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Routledge Handbook of Contemporary Timor-Leste

Edited by Andrew McWilliam and Michael Leach

ROUTLEDGE HANDBOOK OF CONTEMPORARY TIMOR-LESTE

Reflecting on the legacies of Timor-Leste's remarkable journey from colonialism to sovereign and democratic Independence, the *Routledge Handbook of Contemporary Timor-Leste* provides a comprehensive and up-to-date reference work on all aspects of life in Timor-Leste.

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- Politics and governance
- Economics and development
- Social policies and the terms of inclusion
- Cultural impacts
- Regional relations

Written by an international team of experts, the Handbook covers the principal concerns that have contributed significantly to the shape and character of contemporary Timor-Leste. It offers a timely and valuable reference guide for students, scholars and policymakers with an interest in International Relations, Southeast Asian Studies and Peace Studies.

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1

TIMOR-LESTE

Historical legacies and contemporary challenges

Andrew McWilliam and Michael Leach

Introduction

The history of Timor-Leste is a compelling story of a people prevailing against the odds. The nation's harrowing journey from an economically impoverished colonial Portuguese backwater in 1975, followed by a generation-long military occupation by Indonesia, only to emerge as an independent republic at the turn of the twenty-first century, is as remarkable as it is unlikely. Perhaps above all, it stands as a lasting testament to the resilience and desire of a people to be free.

Since the dramatic referendum on independence in 1999 followed by the destructive withdrawal of the occupying Indonesian military and the re-establishment of political governance and socio-economic life under the UN Transitional Administration, the people of Timor-Leste have been engaged in the long and difficult journey of post-conflict recovery. The process has not been without its own complex set of challenges, illustrated most vividly in the explosive communal violence accompanying the military-political crisis of 2006, continuing entrenched high levels of youth unemployment and disaffection, and a massive trade imbalance favouring consumer imports over meagre non-oil export industries. At the same time, the first two decades of liberation have also seen renewal with the rebuilding of many essential government services and public infrastructure, the commitment to a strategic vision of prosperity for the nation (Kammen 2009), and the public recognition and financial support for heroes and martyrs of the independence cause. The unlikely nation of Timor-Leste continues to confound its critics who took its early policy missteps and arguably over-ambitious development plans to signal all the hallmarks of a failed state (Cotton 2007).

This new *Routledge Handbook of Contemporary Timor-Leste* offers a fresh set of compelling perspectives on Timor-Leste society as it continues the sustained work of rebuilding and recovery over the first two decades of the twenty-first century. The volume brings together a group of 25 international and domestic scholars presenting their specialist insights on many of the pressing public policy and social issues facing East Timorese society today. The contributors are all seasoned observers of the complex processes of post-conflict and postcolonial recovery that have shaped the character and quality of governance and socio-economic life across the country. They bring to the task their own disciplinary perspectives and research experience with contributions from political science, economics, anthropology, human

geography, history, art, law, archaeology and strategic studies. In presenting a selection of this scholarship at this time, the collection speaks directly to the central concerns and developments that have defined the post-independence era of Timor-Leste and now frame the directions and terms of engagement for the future. The volume is organised into five complementary themes that bring into focus key challenges and legacy issues that continue to inform decision-making and political debate in contemporary society.

Politics and governance

As in many decolonised states, a relatively unified pro-independence front broke into factions in the wake of national liberation and the UN-auspiced introduction of multiparty democracy. Efforts to rebuild unity and establish effective forms of democratic governance have been at the forefront of parliamentary politics in Timor-Leste in the years that have followed. We begin with a brief outline of post-independence political governance.

The restoration of independence in 2002 saw the victorious *Frente Revolucionária de Timor-Leste Independente* (FRETILIN), founded in 1974, form government from 2002 to 2006. Then in the wake of the 2006 crisis, a major new entrant into post-independence politics emerged, with an alliance of parties replacing the Fretilin government at the 2007 elections. Led by the National Congress of the Timorese Reconstruction (CNRT), and headed by former President Xanana Gusmão, the CNRT Party successfully reprised the historically significant acronym of the National Council of Timorese Resistance, the united front that had led the nation to the 1999 referendum, and become a popular symbol of national unity.

The Parliamentary Majority Alliance (*Alianca Maioria Parlamentar* – AMP) controlling 37 seats governed until 2012 and was re-elected, with some revised junior coalition partners, in 2012. The 2007–2012 era was characterised by fractious divisions within the small political elite, with Fretilin labelling the new government a 'defacto administration' as Fretilin remained the largest party in parliament, albeit well short of a majority. The 2007 election had also seen strongly regionalised voting blocs emerge, with the eastern districts backing Fretilin strongly and the west backing the AMP parties; the contrast highlighting wider problems of national unity. This period also saw wider social tensions, with a large number of internally displaced people (IDPs) living in camps in Dili, and the return of UN peacekeepers. Most dramatically, early on 11 February 2008, President Ramos-Horta was shot and gravely wounded by a member of a rebel group led by a disaffected former military policeman, Major Reinado. Shortly before these events, Reinado and one of his men had been shot and killed by the Presidential Guards of the Timorese army (*Forças de Defesa de Timor-Leste*). The surviving members of the rebel group involved in these events claimed the episode was part of a 'negotiation strategy' gone wrong (Leach 2009). This dramatic incident became a turning point for governance in Timor-Leste, as the new government settled disputes with the main body of disaffected army petitioners and established a pathway for the eventual dissolution of the IDP camps through cash grants for rehousing. The initiatives saw a greater level of security return to urban streets.

The profound nature of CNRT's 2012 election victory saw the new Government Coalition Bloc (*Bloku Governu Koligasaun*) coalition win control of 40 seats. The victory led to a moderation in political conflict and the emergence of a new 'consensus politics', evident in Fretilin's unprecedented support for budget votes in parliament and the appointment of Fretilin leader Mari Alkatiri as the head of the major project to develop Oecussi as a Special Economic Zone (ZEESM).[1] Fretilin also conspicuously dropped the 'defacto government' label it had used after the 2007 election, reducing tensions considerably.

The remarkable trend continued into early 2015 with the formation of a new government, dominated by CNRT ministers but led by Fretilin's, Rui Araújo as Prime Minister. Though best seen as a power-sharing executive rather than a formal government of national unity, this informal 'grand coalition' between Timor-Leste's two largest parties was described by a senior CNRT minister as a transition from 'belligerent to consensus democracy' (Pereira 2014). With Gusmão relinquishing the prime ministership to move to the Ministry of Planning and Development, the new power-sharing executive also seemed to represent an intergenerational shift. Meanwhile, the power-sharing coalition continued the previous government's development focus on large-scale infrastructure spending, drawing down the country's oil and gas revenues. It also took a stronger position on national boundaries.

The 2017 round of elections beginning on 20 March saw Fretilin's candidate, Francisco 'Lú Olo' Guterres (a former guerrilla commander and 24-year veteran of the Falintil military resistance) win in the first round with 57%, having received a massive boost with a previously unthinkable endorsement by Xanana Gusmão. Gusmão's position led many observers to conclude that the era of national unity would likely continue but ironically the 2017 presidential election would prove the final chapter of what had been an unprecedented era of 'consensus democracy'.

In the 22 July election, the two main parties—Fretilin and CNRT—once again took the majority of the vote, with 29.7% and 29.5%, respectively. In a significant twist, Fretilin narrowly beat the previously dominant CNRT, resulting in a slim but important lead of 23 seats to CNRT's 22. Ultimately, Fretilin formed a 30-seat minority coalition with the Democratic Party. On 16 September 2017, with no apparent alternative majority coalition, President Guterres appointed the first minority government in Timor-Leste's short constitutional history. But events moved rapidly, and a political stand-off emerged on 19 October when three opposition parties—the CNRT, the *Partido Libertasaun Popular* (PLP) and *Kmanek Haburas Unidade Nasional Timor Oan* (KHUNTO), together controlling 35 of parliament's 65 seats—rejected the government's programme.

