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# State Formation and Political Community in Timor-Leste – The Centrality of the Local

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**State Formation and Political Community in Timor-Leste – The Centrality of the Local\***

This article addresses the enmeshments of customary and liberal institutional values and practices in Timor-Leste. It argues that dominant approaches to thinking about political community and the state overlook the significance of community sources of political values, placing them outside serious exchange and failing to provide a way of thinking seriously about negotiating political life across radical difference. There is nevertheless an ‘ecology of relations’ taking shape described neither by liberal nor customary frameworks. The nature of political community in Timor-Leste will be shaped by how these enmeshments play out and whether they are negotiated through unacknowledged shadow zones or more accessible forms of exchange. Exchange around arenas of interaction could give substance to nation-building and build participation and accountability. Villages are critical in this context.

**Keywords:** Timor-Leste; state formation; post-colonial states; political community; political dialogue.

As with many post-colonial states, Timor-Leste’s people and government are facing the profoundly challenging task of weaving together a shared political life and language from the interplay of fundamentally different socio-political cultures and logics of governance (Hohe, 2002a).<sup>1</sup> From its inception as a new state (formally in 2002, following a period of United Nations administration from late 1999), Timor-Leste has been characterised by the co-existence of liberal norms and a bureaucratic-legal model of government with local, broadly customary, forms and values of governance, and by the interactions of international market exchange with what is still a substantially subsistence economy (Brown, 2009; Nixon, 2006). In practice, these logics are inevitably entangled, shaping each other and being reshaped in the process of interaction. The world-views in which they are embedded and the models of practice they generate, however, remain in many ways deeply divergent. These differences go beyond the linguistic and cultural diversity that characterises Timor-Leste; rather, they involve profoundly different constructions of community, personhood and obligation, of authority, accountability and economy, of nature and the sacred (Hicks, 2004).

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<sup>1</sup> This article draws on a series of research periods spent in Timor-Leste between 2002 and 2011, researching local peacebuilding and then the impact of village elections. This research was conducted with Timorese research associates, particularly Alexandre Gusmão, but in 2009-2011 also including a team from the National University of Timor-Leste. While I have travelled widely through the country, the research team conducted research in each of Timor-Leste’s 13 districts. Their work is mentioned in the references.

In step with predominant international paradigms of statebuilding and peacebuilding, however, prevailing representations of the state and nation – of the political life of Timor-Leste – focus almost entirely on state institutions and the state elite (or threats to these institutions). Other dynamics of power appear at best as simply ‘cultural’, to be managed within the terms of the bureaucratic-legal state. Such an approach remains deeply entrenched internationally despite the ‘local turn’ in some theoretical and to a lesser extent policy discussion (OECD, 2010; Denney, 2013). This article argues that by failing to adequately acknowledge ‘other’ constructions of power and appropriate action as genuine sources and shapers of political community, state-centric approaches place more local, community understandings of power outside serious exchange, negotiation or scrutiny; they become ‘hidden in plain view’. Moreover, this overlooking becomes an obstacle to efforts to understand and negotiate the interactions of different constructions of power, value and wealth, and their effects on leadership, institutions, governance and lives. In many parts of the post-colonial world, friction and confusion between liberal and customary modes of governance has created ambiguous zones governed neither by customary nor bureaucratic-legal patterns of accountability, hidden from scrutiny and rife with opportunistic manipulation and violence (Boege *et al.*, 2009; Ellis and ter Haar, 2004).

The co-existence of governance norms is a profound challenge, but not in itself the problem. Rather, it is the particular nature and effects of the “ecology of relations” (Descola, 2013) created by their interaction that is important – what dynamics of power are enabled, who is excluded, and whether relations are shaped in ways that are relatively open to discussion and exchange or unacknowledged and unaccountable. The nature of political community in Timor-Leste and the character of its operation as a state are likely to be fundamentally shaped by how these interweaving logics of governance play out and are mobilised by various interests. Moreover, these engagements are important not only for central government, but are in play perhaps even more intensely at the community level, in villages (Cummins, forthcoming). Processes of discussion and exchange around particular, concrete arenas of interaction could give substance to nation-building endeavours and to the democratic values of participation, accountability and respect which Timor-Leste has constitutionally embraced. In this context it is important to take prevailing community and customary values seriously, as genuine sources of political life, and to take villages seriously,

as key sites of emerging governance practice and as fundamental to people's experience and well-being.

