins, *Local Governance in Timor-Leste*; R. Engel, *The Building of Timor-Leste*.

9 Interview with senior resident, *suku* Lahomea, Bobonaro district, September 2009.

10 Similar issues of weak council structures and distributive equity have been noted in other studies. See, for example, D. Cummins, *Local Governance in Timor-Leste*; 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.

11 D. Cummins, *Local Governance in Timor-Leste*.

12 M. Weber, *From Max Weber: Essays in Sociology*, H.H. Gerth and C. Wright Mills, eds and trans, Routledge, London, 1991.

13 See M. Tilman, this volume.

14 See, for example, Z. Grimshaw, *Interview with Comandante Ular Rihik/Virgilio dos Anjos*, 16 October 2009, Dili, Timor-Leste, <http://www.etan.org/et2010/01january/16/14intrvw.htm>

15 See A.B. dos Santos and E. da Silva, this volume; D. Cummins and M. Leach, 'Democracy old and new', *Asian Politics and Policy*, vol. 4, no. 1, 2012, pp. 89–104.

16 Interview with senior resident, *suku* Alili, Manatutu district, 15 September 2009. Editor's note: This is the kind of issue covered in customary arrangements by a *tarabandu*, as discussed in M. Tilman, this volume.

17 A. McWilliam, 'Houses of resistance in East Timor: structuring sociality in the new nation', *Anthropological Forum*, vol. 15, no. 1, 2005, pp. 27–44.

18 See, for example, D. Cummins and M. Leach, 'Democracy old and new'.

19 Geographically, this *suku* could not be considered 'remote' as it is linked by road to a number of key population centres.

20 Interview with *xefe suku*, Bobanaro district, 26 September 2009.

21 ibid.

22 See also M.A. Brown, this volume.

Timor-Leste Research Program at RMIT University

About the 'Timor-Leste Research Program' at RMIT University

www.timor-leste.org

The Timor-Leste Research Program is based at RMIT University (Melbourne, Australia), and is primarily situated within the Globalism Research Centre and connects into the work of the Global Cities Institute. Researchers from the Globalism Research Centre have been working in Timor-Leste since 2003, and as with other sites within Australia and the Asia-Pacific, our main intellectual task has been to understand broad processes of social transformation in the world today. In terms of the Timor-Leste Research Program, the focus has very much been on the process of nation-formation. We endeavour to work across the divide between abstract theory and applied research and we seek to develop strong collaborative connections with communities, civil society and state organisations in our research areas.

Timor-Leste Research Program Objectives

RMIT's Timor-Leste Research Program is committed to both intellectual and ethical objectives. At an *intellectual* level, our objectives include:

- To seek to understand processes of change in contemporary Timor-Leste, specifically the process of nation-formation;
- To develop and utilise innovative research methods suitable for the East Timorese context; and
- To ensure that our academic research findings contribute wherever possible to development policy and program design and community knowledge in Timor-Leste.

At an *ethical* level, our objectives include:

- To build innovative knowledge about East Timorese society that is applicable, socially progressive, accessible and widely distributed in both Timor-Leste and globally, including both within and beyond universities;
- To ensure that our research program is transparent and accountable in Timor-Leste, and involves locally-based partners wherever possible;
- To build the research capabilities of East Timorese communities, organisations and individuals, and emerging researchers from Australia and internationally; and

- To include a diverse range of East Timorese voices in data collection and written outcomes.

Publications

In addition to academic publications, the Timor-Leste Research Program has produced a series of public reports which have been drawn from project work with a range of community organisations and funders. Most of these reports have also been translated into Tetun and distributed across Timor-Leste as well as internationally.

- *Local Perspectives on Political Decision-Making in Timor-Leste: A Short Report on the 2007 Presidential and Parliamentary Elections in Dili and Venilale,* Globalism Research Centre, 2012.
- *The Impacts of Gender Programming in Timor-Leste*, Irish Aid and Trocaire, 2011. (Also in Tetun.)
- *Uptake of New Technologies in Rural Communities in Los Palos*, Concern Worldwide, 2011. (Also in Tetun.)
- *Nation-building across the Urban and Rural in Timor-Leste Conference Proceedings*, AusAID and AVI, 2010. (Also in Tetun.)
- *Understanding Community: Security and Sustainability in Timor-Leste*, Irish Aid, Oxfam Australia, Concern Worldwide and the Globalism Research Centre, RMIT University, 2009. (Also in Tetun.)
- *Social and Economic Development in Oecusse, Timor-Leste*, Oxfam Australia and the Globalism Research Centre, RMIT University, 2008. (Also in Indonesian.)
- *Challenges and Possibilities: International Organizations and Women in Timor-Leste,* 2nd edition, Globalism Institute, RMIT University, Melbourne, 2008. (Also available in Tetun.)
- *Mapping the Pursuit of Gender Equality: Non-Government and International Agency Activity in Timor-Leste*, Globalism Institute, RMIT University, and Irish Aid, Melbourne, 2008. (Also available in Tetun.)