'Belligerent democracy' then returned in force over the second half of 2017. In December, the minority government failed to pass a budget rectification measure through parliament. This period also saw the Fretilin parliamentary president delay motions of no confidence and refer a motion for his own removal to the courts. These moves seemed designed to delay the second rejection of the government programme until a time closer to 22 January, the earliest day the president could dissolve Parliament and call early elections. On 25 January 2018, President Guterres duly announced that a new election would take place on 12 May.

Following nine months of Fretilin-led minority government, Timor-Leste's parliamentary elections on May 12 seemed set to deliver stability as a newly formed 'Alliance for Change and Progress' (AMP) combining CNRT, PLP and KHUNTO, secured an outright majority of 34 seats. Despite leading a smaller party, Tau Matan Ruak was appointed Prime Minister in June, with the CNRT leader, Gusmão, proposed as Minister of State advising the Prime Minister. The AMP's clear majority looked set to provide for stability and a much-needed budget.

However, the first experience of genuine 'cohabitation' in Timor-Leste's semi-presidential system between a Fretilin president and an AMP government would disrupt these early projections, revealing the potential extent of presidential power in Timor-Leste's semi-presidential system and causing problems for the governing coalition. Tensions came to a head in June as President Guterres refused the appointment of 12 of the 41 proposed ministers in the new government, citing corruption investigations. Though Gusmão was not amongst them, the CNRT leader boycotted the swearing in ceremony in protest, accusing

the President of 'unprecedented, unusual, seditious and politicized' behaviour by not swearing-in the full suite of government members. For his part, President Guterres stated that he merely asked the Prime Minister to review the names in light of the evidence provided, arguing that such nominations might undermine public faith in the government. Soon after, in another clear sign of cohabitation tensions, the parliament denied the President permission to travel on a scheduled state visit to Portugal. This stand-off over ministers continued at the time of writing and highlights the continuing challenges of creating stable processes of democratic governance in Timor-Leste.

Several chapters in this volume reflect directly on these emergent trends in East Timorese politics, on the processes of democratic consolidation, on inter-party and intergenerational tensions within the political elite and on the relationship of modern governance with more established forms of traditional authority.

Rui Feijo examines the consolidation of East Timorese democracy since 2002, highlighting its strengths and weaknesses in the historical context of its emergence from two consecutive colonial eras, and the particular challenges of establishing the 'double transition' to independence and democracy simultaneously. This chapter analyses the difficult transition from a united front independence movement to a multiparty democracy, following an unprecedented period of UN transitional governance. Feijo commends the relatively open party registration processes, and highly competent electoral administration institutions, but also notes the high level of party volatility, with only two parties that participated in the inaugural 2001 constitutional assembly elections still participating in 2018. Arguing that resistance legacies and personality still dominate a relatively fluid party system, Feijo addresses key challenges in democratic consolidation: the evolving relationship between presidential and prime-ministerial power under the semi-presidential system, the relationship of government with highly legitimate but constitutionally neglected traditional authorities, and the overdue processes of generational transition.

Douglas Kammen's chapter takes a different approach, peering behind formal political institutions and processes to examine patterns of political mobilisation since 2006. Analysing what he sees as emergent forms of patrimonialism, Kammen examines government practices of 'buying peace'—using windfall oil and gas revenues to patch over entrenched problems in the wake of the crisis. He argues that early successes in this regard became a 'general ruling strategy' involving the 'purchase' of the electoral loyalty of significant actors in East Timorese society, particularly veterans. Whilst this encompassed regular social welfare payments, and the expansion of the civil service, Kammen observes that it also saw special arrangements for the politically powerful veterans, and measures targeted at the emerging middle-class and business elites, most notably state-funded infrastructure contracts for the private sector. For Kammen, subsequent moves against martial arts gangs, disaffected veteran groups, the press and foreign judges indicate that this strategy was at times backed by forms of state coercion.

In their contribution, Maj Nygaard-Christensen and Angie Bexley address the recurrent issue of an overdue generational transition in power in post-independence Timor-Leste. With effective political power still largely in the hands of the '1975 generation' leadership, and especially those with the particular legitimacy of participation in the military resistance, the authors examine the persistent marginalisation of a younger generation of leaders, many of whom were active in the youth-dominated civilian clandestine resistance to the Indonesian occupation. Examining the way an older generation's hold on power is reinforced by particular development agendas, the authors argue that prevailing conceptions of national identity have limited the scope for emergence of alternative modes of political legitimacy.

Anthropologist David Hicks presents a broader perspective on processes of governance in his study of the relationships between customary authority (*lisan*), the Church (*Igreja*) and the state (*estado*) experienced in East Timorese local communities. Hicks' typology categorises these experiences into three modes: displacement, syncretisation or hybridisation, and 'cohabitation'. Each refers to the ways that these distinctive interactional modes of traditional authority, modern governance and Church affiliations are negotiated in local communities. Hicks analyses the inter-relationships between these institutions, arguing that each provides distinctive strategic resources for local actors to meet their daily needs, to resolve disputes and to navigate competing claims and interests.

Michael Leach's chapter takes a broader historical view on the new state, examining the evolving character of East Timorese nationalism. Leach's chapter analyses the distinctive features of East Timorese nationalism, including its rapid transition from a conventional anti-colonialist narrative, mobilised against Portuguese colonialism, to one contesting Indonesia's looming forced integration of the decolonising territory in 1975. The analysis examines the way competing 'nations of intent' have ideologically contested the political values and identity of the nation. His chapter then focuses on more recent shifts in 'official' East Timorese nationalism, in the way recent government discourses have invoked the arrival of Catholicism as the 'affirmation of Timorese identity' (RDTL 2015), and development of a modern nationalist narrative which invokes traditional 'origin stories'. The unsuccessful government attempts to transform a national identity focussed on the history of the resistance to one mobilised around the goals of national development is another case in point. Finally, Leach speculates on the future of East Timorese nationalism, reflecting on the implications of the demographic 'youth bulge' in East Timorese society.

Economics and development

Chief amongst the challenges facing the fledgling nation is the question of the economy and the urgent need to repair the financial status of the sovereign Petroleum Fund (*Fundo Petrolifero*) that currently provides the lion's share (90%) of the country's annual budget expenditure. In the absence of any viable or sustainable, alternative sources of export income beyond coffee, the petroleum sector and the sovereign wealth fund remain key to the future of Timor-Leste. At least for the immediate future, the economic fortunes of the nation remain highly dependent on its capacity to invest its substantial oil revenues prudently, and gradually move towards a more diversified economy.

This scenario, however, is by no means assured, as Charlie Scheiner makes clear in his contributing chapter on the Timor-Leste economy and its fiscal management. Entitled 'After the Oil Runs Dry', Scheiner draws on extensive analysis of the government's own fiscal reporting and data projections to highlight the distorting effects of Timor-Leste's, near-complete dependency on oil and gas revenues. Excessive drawdown of the country's multibillion-dollar petroleum fund and the absence of new sources of oil revenue anytime soon risk exhaustion of these funds within a decade. He sees little evidence that the government has used its resource revenues effectively to prepare for a non-oil future. For its part, the government argues that its strategy of 'front-loaded' infrastructure projects across the country will drive investment and attract private-sector development and skills training as a basis for a more diversified economic future.