This article is a reflection on the gulfs, tensions and enmeshments of customary and liberal values and practices, with an emphasis on the village. After a comment on terms, it situates the discussion by looking briefly at the emergence of the new state of Timor-Leste. It notes the disjunction between centralised, liberal institutional and community approaches to governance but also considers the strengths and weaknesses of efforts to manage this disjunction: elections, consultation processes, the role of socio-political goods, and some local community efforts. Given the importance of villages to emerging political community, the article then discusses aspects of customary and community life. Village elections are an example both of the growing enmeshment of different approaches to governance and an indication of the diversity of the accommodations reached. Custom can itself be understood as an expression of self-determination. The article then returns to a broader discussion of the exile of 'custom' from how the 'state' and, by implication, political community are commonly conceptualised. It reflects on more relational and dynamic approaches to understanding the state and emphasizes the challenge and importance of processes of engagement and exchange to building political community across radical difference.

Constructing this argument in terms of state institutional and customary governance itself risks repeating the reification of categories, when it is more often a dynamic fusion of various elements that shapes realities on the ground. Drawing attention to community and customary values, however, is a response to the often pejorative or slight treatment they receive. Customary world-views and practices are understood here as dynamic and multidimensional, with long histories of resilience, refashioning, jettisoning and incorporation (McWilliam, 2005, 2008). Liberal governance also constitutes a family of protean and contending approaches. 'Local' is an open-ended term (Shaw and Waldorf, 2010). It refers first to the local governance of the *suku* (village). In rural areas, it is the *suku* that deals with day-to-day security and livelihood and where most East Timorese have direct experience of governance. The *suku* is a fundamental point of reference for political community in Timor-Leste and a critical site of enmeshment of customary and state institutional governance. While forms of *suku* governance vary across the country (Gusmão, 2012), in important respects the significance of *suku* governance is more 'national' than that of the central government as it is local values and mechanisms that underpin social and

political order countrywide. 'Local' also points to customary values and practices, which are local in the sense of being 'of the place' – endogenous but also pervasive and far-reaching, with considerable diversity across the country, but sharing strong patterns of family resemblance. To be local, however, does not mean that villages or custom are "spatially incarcerated," existing in a realm other than or isolated from global, international or national dynamics (Appadurai, 1988 in Shaw and Waldorf, 2012: 6).

### **The New State of Timor-Leste**

Independence is a recent and hard-won achievement for Timor-Leste. Statehood and centralised government are the available way to assert independence in the international system, and for many Timorese they symbolise rejection of the oppression and violence of the Indonesian era and stand as assertions of self-determination and hope. Many Timorese made great personal sacrifice for the 1999 vote that led to independence. Perhaps reflecting this there is a very high level of participation in national elections. Since formal independence Timor-Leste has held two rounds of national elections and witnessed one change of government – a significant achievement. The state itself could be seen as a statement of independence and of being Timorese, and people want to be part of it (McWilliam and Bexley, 2009).

In keeping with prevailing international practice, state-building in Timor-Leste, first under the UN (UNTAET) and then national governments, has been highly centralised (Chopra, 2002; Soux *et al.*, 2007). Responding to the scale of destruction in 1999, the international community and the returning East Timorese diaspora saw the task ahead as "nothing less than building a new nation from almost zero" (UNDP, 2000: 92). This challenge inspired extraordinary efforts by the East Timorese elite and the international community to construct a modern state – an effort focussed squarely on building the machinery of government (Richmond and Franks, 2008). Rural outreach was only lightly resourced (Chopra, 2002). The state arena was a new sphere for East Timorese, and establishing viable government institutions has been important. "Building a new nation," however, is not the same as establishing the machinery of government, while the lack of state institutions does not equate with absence of political community.