Students

The Timor-Leste Research Program has facilitated the involvement of RMIT based students in a wide-range of research and event based activities. This includes undergraduate and postgraduate coursework students, as well as Honours and postgraduate research students. Through internships, employment into projects, study tours, supervision and international conferences and seminars, students have been able to gather first-hand experience, including extensive field research and project management experience. For more information please visit timor-leste.org

Matadalan Ba Malu: English Language Teaching Program

'Matadalan Ba Malu' was established to facilitate English language scholarships for women from Timor-Leste. The program targets women working within a community context or local organisation in Timor-Leste and who would benefit from high quality English training and the experience of a cross-cultural exchange in Melbourne, Australia. The learning and experience gained through the program are also designed to benefit the participant's community in a number of ways, including the transference of new found skills and knowledge, promoting mutual understanding between East Timorese and Australian communities, and an enhanced capacity to facilitate and negotiate local development activities and opportunities on returning home. A key objective of the program is to consider candidates who may not otherwise have had the opportunity to learn English and benefit from the experiences of living in another country for a period of time.

How does the program work?

Working with a variety of partners and stakeholders based in Timor-Leste, the program identifies potential participants via an application process. Once selected, the applicant is offered a tuition-free placement within a tailored ten-week English language program conducted by RMIT English Worldwide (REW) in Melbourne, Australia. As this program is designed to meet the individual needs of the applicant there are no program prerequisites and language proficiency is tested once in Australia with the appropriate course level being determined by REW staff (course levels start from 'Elementary' through to 'Advanced Plus').

In addition to the language component of the program, participants have the opportunity to explore Melbourne, participate in university life, and to have contact with Australian families and communities. Orientation, mentoring, and other support services are also provided by Matadalan Ba Malu volunteers and RMIT staff and students.

Who is 'Matadalan Ba Malu'?

The work of the Matadalan Ba Malu Committee is part of the broader Timor-Leste Research Program, which is located within the Globalism Research Centre at RMIT University. The Timor-Leste Research Program (timor-leste.org) has conducted a wide range of research projects and activities in Timor-Leste for over a decade. While the English training component has been successfully operating since 2005—resulting in ten program alumni—a volunteer committee was established in 2012 to expand the program's opportunities and governance. The primary focus of the Committee is to: enhance the sustainability of the program via forging partnerships with other organisations; provide additional support services to candidates; and explore additional fundraising opportunities. The volunteer committee now comprises a number of RMIT academics as well as current and former RMIT students, each of whom have travelled to and been involved in various research and educational projects in Timor-Leste.

Matadalan Ba Malu Committee members share a deep commitment to developing mutual learning opportunities between East Timorese and Australians. Indeed the phrase 'Matadalan Ba Malu' is Tetun meaning 'to guide each other', and signifies the Committee's desire to share with East Timorese an opportunity for mutual learning and sharing across both Timor-Leste and Australia. The focus in this instance is on providing educational opportunities for women in recognition of the gender inequity experienced in both societies. Between the English training provided since 2005 and other activities, the Timor-Leste program has facilitated the visit of more than thirty East Timorese to Melbourne for a range of purposes. As such, there already exists considerable experience within the Committee in terms of organising visits by future candidates.

How can you get involved?

Thanks to the generous support by REW, Matadalan Ba Malu has been able to offer a limited number of tuition-free placements each year to successful candidates. However, the costs and services associated with this program extend well beyond the tuition component (incluing airfares, passport and visas, medical insurance, food and accommodation, *et cetera*). Matadalan Ba Malu is therefore seeking to develop relationships with donors, fundraising bodies, organisations that have an interest in developing language skills of East Timorese women and those who can provide additional organisational and financial assistance to successful applicants. Should you or your organisation wish to contribute to our ongoing work please contact mbm@timor-research.org or more information is available at timor-leste.org

Global Studies students at the former Commission for Reception,
Truth and Reconciliation, Dili, Timor-Leste, July 2011

TIMOR-LESTE RESEARCH

Constructing an uma lulik in Uailaha, Venilale, October 2009

Local–Global is a collaborative international journal concerned with the resilience and difficulties of contemporary community life. It draws together groups of researchers and practitioners located in different communities across the world to critically address issues concerning the relationship between the global and the local.

It emphasises the following social themes and overarching issues that inform daily life over time and space:

Authority–Participation
Belonging–Mobility
Equality–Wealth Distribution
Freedom–Obligation
Identity–Difference
Inclusion–Exclusion
Local Knowledges–Expert Systems
Mediation–Disconnectedness
Past–Present
Power–Subjection
Security–Risk
Wellbeing–Adversity

www.rmit.edu.au/globalism
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