The largest of these multibillion-dollar megaprojects are the *Tasi Mane* petroleum infrastructure project on the South Coast of Timor-Leste and the so-called ZEESM (Special Economic Zone for Social Market Economy) project in the enclave of Oecusse. Both have

attracted criticism and controversy over their massive scale and the lack of economic justification for their development (for further analysis and critique, see Scheiner this volume, Bovensiepen ed. 2018 and Meitzner Yoder 2015). In the present volume, Laura Meitzner-Yoder offers her analysis of the planning and regulatory development process of the ZEESM project in Oecusse. Long critical of the inadequate economic rationale for its scale and vision, Meitzner-Yoder focuses on the growing gaps and shortfalls between the promises and assurances extended to the resident Oecusse population and the reality of an investment process that contributes little to ameliorating endemic levels of poverty, the highest in Timor-Leste.

The challenge of managing and investing the substantial resource revenues is also the subject of Joanne Wallis' chapter that focuses on the expansion of social transfers and targeted pensions to a range of beneficiary groups, and its impact on reducing poverty and inequality. She argues that these public transfer schemes have supplemented the income of certain vulnerable groups (especially the elderly and disabled) and facilitated a successful peacebuilding effort in the aftermath of the 2006–2007 security crisis. But the overtly political basis of some social transfers, particularly the generous payments made to veterans (*Veteranus*) of the independence struggle, have favoured some groups over others and arguably failed to address chronic levels of poverty, particularly in many areas of rural Timor-Leste where nearly 70% of the population continues to reside.

A further pressing contemporary challenge for Timor-Leste is to provide appropriate conditions and opportunities for absorbing the sustained demand for domestic employment. Timor-Leste has a young population (median age 19 years) with some 18,000 high school student entering the job market every year. Agriculture absorbs some of this labour, but large numbers of East Timorese youth are drawn to the towns and cities in search of more lucrative, off-farm work opportunities. Their experience, however, is that jobs are scarce with the results of two recent Enterprise and Skills Surveys showing no growth in employment in Dili between 2016 and 2017 (Curtain 2018). Tertiary training offers one alternative pathway for some students with means, but for a growing number of young Timorese, the opportunity for temporary labour migration overseas has become an increasingly attractive option.

In their contribution to the handbook, McWilliam and Monteiro highlight a number of bilateral labour agreements secured between Timor-Leste and regional countries such as South Korea, Malaysia and Australia to provide work opportunities for growing numbers of participants. They also draw attention to the significant growth of informal migration of young East Timorese to Britain travelling on Portuguese passports and working low wage factory and restaurants jobs to generate savings. The labour migration sector is now producing increased non-oil export earnings through cash remittances (US$40 million in 2017) transferred to home communities in Timor-Leste, and suggests at least one expanding pathway for economic diversification, like the experience of many of its neighbours in the Asia Pacific region.

Social policies and the terms of inclusion

In the aftermath of occupation and the protracted processes of recovery, one of the many important tasks facing successive governments has been the restoration of essential services across the country. After a slow beginning, the decade from 2007 to 2017 saw significant improvements in the quality of life for all citizens via substantially increased expenditure on public services. Rural communities have benefitted from the rehabilitation and construction of new schools and well-stocked health clinics, as well as major upgrades in telecommunications and the roll-out of the national electricity grid in 2011–2012. Poverty rates are also

trending down, but even so, Timor-Leste remains a country with relatively high rates of poverty (41.8% in 2014) especially in rural areas where the majority of the population reside. Infant mortality remains high with a 50% stunting rate (World Bank Economic Report 2018) pointing to endemic problems of chronic malnutrition. In this context, there is much scope for enhanced delivery of effective social programmes and formal economic support for rural livelihoods.

This section of the handbook presents five chapter-length perspectives on key social issues facing contemporary Timor-Leste. They cover matters as diverse as social housing (Tusinski), mental health needs (Barnes et al.), displacement and access to land (Myat Thu), state recognition of sacrifice and the contribution to independence (Kent) and the politics of martial arts groups, which have regularly been associated with communal violence and instability (Pawelz). Each of these policy domains involves complex legacy issues and political challenges that preclude easy solutions.

Gabriel Tusinski points out that the need to rebuild residential housing has been one of the key infrastructure priorities of the post-independence period. In the immediate aftermath of independence, most of the urgent housing needs of families were met by individual family initiatives, using private means with limited United Nations and donor support. But following the destructive crisis of 2006 that created large numbers of IDPs, and with the benefit burgeoning oil revenues, the national government took a more active role in housing policy. Tusinski focuses on the outcomes of two well-intentioned programmes known as the *Hamutuk Hari'i Uma* (building houses together) implemented in response to the IDP crisis, and in 2011, a Millennium Development Goals Suco Programme initially designed to offer a five-house packages to every village in the country (currently 442). Both projects, he argues, nonetheless failed to achieve their goals, having been derailed through poor planning and a complex politics of housing. For Tusinski, these failures call into question the very capacity of the state to support vulnerable people with appropriate housing, an essential condition of East Timorese perceptions of the 'good life' (*moris diak*).

Health services are another sector where governments conventionally play a prominent role. In Timor-Leste, this is a particularly complex field which has attracted significant investment, but given the scale of need across the country there remains considerable work to be done. In their chapter, Susana Barnes, Lisa Palmer, Ritsuko Kakuma and Benjamin Larke focus on mental health services and the results of their collaborative work in this area with Timor-Leste's Ministry of Health. Whilst government health services have made considerable gains over the past decade, mental health services remain limited despite strong underlying demand given Timor-Leste's traumatic recent history. Much of this gap continues to be addressed by customary and religious approaches to healing that have long been the mainstay of informal village health services. They typically offer a range of traditional emotional, physical and psychological remedies for diverse afflictions. In their study, Barnes et al. explore the prospects for integrating these practices within modern psychological and clinical approaches to illness and healing.

Pyone Myat Thu's essay addresses the legacy issues of the involuntary displacement and resettlement of East Timorese communities during the Indonesian occupation. As she notes, 20 years later there remain tens of thousands of households living on the land of others, in a state of irregular or unresolved tenure. Given the intense affiliations that communities attach to ancestral lands and resources, the relations between involuntary settlers and long-term residents are frequently fraught with tension. Drawing on two extended case studies, Myat Thu highlights both the layered complexity of these questions of land access, resources and attachment, and the capacity for resilience and accommodation amongst the diverse

communities of Timor-Leste. The 2017 passage of the much debated and delayed legislation, *Special Regime for the Ownership of Immovable Property* offers new opportunities and challenges for resolving some of the long-term consequences of displacement across the country.

In the process of nation-building, commemorating the struggle for independence inevitably finds a central place in the mythology of the nation. Part of that process involves recognition and memorialisation of those who suffered and sacrificed for the cause of national liberation. In Timor-Leste, a significant element of this process has been the formal recognition and compensation of veterans (*veteranus*) of the resistance, particularly those engaged in the armed struggle. Lia Kent's chapter offers a detailed assessment of the valorisation of veterans, placing it in the wider context of citizenship debates and the issue of whose lives are most valued in the national imaginary. As she argues, in a country with a significant percentage of the population living below the poverty line, there is much at stake in claiming veteran status. The status brings with it generous pensions and preferential access to government contracts, and it comes as no surprise that there are currently over 200,000 Timorese registered as veterans and receiving benefits (of USD $2.8 billion in 2013), a figure regarded by commentators as unrealistically high. Whilst acknowledging the important security requirements for placating a potentially restive and disruptive group of war-tested veterans, Kent also shows how the practices and discourses of these government-funded programmes of recognition actively constitute identities and embed them in the fabric of social life. By confirming distinctions between insiders and outsiders, and the social constructions of 'hierarchies of the deserving', there are long-term ramifications for questions of citizenship and inequality in Timor-Leste.