Far from being a political vacuum, on the ground it was the clandestine resistance movement that initially re-established local governance following the devastation left by the

Indonesian military (AGLD, 2003). Working with customary networks, the resistance operated “a command and control structure that [...] [was characterised by] a durability, coherence and local flexibility that were eminently suitable to the task of maintaining basic services and social order” (*ibidem*: 49). By contrast, UNTAET’s efforts to manage the regions were described as “agency governance”: organised around UN reporting requirements and answering to a centralised project management bureaucracy (*ibidem*: 53). The forms of local organisation and agency that had contributed to survival and resistance were recognised in state-building efforts as ceremonial colour, ‘folklore’ or an obstacle to liberal values (Hohe, 2002a: 570). In Dili, government administrations and programs were established with reference to international bureaucratic models, but with little reference to their capacity to engage with how local communities worked. As one Timorese Ministerial Advisor commented:

It was so good [the UN and the international community] came in. [But] [...] between the world agencies and institutions [...] [they implemented] cut and paste mechanisms. [...] You can’t just come in with money [...]. There are values in there [...] that you need to respect and adhere to. (Interview, Dili, 2011)

It may not only be a matter of resources then that state institutions continue to have little reach beyond the capital, and that there is a deep disconnection between urban and rural life (Toome *et al.*, 2012). In practice, in Timor-Leste, few established structures underpin liberal norms, or support their integration into people’s experience, although they have some circulation particularly, though not only, in urban areas, and can be passionately held. Confusion between liberal and customary social orders has also been a challenge for Dili, as the material and social frameworks that might in practice support liberal forms of social order are relatively undeveloped (Valenti, 2014), while high rates of urban migration mean that kinship mechanisms are relatively weak (Trinidad and Castro, 2007).

Democratic inclusion into the exchanges that make up national political community has been approached largely in terms of elections. Timorese clearly welcome the opportunity to participate in the choice of leadership (Toome *et al.*, 2012). Nevertheless, national elections remain a ‘thin’ form of engagement. Elections in themselves do not link the operation of leadership with the concerns, needs and values of the community, and are not capable of bridging the disjunction of local and bureaucratic-legal institutions (Hohe, 2002b; dos Santos and da Silva, 2012). Elections open the door to wider sets of exchanges and forms of

accountability necessary for more substantive legitimacy. Without these exchanges, the legitimating power of elections could weaken. The Government also undertakes public consultation processes; “however, consultation periods are usually short and little information is disseminated beforehand” (Wallis, 2012: 11). The challenges of creating inclusive processes of exchange, not driven by specific government policy agendas, are significant (Tully, 1995).

Institutions such as justice systems can work to bind political community together, but they can also be fractured. For example, according to standard explanations, criminal or serious cases go to court in Timor-Leste, while minor cases are dealt with by custom. However, as one District Administrator explained,

in reality the justice system doesn't work, so we must use traditional methods for both [serious and minor crimes], and this has deep roots in society – it is from our ancestors ... [and] is more effective ... given that the justice system is so weak, let's use the traditional system. Now ... the crime statistics are very low ... It is not because there are no problems but because we use traditional houses to resolve them. (Interview with District Administrator, 2008)

One way of talking about justice circulates in conversations with government ministries and international agencies, but quite another on the ground. Both have important things to say, but fail to engage with each other. An unintended effect of this miscommunication is that exchange about fundamental social and political goods – in this case justice, what it means and what people seek in it – is subverted, at least between central and other authorities.

It is from exchanges around fundamental goods such as justice, however, and not solely elections, that grow the web of relations and shared language between governed and governing and between forms of governance. There is a body of practice and experimentation around these interactions accumulating at district and village levels. *Tara bandu*, customary agreements negotiated within a *suku*, and covering many social, ecological and resource issues, are one channel for such explorations. Local police might be part of a *tara bandu* agreement, but so might a local company, or the district representatives of a government ministry. *Tara bandu* are examples of what can be the flexible, pragmatic and dynamic elements of custom. Laura Yoder (2007) has documented the cooperation between district representatives of the central ministry responsible for forestry and local communities – striking in that it demonstrates ministry officials accepting customary rule-making and imposition of penalties upon government as well as vice versa.

There are other examples (McWilliam, 2008; Palmer and de Carvalho, 2008; Cummins, forthcoming). Deeper forms of articulation may emerge from these developments over time.