The final chapter in this section is a contribution from Janina Pawelz on the history and contemporary role of martial arts groups (MAGs) and efforts to deal with their largely well-founded reputation for violence and politically motivated disruption of civil society. Predominantly a legacy of the Indonesian period (an aspect reflected in their adopted fighting styles and organisational structures), MAGs came to prominence during the crisis of 2006. Their destructive activities and co-option by different political interests resulted in widespread clashes and street violence, especially in Dili. The government's attempts to control the activities of these groups led to legislation declaring a general ban on their activities in 2013. Based on extensive interviews with key figures in the MAGs, Pawelz offers a nuanced perspective on the activities of these groups, especially their former role in the clandestine resistance and their continuing activities with disaffected young people in Timor-Leste.

Cultural impacts

In any consideration of everyday life in contemporary East Timorese society, the role and influence of culture and cultural traditions remains central. Known by a variety of terms such as *kultura*, *lisan* and *adat*, as well as many local language variants, the multiple dimensions of culture and customary practices continue to shape decision-making and people's expectations across varied domains of social life. Activities as diverse as the politics of the state, the enactment of ritual authority and resource governance, questions of land entitlement, marriage exchange and familial obligations, all engage conventions and protocols of custom that derive from the rich mythic traditions and shared Austronesian heritage of Timorese language communities and the legacies of colonial history. These customary concerns have long prevailed in the rural hinterland and mountains of Timor-Leste where local allegiances and traditional authority over community affairs are often more influential than the distant policy dictates of state regulatory agencies, or the cosmopolitan interests

of urbanites. In the aftermath of independence, numerous researchers have commented on the 'resurgence of custom' as part of the extend process of social recovery and the re-establishment of orderly socio-economic village life (see Barnes 2007, Hicks 2007, Loch 2007). These revivalist processes and practices represented a response to the end of military occupation and the absence of effective processes of state governance in the regions during the early post-occupation years. But they remain an enduring feature of Timorese social life to this day and guide much of the social and political decision-making at local levels.

For their part, residents of the fast-developing capital Dili and growing regional town centres are mindful of these ancestral traditions, particular given the strong and continuing connections between rural and urban centres through internal migration and frequent return visits for family celebrations. At the same time, city residents are also fully engaged in the distractions of a fast-emerging urban modernity, resurgent Catholicism and aspirational consumerism. The place of culture in these contexts is vibrant but also transformational as Kelly Silva observes in her contribution on debates around the changing performance of marriage amongst Dili residents. Dili urbanites, she argues, negotiate the values of customary marriage institutions by converting traditional marriage exchanges into symbolic gifts. Such gifts allow people to retain and invest more resources in personal goals than did the extended customary distributions of gifts through familial networks. As ever, the insistent protocols of custom prove themselves flexible and adaptive to the needs of the present.

Conventionally in Timor-Leste, marriage and the customary expectations that surround it engage a wide network of familial relations and reciprocal gift exchanges that usually continue over the life of the marriage; and beyond if there are children. Affinal relations between marrying groups in the Tetun lingua franca are known as *Fetosawa – Umane* (of female and male). In these constellations of kin-based relationships, all Timorese are located within complex assemblages of agnatic and affinal relationships sustained through gift-giving and mutual obligations, particularly in the celebration of life-cycle transitions such as marriages, births, baptisms and death. In these contexts, gender relations are culturally marked in Timor-Leste and express a range of symbolic and mythic associations. In her contribution, Sara Niner explores some of these enduring dimensions of gender relations and their material impacts on contemporary attitudes and behaviour in Timor-Leste, including entrenched problems of male domestic violence (*violencia domestica*) and growing demands for gender justice and equality. To the extent that familial networks are guilty of complicity and denial about these issues, they also represent potentially important avenues for influencing behavioural and attitudinal change amongst its morally implicated membership.

The importance of family and maintaining connection is highlighted from a different perspective in Susana Viegas' essay on comparative mortuary rituals in Timor-Leste. Her focus on the elaborate material and symbolic qualities of Fataluku funerals provides insights into their celebration of mythic origins and the differentiation of spirit ancestors. Viegas draws on comparative material from other regions of Timor-Leste to highlight the rich and diverse customary knowledge that sustains funerary traditions and practices that remain vital to the living descendants of the dead. The elaborate Fataluku mortuary posts with their series of stacked buffalo skulls (F: *ete arapou cao*) provide a striking focus for her meditation on their symbolic and existential properties.

Leonor Veiga offers a very different contemporary perspective on cultural forms in her essay on the production of visual arts, paintings and installations by East Timorese artists. In what the artists describe as a 'Cultural Movement' (*Movimento Kultura*), Veiga sees a diverse set of interpretive art genres that draw heavily on cultural materials for symbolic effect. For Veiga, these represent a creative contribution to the work of nation-building and are examples

of the performative aspects of citizenship. With its origins in the period of Indonesian occupation and resistance, and with subsequent support from international donors, the *Movimentu Kultura* provides 'a critical space where individual and collective concerns are voiced through art'.

The final perspective in this suite of chapters on culture, shifts from contemporary artistic expression to a focus on cultural heritage and the challenge of preserving the archaeological and historical record of Timor-Leste. In recent years, collaborative archaeological work in different areas of the country has made significant discoveries, including evidence of occupation on the island 42,000 years ago (O'Connor et al. 2011). This is the earliest date for human occupation in Southeast Asia and the site includes the earliest known example of a shellfish hook, dated to around 20,000 years.

In a post-conflict country such as Timor-Leste, there are many competing development priorities, and the need to preserve cultural artefacts and significant historical materials faces stiff competition for government support. In his contribution to the volume, archaeologist and former advisor to the Secretariat of State for Culture, Nuno Oliveira offers a reflection on the work of State cultural institutions and their efforts to build an institutional framework and foundational skills for managing the patrimonial legacy of Timor-Leste. He recognises that a good start has been made and that plans for a National Museum and Library as well as a Museum for Arts and Creative Industries and other initiatives remain high on the government agenda, even as funding constraints have precluded their realisation to date.

Regional relations

Timor-Leste's restoration of independence as a new sovereign state in 2002 established a set of expectations and obligations incumbent upon a new member of the international community of nations. In subsequent years, through its national leadership and fledgling diplomatic corps, Timor-Leste has been signatory to many progressive conventions, beginning with its induction as the 191st member-state of the United Nations in 2002. The nation has also reached out to the multilateral intergovernmental network of Lusophone countries through active support of the organisation Community of Portuguese-Language Countries (CPLP – *Communidade dos Países de Lingua Portuguesa*).

A further important national priority has been a clear delimitation of Timor-Leste's maritime boundaries between the neighbouring states of both Australia and Indonesia. The 2006 Certain Maritime Arrangements in the Timor Sea (CMATS) treaty with Australia was later challenged by Timor-Leste over allegations of Australian espionage in 2004, and in 2013 Timor-Leste commenced an action in the Permanent Court of Arbitration to have the Treaty declared void. Aside from sharing the proceeds of undersea resources, the key feature of CMATS was a 50-year moratorium on boundary negotiations.

In April 2016, the government of Timor-Leste initiated a compulsory conciliation process over the Timor Sea boundary under the UN Convention on the Law of the Sea (UNCLOS). Australia's opening legal gambit—a jurisdictional claim that the CMATS Treaty had settled the border dispute—was dismissed by the conciliation commission, which found that Australia's obligation to settle the boundary survived the treaty's purported moratorium (UNCLOS Conciliation Commission 2016). Subsequently in 2017, a major breakthrough occurred with Timor-Leste and Australia jointly declaring that they had reached an agreement on 'central aspects' of a maritime-boundary determination (Permanent Court of Arbitration 2017). Revealed on 6 March 2018, the agreement once ratified will create a permanent maritime at the median-line boundary in the Timor Gap. The renegotiated agreement also resulted in a substantial increase in Timor-Leste's share of the future Greater Sunrise oil field

revenues to 70% or 80%, pending resolution where the pipeline for downstream processing will land—in reverse order of countries, as 70% refers to Timor-Leste.[2]

The historic agreement opens the way for new negotiations over the future development of the oil and gas fields in the region. These and related issues around Timor-Leste maritime boundaries are addressed by Clive Schofield and his co-author, I Made Arsana, in this volume. They document the diplomatic efforts made to negotiate international borders and the territorial extent of the nation and the final elements of Timor-Leste's journey to independence. They also acknowledge the importance of the recent bilateral agreement between Timor-Leste and Australia as marking a significant step in that direction, but caution that the process remains incomplete. Moreover, final agreements around maritime boundaries with neighbouring Indonesia remain unresolved even as efforts continue to find an amicable solution.

On a regional front, Timor-Leste's efforts to become a fully participating member of the regional body ASEAN present another set of opportunities and challenges. In her chapter reflecting on the long-running accession process, Maria Ortuoste argues that this quest for membership has proved to be a circuitous pathway that remains neither assured nor without substantial risks to the political and economic autonomy of Timor-Leste. Still the only country in Southeast Asia that is not yet a participating member, there are strong expectations that the issue of accession will be resolved in the near future.

Another set of issues with international reach and political complexity are those related to the different legacies of Timor-Leste's turbulent past. The first country to forge a bilateral agreement with Timor-Leste following the declaration of independence in 2002 was the People's Republic of China. China has a long history of trading relations in the region, and the economy of Timor-Leste was for years buttressed by the small Chinese-Timorese community within business interests across the country, and for historical reasons, strong links to Taiwan. The new relationship with the People's Republic of China has brought with it significant new investment and development benefits, along with an influx of new Chinese labourers. East Timorese scholar Mica Barreto Soares, in her contribution to the volume, charts the increasing influence of China in East Timorese affairs, and some of the growing concerns and tensions that have arisen in its wake. As she notes, the soft power, 'public diplomacy' that accompanies investment is one part of China's global efforts to build alliances and allegiances with multiple client states, and it offers both benefits and risks for the young country. The experience is one shared with many contemporary developing countries in the Asia-Pacific and Africa.

External links and interests in Timor-Leste are also addressed in Andrey Damaledo's study of pro-Autonomy East Timorese groups that fled into Indonesian West Timor in the chaotic period following the popular referendum in 1999. Damaledo's unique insights into the shifting politics and contemporary livelihoods of these groups highlight how they have gradually reconciled their liminal status as de facto refugees in their own country of citizenship. Many are now well established in different areas of West Timor as they build strategic connections whilst pursuing their politico-economic interests in a context of long-term displacement.

Timor-Leste futures

A collection of papers focusing on contemporary aspects of Timor-Leste's society inevitably raises questions about the nation's future directions, and the various opportunities and challenges prefigured in current trends. The continuing period of political instability and

persistent tensions between leadership factions is a contemporary demonstration of these effects. But if the lessons of history tell us anything, it is that we should not underestimate the resolve of the East Timorese people to overcome the destructive legacies of the past, and embrace a more prosperous future. By way of conclusion, we offer a number of provisional reflections on the way forward.

The first observation in this regard concerns the consolidation of the democratic semi-presidential regime, which has certainly caused some political tensions, yet proven both resilient and flexible over a series of electoral cycles and periodic crises. The result of the 2018 election demonstrated a maturity of purpose and civic-minded pragmatism evident amongst the voting public, who turned out in high numbers and eschewed smaller parties to cast their votes for a definitive result. Although the formation of new government saw an extended period of stand-off over Ministerial appointments, highlighting the realities of a 'divided executive' in a semi-presidential regime, political contestation in Timor-Leste has to date remained firmly within the remit of the constitution.

The newly established government also demonstrated some progress towards a much anticipated generational shift from the old guard (geração *tuan*) to that of a younger generation of political leaders (*geração foun*) albeit much more gradually than had once been expected. It is now clear that this will be a measured—even elongated—transition where all political players are tested for their capacity and resolve. Longevity in politics in the end favours compromise and an ability to reach negotiated outcomes for mutual benefit has at times been evident, even if East Timorese politics has witnessed regular returns to more 'belligerent' forms.

In the vital field of economic development policy in Timor-Leste, Charlie Scheiner's analysis of the fiscal sustainability of the state and the petroleum fund highlights the imminent and very significant challenges facing the nation. The Petroleum Fund continues to provide over 90% of state revenue and remains critical for the delivery of essential services, social transfers and investments in infrastructure and skills training for the burgeoning and youth-dominated East Timorese population. If the 'front loading' of expenditure has extended much-needed benefits across the nation, helping to reduce poverty rates and improve living conditions for the population, the currently unsustainable drawdown rates suggest genuine risks that the sovereign wealth fund will be depleted before alternative industries options are developed.

Despite this uncertain prognosis, recent developments offer possibilities of a more optimistic outlook. Although a dispute over the destination for 'downstream' oil and gas processing divides Timor-Leste and the joint venture commercial partners, the successful conciliation of the Timor Sea border dispute with Australia in early 2018 has paved the way for potentially fast-tracked development of the Greater Sunrise oil and gas field, with Timor-Leste as a major beneficiary. A replenished Petroleum Fund will, if nothing else, provide a critical financial buffer to underwrite moves towards a diversified non-oil economy. In late 2018, Timor-Leste commenced the acquisition of a 56% holding in Greater Sunrise joint venture by buying out the shares of two joint venture partners, Conoco Phillips and Shell. Whilst subject to parliamentary and regulatory approval, this signalled the strong intent of the East Timorese government to forge ahead with its ambitious downstream processing agenda. As this majority stake buyout brings a corresponding financial responsibility for the capital costs of developing field and the *Tasi Mane* infrastructure, it represented a considerable gamble for Timor-Leste, raising the issue of where loan funds will be sourced and how much of the sovereign wealth fund will be drawn upon. But economic diversification remains the critical challenge facing future East Timorese governments, with the significant growth in international labour migration and cash remittances pointing the way to some alternate economic

futures for East Timorese youth, along with the growth of the tourism sector. Clearly, much more needs to be achieved in this critical realm of policymaking.

Despite the efforts of recent governments to embrace a vision of a more technocratic and highly skilled cosmopolitan society, many of the contributions to this collection highlight the enduring role of Timorese traditions (*kultura*), which remains a pervasive influence on contemporary society. This is especially so across the mountains and hinterland of the island, but as Kelly Silva points out (this volume), urban elites also remain sensitive and receptive to the expectations and obligations of kin and custom. This suggests that as Timor-Leste builds towards a more prosperous and developed future, the guiding role of customary knowledge and social reciprocity will continue to inform a distinctive and successful East Timorese modernity. The idea of 'cohabitation' that David Hicks adopts in his contribution offers an inclusive concept that embraces tradition and modernity, where each needs to be accorded weight and space by government for East Timorese society to flourish and to maintain a distinctive national identity that reflects the multiple sources of its historical emergence as a national community.

Finally, we suggest that as Timor-Leste matures into an independent, democratic and well-governed nation, it will also consolidate its position as a responsible and open regional neighbour across a range of multilateral and international associations with shared geopolitical interests. There will undoubtedly be continuing obstacles along the way, but despite the various challenges highlighted in the chapters of this handbook, Timor-Leste's successful history of determined collective action suggests there is every reason to be optimistic about the future.