### **Customary Orders and the *Suku***

*Suku* have adapted over centuries to fundamental changes of political regime. The great diversity of *suku* reflects cultural, linguistic and geographic difference, but also regional variations in this history of adaptation. The village, including the sub-village (*aldeia*) and the family, is the principal arena for customary forms of governance. If central government institutions have relatively little reach into the regions, *suku*, and the clan networks upon which they largely rest, underpin social order, food production and well-being for most Timorese. Central government, however, also reaches the rural population largely through *suku*.

Timor-Leste is largely rural, with over 70 per cent of the population dependent upon subsistence food production in a difficult natural environment. In rural areas, most people live in small, scattered, kin-based communities at sub-village level or below. Despite some provision of services by church, government, or other agencies, these are fundamentally self-help communities (Grenfell *et al.*, 2009). Customary belief systems are embedded in extended family life, giving them power, durability and reach. Kinship is structured through *uma* or 'houses', which are tied internally to place and shared ancestors, and networked through patterns of reciprocal obligation flowing from intermarriage. *Uma* includes living relatives, but also those who have died and the yet unborn; it includes the natural world, but also spirits (McWilliam, 2005). This mystical web is given concrete form in the *uma lulik* or *uma lisan*: the sacred or secret house, where the veneration of ancestors is focused and where *lisan*, that is, appropriate values, practices and relations are taught and given expression (McWilliam, 2005; Tilman, 2012). *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. Ancestors have great importance in *uma*, and people may talk with the dead on a regular basis. They are where community begins. This has fundamental significance for a society still dealing with large-scale loss of life.

Kinship-based social order underpins much of the practical management of everyday life. Kinships networks, however, reach well beyond individual villages and form the "cultural and economic basis for the continuity of Timorese society" (McWilliam, 2005: 38; Trindade and

Castro, 2007). House elders traditionally play key roles within the *suku*, with particular forms of responsibility (for natural resources, justice, health and so on) associated with particular families (Ospina and Hohe, 2001; dos Santos and da Silva, 2012). Families wield power (although not equally), and villages involve ongoing political transactions within and among *aldeias* across the village. Consensus and harmony are highly valued – survival can depend upon it – but there can be serious divisions within, as well as between, *suku*, associated with the Indonesian occupation, the civil war preceding it, current political parties or older histories of conflict.

As well as such traditional villages, ‘new’ villages made of more heterogeneous family groups and sometimes mixed language groups have also emerged as a result of urban migration or the displacements of large numbers of Timorese by the Indonesian military (Pyone Myat Thu, 2008). During Indonesian rule, many coastal villages absorbed inflows of forced migration from the mountain villages, creating a mixture of village patterns. In genuinely urban *suku*, the need to organise around food production no longer shapes activities. Between villages where customary patterns substantially continue and those with largely new arrangements, however, there is a spectrum of difference and change.

In 2004, in an effort to democratise villages, the Government passed legislation introducing village elections and establishing formal *suku* councils (dos Santos and da Silva, 2012). Elections and the new leadership structures have introduced a potent dynamic into village political life. Nevertheless, the politics and patterns of authority in villages have not simply been converted into a script that can be ‘read’ from the elections, or that is described by *suku* structures. The variety of ways in which customary and electoral patterns of leadership and power interact in the context of local governance is striking. The superficial uniformity of *suku* structures, by which the state seeks to render national socio-political life ‘legible’ from the centre, covers an extraordinary variety of accommodations and experiences (Gusmão, 2012; Scott, 1998).

In more traditional villages, agricultural, cultural and kinship cycles shape much social order (McWilliam, 2008). Being elected to office does not always ensure authority in these contexts, and in some villages “local leaders without *liurai* [traditional authority] heritage have had difficulty maintaining their authority in carrying out their daily activities” (Pereira and Koten, 2012: 227). This is a challenge also faced by women elected to *suku* councils. Although it is not common, women can hold substantial leadership roles, including *suku*

chief, but their standing comes through other sources, whether lineage or standing in the resistance (Cummins, 2010). *Sukus*, however, are also administrative hubs for the distribution of services and projects – not all activities are part of the traditional cycles of village life. New activities can open the way for new forms of leadership, such as offered by electing chiefs, while new villages pose new governance questions.