Notes

1 *Zona Especiais de Economia Social de Mercado de Timor-Leste.*

2 The higher-revenue figure would operate if Timor-Leste does not achieve its goal of sending the pipeline to the southern coast of Timor.

References

Barnes, S. (2007). 'Origins, Precedence and Social Order in the Domain of Ina Ama Beli Darlari', In *Land and Life in Timor-Leste: Ethnographic Essays*, A.R. McWilliam and E.G. Traube (eds), pp. 23–46, Canberra: ANU Press.

Bovensiepen J. (ed.). (2018). *The Promise of Prosperity: Visions of the Future in Timor-Leste After Independence*, Canberra: ANU Press.

Cotton, J. (2007). 'Timor-Leste and the Discourse of State Failure', *Australian Journal of International Affairs* 61(4): 455–470.

Curtain R. (2018). 'Remittances Biggest Export Earner for Timor-Leste after Oil', *Development Policy Centre,* Blogpost. file://ad.uws.edu.au/dfshare/HomesCMB$/30047149/My%20Documents/PAPERS/Fataluku%20Book%20January%202018/Useful%20other%20articles%20recent/Remittances%20biggest%20export%20earner%20for%20Timor-Leste%20after%20oil%20(1).pdf

Hicks, D. (2007). 'Community and Nation-State in East Timor', *Anthropology Today* 23(1): 13–16.

Kammen, D. (2009). 'Fragments of Utopia: Popular Yearnings in East Timor', *Journal of Southeast Asian Studies* 40(2): 385–408.

Leach, M. (2009). 'The 2007 Presidential and Parliamentary Elections in Timor-Leste', *Australian Journal of Politics and History* 55(2): 219–232.

Loch, A. (2007). *Haus, Handy & Halleluia: Psychosoziale Rekonstruktion in Osttimor,* Frankfurt am Main: IKO—Verlag für Interkulturelle Kommunikation.

Meitzner Yoder, L. (2015). 'The Development Eraser: Fantastical Schemes, Aspirational Distractions and High Modern Mega-events in the Oecusse Enclave, Timor-Leste', *Journal of Political Ecology* 22: 299–321.

Pereira, A. (2014). 'Timor-Leste Transforming Belligerent Democracy into Consensus Democracy', *Tempo Semanal* 26 Jan. www.laohamutuk.org/econ/OGE14/AgioTS24Jan2014en.pdf
Permanent Court of Arbitration. (2017). *Conciliation between the Democratic Republic of Timor-Leste and the Commonwealth of Australia*. Press release, 1 Sept. https://pcacases.com/web/sendAttach/2230
RDTL. (2015). '500th anniversary of the affirmation of the Timorese identity', 1 January. Online. Available http://timor-leste.gov.tl/?p=13165&lang=en? (accessed 26 March 2016).
UNCLOS Conciliation Commission. (2016). *Decision on Australia's Objections to Competence*, 19 Sept. https://pcacases.com/web/sendAttach/1921
World Bank. (2018). *Timor-Leste Economic Report – March 2018*, http://documents.worldbank.org/curated/en/889001521523777495/pdf/124434-WP-P165266-PUBLIC-TLERMarchFINAL.pdf (accessed 28 July 2018).

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2
AN UNFINISHED JOURNEY
Timor-Leste's path to democracy[1]

Rui Graça Feijó

Introduction

In his Nobel Peace Prize acceptance speech, José Ramos-Horta, the most senior figure in Timor-Leste's 'diplomatic front', announced the Resistance plan to achieve self-determination for the territory, stating that it intended to build 'a strong democratic state based on the rule of law which must emanate from the will of the people expressed through free and democratic elections'. On the one hand, he was acknowledging the need to address the new template of the post–Cold War world, in which the promotion of democracy had become the *zeitgeist*, and was therefore a necessary condition to secure the good will, and maybe even the intervention of the international community in the resolution of the then two decades-long conflict with Indonesia. As important as the diplomatic considerations, Ramos-Horta was expressing a significant evolution of the Timorese Resistance: at first, opposition to the Indonesian military invasion was concentrated in the revolutionary front that had won a brief civil war and later declared the short-lived unilateral independence (*Frente Revolucionária de Timor-Leste Independente* – FRETILIN) and the parts of the territory it had under its rule, all other major parties (*União Democrática Timorense* – UDT; and *Associação Popular Democrática de Timor*) and other relevant institutions such as the Catholic Church, supporting the integration in 1975. But as time went by, the harsh methods of the Indonesians, the development of urban life and the emergence of new actors like the young student clandestines, the opposition to foreign rule grew in intensity (Anderson 1993). In the mid-1980, Xanana Gusmão had the political wisdom to break away from the 'avant-garde and sole representative of the Timorese People' approach of FRETILIN, by then a self-avowed Marxist-Leninist organization that had lost control of 'liberated areas' and proclaim that the Resistance would henceforth be composed of all strands of Timorese opposed to foreign rule. He also declared its armed branch, the *Forças Armadas de Libertação Nacional de Timor-Leste* (FALINTIL) to be a non-partisan guerrilla group under his own command. Doors were then open for the Resistance to become a pluralist movement – a tendency that led to the creation in 1988 of the *Conselho Nacional da Resistência Maubere* and was later crowned with success with the foundation, in 1998, of the *Conselho Nacional da Resistencia Timorense* (CNRT), composed of the vast majority of the Timorese who fought for self-determination. A pluralist movement, not a usual feature of postcolonial or neocolonial situations, could not avoid being considered a fundamental basis for a democratic solution of the Timorese drama.

If breaking away from Indonesian authoritarian rule was thought by most at the time of Ramos-Horta speech to be over-optimistic, assuming the will to build a democratic polity appeared as an even more ambitious proposal. Yet, within less than three years Timor-Leste had voted overwhelmingly in favour of independence and set on the course to build a democratic regime. One and a half decades have elapsed, and for most observers Timor-Leste is recognized as a democratic country struggling to improve, consolidate and expand the basic assumptions of this sort of polity. Seventeen years after the proclamation of independence, Timor-Leste possesses a Constitution that has been the bedrock for the rule of law since day one; has witnessed four electoral cycles, both for the presidency and the national parliament (this one had an extraordinary election in 2018) – all considered to be free and fair and to meet international standards of electoral justice and integrity; and the majority of international entities who monitor democracy worldwide cast a benevolent eye on the situation of the country.

Polity IV rates Timor-Leste with +7 points in a scale running from −10 to +10, in which +6 and above are considered democracies (and those scoring +10 are 'full democracies'). As for *The Economist Intelligence Unit's Index of Democracy*, it considers countries with scores above 6 to be democracies, those falling in the gap 6–8 to be 'flawed democracies' and those above 8 'full democracies'; Timor-Leste has consistently been in the group of 'flawed democracies'. If one considers the context of Southeast Asia, these are good scores. In the case of *Polity IV*, Timor-Leste is on par with Indonesia and Malaysia – all others falling below the magic line; as for *The Economist Index*, in 2016 it considered Timor-Leste to be the most democratic of all countries in this region. *Freedom House* is perhaps the most popular index amongst political scientists – but it also reveals important flaws. For this organization, Timor-Leste struggled to achieve the status of 'Free Country' (ratings between 1 and 2.5), and the last publication of results crowns a positive evolution. The comprehensive study of the V-Dem Institute rates Timor-Leste with 0.500 in the 'Liberal Democracy Index', on the threshold of democracy.

Elsewhere, I have conducted a survey of Timorese democracy using two sets of substantial criteria – one proposed by Alvarez, Cheibub, Limongi and Przeworski (1996), the other being an upgrade of Robert Dahl listing for 'poliarchies' (1971) as revised by Philippe Schmitter and Terry Lynn Karl (1991) (see Feijó 2016, 2017). Both exercises concluded that Timor-Leste lives now under a democratic regime, according to standard academic definitions of the term. However, if a basic, dichotomous appreciation of this classification yields a positive result for Timor-Leste, there is no doubt that not only does democracy require further time to consolidate, but it can also improve the level of quality it could exhibit. The journey has been successful, if only with some bumpy patches, but it is yet unfinished.

My own assessment of the validity of those exercises is based on a precise notion of democracy that is useful to summarize before we proceed to analyse how Timor-Leste obtained such a status. My concept of democracy is *historically situated* in the early twenty-first century – not one that purports to be a-chronological; it is a *modest concept* in that it does not aim to cover but the political institutions of a given country. It is also simultaneously *minimal* – paying tribute to Ockham's razor – and *thick* in order to grasp the variety of expressions of the *experimentum humanum* it is deemed to serve. In brief, it cannot be reduced to a simple mechanism of political agency and must incorporate the complexity of modern life. In this light, I propose to consider as democratic any political system that bases itself on the notion that power resides ultimately with the people (now understood as the widest possible franchise of adults), is periodically subject to confirmation by means of free and fair elections, is limited in the duration of each individual term in office and by the different nature of the

state functions that must obey the principle of partition of powers, and offers no doubts that a double mechanism of accountability is in operation, both horizontally (by virtue of the limited scope of each power individually considered and the interplay between the whole of the state administration) and vertically (articulating the owners of sovereignty with those who receive a delegation to discharge specific function over a limited period of time and keep in their hands the fundamental power of control). I believe that Timor-Leste conforms with this definition. How did it come to do so?

Assessing the odds of Timor-Leste becoming a democracy

The million-dollar question in political science is the one that considers what it takes to bring about a democracy in a given country and to sustain it for a reasonable period of time. Some regularities have been found in comparative studies (like the correlation between medium-to-high levels of income and the chances that a democracy survives), but the world is full of exceptions to the various propositions of hard rules. The case of Timor-Leste is one in which democracy was installed by virtue of a combination of the exercise of external conditionalities forged in the wake of the end of the Cold War, and the adhesion to that idea by a sizeable part of the local elite. What remains to be discussed, thus, is not so much the way through which democracy made its presence felt, but rather what explains its survival against enormous odds. I assume that, in Morlino (2011) words, democracy was installed by force of a positive combination of factors and it has survived, and follow the position of Albert O. Hirschman (1963) who criticized the approach that consists of looking endlessly for prerequisites that may turn into a spiral from which one cannot escape before resolving the paradox that, after all, something may exist without optimal conditions being present.

However, it is important to assess the odds of Timor-Leste ever becoming a consolidated democracy, by surveying the literature on the inception of democracy. I propose to do this exercise with the help of a method used in the world of business and management better known by its acronym – SWOT analysis (for Strengths, Weaknesses, Opportunities and Threats). This form of analysis helps to review in a systematic way the internal elements of a given situation that have positive (strengths) or negative (weaknesses) influence, and the external ones that may constitute opportunities (positive) or threats (negative). Given the shortage of space, I merely present a table with my perspective on the Timorese case (Table 2.1).

Had anybody devised such a table at the onset of the process of democratization of Timor-Leste, the obvious path to follow would be to sustain the strengths and take advantage of the opportunities, and at the same time combat the weaknesses and lower the intensity of the threats. But it would have been much easier to say than to actually do what it takes to reinforce the odds of democratic survival. Moreover, one would have to consider four critical factors:

First, the consolidation of democracy takes time. Rustow (1970) posited that such a process would take no less than a generation, and Schmitter and Santiso (1998) pointed to a period of at least three full legislatures. Second, it implies ownership. It is important to retain that the international community was fairly influential in the advent of Timorese democracy – but its consolidation implies that the Timorese take control and possession of the whole process and that it becomes endogenous rather than driven by externalities. Third, even if the process may have started in critical sectors of the local elite, part of which had been socialized in their long exile in democratic countries, it is imperative that it becomes inclusive of all citizens, and in this instance grassroots democracy is an issue I shall return to further down. Fourth, it depends on the establishment of adequate mechanisms for the regular and periodical control of those who happen to be discharging public functions.

Table 2.1 Timor-Leste SWOT features

Strengths	**Weaknesses**
National unity and identity	Poverty
Plural nationalism	'Oil curse'
Nationalist narrative	Embryonic state
Democratic-leaning leadership	Colonial legacy
Small size of the country	Repercussions of authoritarianism
Free Constitution-making	Conflict legacy
Natural resources	Political extreme polarization
	Guerrilla fighters without job
	Charismatic leadership
	Rudimentary political parties
	Fragile civil society
	Ethnolinguistic diversity
	Sizeable displaced population
	Financial costs of democracy
	High rates of illiteracy
Opportunities	**Threats**
Zeitgeist	Democratic recession in the world
Democratic 'linkages'	Regional context
Democracy promotion	Alternative narratives
International aid	Democratic façade regimes
International oversight of the process	Pockets of permissiveness to non-democratic solutions
Indonesian democratization	International agents
	Leviathan

Seventeen years after independence, significant steps have been made in this direction, overcoming several of the weaknesses and threats – but all could not be resolved and the consolidation and qualification of democracy remains on the agenda. Timor-Leste disposed of a number of significant strengths and opportunities to develop a democracy – but the country also suffered from several weaknesses and threats to the survival of its chosen regime.

Before moving to the next section, I would like to recall that the east Timorese process of democratization seems to defy an established principle in mainstream political science. Juan J. Linz (1997) famously wrote, 'No State, no *Rechtsstaat*, no Democracy'.[2] However, the situation of Timor-Leste in the aftermath of the Referendum of 30 August 1999 and the scorched-earth policies of the Indonesian military abetted by local militias was of no state in the classical sense. Many observers described the situation as a *tabula rasa* (Chesterman 2001), *terra nullius* (Suhrke 2001), *ground zero* (Nevins 2002), *empty shell* or *black hole* (Lemay-Hébert 2011). The institutions of a neocolonial state had collapsed with the departure of the Indonesians and many Timorese fearing for their past association with their administration – and a new state apparatus had to be put in place, a process that is necessarily protracted in time. In this sense, as Tansey (2009) noted, Timor-Leste took a bold decision: to build simultaneously a modern state *and* a democracy. This is an unprecedented option, which reveals the courage of the Timorese to embark in a novel adventure. Hélas, as Sonja Grimm and Julia Leininger (2012) have stressed, not all good things always go well

together – and there is a strong possibility that conflicting objectives in the promotion of democracy under a state-building operation may emerge. This observation helps to situate the enormous amounts of difficulties the Timorese faced in their quest for a democratic state.