Nevertheless, elected leadership is not necessarily associated with higher levels of participation – in some villages elected leadership was considered to have reduced participation (Periera and Koten, 2012; Tilman, 2012). The view that the *suku* chief no longer worked for or was answerable to the whole community but distributed resources only to his or her electors (or family) contributed to lack of participation and cooperation (interviews 2011; Cummins, forthcoming). Party competition (no longer allowed in direct form at village level) was also often a divisive factor (Gusmão, 2012).

These competing demands and circumstances generate notably different accommodations – although accommodation is not always reached. A small number of communities simply elect their traditional *liurai* as *suku* chief (e.g., in Viqueque and Oecusse). It is more common, however, to “wrap up the old system in the new,” for customary authorities to identify leaders who will work closely with them, who are then ‘confirmed’ through a voting process (dos Santos and da Silva, 2012; McWilliam, 2008). Customary authorities may simply ‘anoint’ the community’s choice, handing power formally to the elected chief, and collaborating drawing on different bases of legitimacy. This action is not a formal gesture for a secular society, but a ritual endowing of authority that carries meaning for the community (Gusmão, 2012). In the urban *suku* of Bairopite (in Dili), by comparison, custom plays no part in the choice of chief, although the *uma lisan* of the area’s original inhabitants are still called upon to play a “role in [...] development, peace and stability in the *suku*” (Tilman, 2012: 201).

Independence in Timor-Leste unleashed two extraordinary efforts to give life to self-determination. One has been building the structures of government by which Timor-Leste asserts internationally recognised statehood; the other has been the resurgence of the more visible dimensions of custom – the rebuilding of *uma luliks* and the negotiation of *tara bandu* among others. During the Indonesian occupation, many places of cultural or cosmological significance were destroyed by Indonesian troops and major aspects of community life were repressed. With independence, fundamental aspects of customary life have been renewed.

Through these challengingly different routes, Timorese have been re-claiming control of their own political space. “[T]he resurgence of customary laws and traditions is not about ‘going back’ [...] but is about recognizing the ongoing adaption and dynamism which informs the customary law-making processes at work in people’s everyday lives” (Palmer, 2007: 36).

The powerful linkage between community, cultural identity and the drive for self-determination can be illustrated through the comments of one interviewee, an educated businessman in a provincial centre:

We need to maintain [traditional practices] – indeed, we have to maintain them. Otherwise, what is independence? What were we defending; and what now are we standing on? In our struggle we defended our land, our culture, our forests; if we don’t now defend our culture our independence has no roots, no foundation. Many people come bringing their customs and ideas, but we also have customs and ideas. [...] If we [...] lose our roots, our road, we will have lost our identity [...]. Why did we win the struggle? Because of our tight [kinship] structure [...]. I don’t say that we have to glorify all this but we must recognise it. Now we ignore [it] [...]. Now modern government leaders use traditional leaders at the grassroots to gain power. When they gain power, that’s all [they no longer engage with them]. (Interview, Same, 2008)

### **Building the State**

The co-existence of different logics of governance shapes many states. It is a fundamental factor in post-colonial experience and forms the context of much ‘development’ (Baker and Scheye, 2007; Boege *et al.*, 2009; Ellis and ter Haar, 2004). Despite this, the history of decolonisation offers little in the way of positive experience on the constructive negotiation of such difference. One reason for this lack of positive experience is how these interactions have been conceptualised, not only in policy and practice and long-standing approaches to political science, but in popular imagination in and beyond the Global North.

In broad terms, what we ‘see’ or do ‘not see’ in the Global South has been deeply influenced by a highly normative, reified polarisation of ‘tradition’ and ‘modernity’. In strong but pervasive forms of this dichotomy, tradition is taken as static, backward, irrational and violent, while modernity is identified with reason, progress and order (Tully, 1995; Smith, 2005; Fukuyama, 2011). Tradition becomes by definition the dark past left behind in a mythic narrative of progress. The political point of narrative arrival is the state, particularly the modern liberal state, and the dichotomy of irrational tradition and enlightened modernity is embedded in popular representations of the state. There is no suggestion here that this dichotomy should be turned on its head, so that tradition should be seen as positive

and the modern state as negative. Rather, it is the automatic normative presumption, the essentialized categories and the naturalised narrative trajectory ‘from darkness to light’ that are rejected. Structures and acts justified by ‘tradition’ can be violent and oppressive, as can those identified with ‘modernity’ (Richards, 2005). Nor is this a relativist position – one can have, and political communities need to develop, criteria and methods for judging and dealing with practices, but this needs to be done on the basis of acknowledging and engaging across different moral cosmologies of governance (Tully, 1995; Brown, 2002).