The UN Kingdom of Timor-Leste and the roadmap to independence

After the debacle of the Indonesian rule, the United Nations stepped in to establish a 'transitional authority' before independence had grounds upon which it could stand. The Security Council passed Resolution 1272 establishing the UN Transitional Authority in East Timor (UNTAET). Not intended to be a long-lasting mission (its mandate was set in terms of six months which had to be regularly renewed), it was vested with powers to enact the 'development of local democratic institutions' and to 'transfer to those institutions its administrative and public service functions'. However, and rather paradoxically for a mission intent on promoting democracy, the Special Representative of the Secretary General (SRSG), the Brazilian-born diplomat Sérgio Vieira de Mello was awarded the 'overall responsibility for the administration of East Timor and [...] empowered to exercise all legislative and executive authority, including the administration of justice'. Not only was this the broadest mandate a UN mission had ever received (Tansey 2009), leading many to speak of 'modern protectorates' (Mayall & Oliveira 2011), the SRSG was compared to a 'pre-constitutional monarch in a sovereign monarchy' (Chopra 2002). For many commentators, the situation in Timor between 1999 and 2002 was christened as a 'benevolent autocracy' (Chesterman 2004), 'benevolent despotism' (Beauvais 2001) or 'benevolent dictatorship' (Powell 2008) – all forms of a 'benign colonialism' (Kingsbury 2009) intent on promoting democracy. If the stated goal of the mission was to promote state- and democracy-building, the chosen method ran contrary to the very essence of democracy, in that it amalgamated in a single individual the whole range of state powers that are supposed to be separate so that a mechanism of checks and balances regulates the system. The disjunction between the benign goals and the nature of the methods adopted was so significant that Jarat Chopra (2002) wrote about 'building state failure'. The paradox was not easy to solve.

A second and not less critical element of the process was the degree of participation of the East Timorese in the preparation for independence. In the quarter century that elapsed after the Indonesian military invasion, the 'Timor issue' was dealt in the United Nations by the Department of Political Affairs (DPA), which was knowledgeable of the details of the actors involved. After the Referendum, internal responsibility in New York was moved to the Department of Peacekeeping Operations (DPKO). In sharp contrast with DPA, DPKO had a slim acquaintance with local details – but, on the other hand, possessed a blueprint for peacekeeping operations: assume the war factions remain on the ground, place UN missions in charge, relegate local actors to 'advisory' roles.

Timorese by and large – including the main actors of the Resistance – had expected a different attitude. The referendum was organized to high international standards, the results left no shadow of a doubt as to the will of its people, and one side of the conflict (the Indonesian state and many of those who espoused its views) had vanished from the local scene. Why, under the circumstances, keep resistance leaders and the Timorese in general as mere 'advisors' (in a National Consultative Council set up by Vieira de Mello) to the UN executives? Frustration over the UN behaviour grew strong, and it had an impact on the length of the transitional period. On the one hand, financial considerations determined that UNTAET was not offered a package of a few years (say, five to ten, as many argued would

be necessary), but rather six months instalments whose renovation had to be continuously negotiated, which prevented the establishment of a realistic time frame for independence. On the other hand, growing frustration felt by the CNRT drove Timorese leaders – in spite of having been offered a larger National Council that nevertheless remained an advisory body – to plea for an acceleration of the transfer of power.

In late 2000, Sérgio Vieira de Mello asked the National Council for a roadmap to independence that had to include the drafting of a constitution. Two opposing views were expressed during the hearings conducted by a specific committee of the council: one favoured a drafting process based on a consensus-building operation open to all sectors of society through wide participatory exercises, followed by an election for a Constituent Assembly that would put the final touches to the fundamental law, and was espoused by a variety of local actors; the other called for the election of a Constituent Assembly within a few months, preceded by the legalization of political parties, that would be responsible for the drafting and approval of the constitution. This latter view was espoused by FRETILIN – the party that was better structured and hoped to benefit from its solid countrywide organization – and leading members of the UN administration like Peter Galbraith. Sérgio Vieira de Mello presented both options to a CNRT Conference and to a meeting of the UN Security Council, but eventually gave his ear to Galbraith who claimed that

> The final phase of Political Transition begins with the election of a Constituent Assembly with a mandate to prepare the constitution for an independent Timor-Leste. UNTAET has an obligation to hold free and fair elections that meet the highest international standards and are open to all political parties and viewpoints. Only in this way can UNTAET be certain that it is turning power over to bona fide representatives of the Timorese people.
>
> *(ETTA 2001)*

Actually, only 12% of the world's constitutions have been drafted according to such procedures (Elkins et al. 2009). Advocates of 'new constitutionalism' based on wider popular participation only managed to force the Constituent Assembly to conduct hearings, both before and after the constitution was drafted – but those were no more than façade initiatives that produced no significant result.

The Constituent Assembly was elected on 30 August 2001 – two years after the Referendum – and by April the country-to-be had its new Constitution approved and was ready to elect the President of the Republic, and to set the date of 20 May 2002 as the 'restoration of independence'. However, even if the Constitution was voted by more than two-thirds of the elected members of the Assembly, the majority of the parties with seats in the Assembly decided to vote against the final result, thus weakening what one might have expected to be an auspicious debut of a new life. Critically, the majority of the Assembly voted in favour of transforming itself into the first legislature of the National Parliament, offering FRETILIN a five-year period in which it would be the dominant party, as it had gained more than half of the seats (not enough to approve its constitutional proposal, as it required a qualified majority, but more than the necessary minimum for the running of a parliament on simple majority). It was a decision taken freely by the Constituent Assembly that was inscribed in its competences, but one which elicited strong criticism from vast sectors of the public opinion. This decision had the effect of freezing political competition for five years and, as a para-constitutional measure, would have negative effects in the stability of the political arena, namely, in the crisis of 2006.

The new constitution was drafted by elected Timorese with the support of some international experts. It reflected the wishes of the Timorese, but it is also, to a large extent, a construct in line with 'politically correct' stances. Above all, the Constitution is a kind of Leviathan that draws a picture of a wonderful country that will emerge sometime in the distant future hanging on an ever-present state capable of delivering milk and honey (generous guarantees of social and economic rights). In so doing, it helped create illusions as to the capacities – both in terms of material or financial aspects and in relation to human resources available in the new nation – to fulfil all those dreams in the short to medium term. In a sense, this perspective offers a roadmap to development. But it can also be a source of deep frustration as significant parts of the constitution's prescriptions remain words and not deeds.

Elections in a young democracy

Kofi Annan, the former UN Secretary General who was much involved in the Timor cause, once said, '[w]hile democracy must be more than free elections, it is also true that it cannot be less' (quoted in Bjornlund 2004). Timor has inscribed free and fair elections in its genetic code since it owes the possibility to transform a repressed nation into a sovereign, independent state precisely to the UN-sponsored and supervised Referendum of 30 August 1999. Henceforth, all major political decisions (change of president or government) have been done within an electoral framework that operates regularly. It should be stressed that there are several criteria to transform the simple casting of a vote into a free and fair election. Timor-Leste as the 27th Province of the Republic of Indonesia had had a chance to participate in several elections, but João Saldanha (2008) claims that none qualified in the framework of internationally accepted standards for fairness. So there was a learning process – and the Timorese seem to have travelled fast along that path.

To start with, electoral franchise must be quite ample, verging on universality – and Timor duly accepted universal suffrage. Registration procedures are reasonably accurate, in spite of the difficulties in removing deceased citizens from the rolls, thus artificially increasing the level of abstention. The overall picture emerging from official records reveals a country thirsty for participation. If one accounts for the inflation in registered voters, the actual percentage of those who turn out at the polls has always been in excess of 80% (Table 2.2).[3]

Table 2.2 Electoral participation

Year	*Election*	*Participation*
1999	Referendum	98.93
2001	Constituent Assembly	91.30
2002	Presidential	86.18
2007	Presidential (first round)	81.69
2007	Legislative	80.50
2012	Presidential (first round)	78.20
2012	Legislative	74.78
2017	Presidential	71.20
2017	Legislative	76.74
2018	Legislative	80.98

Source: Feijó, Rui Graça. 2016. *Dynamics of Democracy in Timor-Leste, 1999–2012. The Birth of a Democratic Nation*. Amsterdam: Amsterdam University Press.