This polarity is deeply embedded in our understanding of political community and the state, shaping attitudes and toolkits. Dominant understandings of politics are founded on the state, and provide few means for thinking seriously about alternative forms of governance, while the state is the *sine qua non* of democracy, human rights, security and welfare. As one influential text on peacebuilding notes, building a central state authority is the fundamental step following violent conflict, as “in the absence of the rule of law enforced by a central authority, [...] peaceful co-existence [...] would collapse into a ‘lawless state of savagery’” (Paris, 2004: 49). In a similar vein, an article attached to the 2013 Failed States Index declares, “[f]or sustainable human security, the state is the only endgame” (Haken and Taft, 2013: 1).

Thus development and peacebuilding efforts, whether from donor or post-colonial capitals, have repeatedly overlooked locally-based approaches to governance, not seeing them as relevant to modern political community. Or they have categorised them as threats to the state that need to be expunged (Fukuyama, 2011). Or states have attempted to incorporate but also instrumentalize local forms of governance, with little attention to the effects of that incorporation on customary governance or on state institutions and processes. In this approach state institutions constitute the dominant, overarching domain of politics and the public good, while customary governance is seen as the domain of (largely rural) society – familial, small-scale and parochial (Shaw and Waldorf, 2010). This account conveys an aspiration, but may obscure more than it reveals. It does not provide a way of thinking seriously about the complexities of political life across radical discontinuity: about the play of power, the distribution of resources, and the determination of relevant values and shared forms of accountability. As yet, there is no shared way of talking about these interactions, the contexts in which they arise and the political and institutional dynamics they generate, that is in any way adequate to the effects they generate.

For donors, even when the role of customary governance in the provision of social goods has been acknowledged, engaging with non-state bodies tends to be seen as too problematic. For the Department for International Development (DFID), for example, the challenges of engagement “revolve around the illiberal character of some informal actors and DFID’s liberal bureaucratic nature, which predisposes it to certain forms of engagement that privilege the state and simultaneously problematize informal actors, including chiefs” (Denney, 2013:6). The result of such approaches, however, is to sideline questions of whether, how and what order, security, justice, accountability or participation is provided and by whom, and to not explore the potential for constructive engagement (dos Santos and da Silva, 2012; Baker and Scheye, 2007).

The working assumption has been that state institutions are the sources of political order. As a result, the international community has emphasized transferring or strengthening the institutional architecture seen as key to states and elections (Paris, 2004; Richmond, 2005). According to this (broadly Weberian) understanding, the state is identified with the institutions of government and law, which are taken to be distinct from, but ordering of, society. As Tanje Hohe commented regarding the early UN mission in Timor-Leste, the “Transitional Administration built institutions based on the assumption that there were no strong concepts and ideas existing on the local level, and that the population just had to be ‘taught’ democracy” (Hohe, 2002a: 570). Whatever the applicability of such approaches to states where government and societal institutions already share a political culture, they are inadequate to questions of state and nation formation, particularly across profound difference.

A political community could rather be understood as an effect of the relationships between state institutions, societal institutions, and social orders (Cudworth, Hall and McGovern, 2007). As Marc Galanter notes, commenting on the transfer of legal institutions, “[j]ust as health is not found primarily in hospitals or knowledge in schools, so justice is not primarily to be found in official justice-dispensing institutions” (Galanter, 1981: 3). Rather it is the relationships between the legal architecture and the “institutions, cultures, traditions, mores and practices” in which this architecture operates that establish a working form of justice (Krygier and Mason, 2008: 5). The formal political, economic and legal institutions work in large part because they are embedded in networks of social practice, which institutions in turn help to regulate. Reducing the state to key institutions and state

formation to institutional transfer means that little attention is given to how these institutions might relate to their socio-political context or build relationships with already existing bodies and practices. It encourages the centralization of power and resources in the capital, and state processes that have little reason to look outwards. While the generic framework of an institution may indeed be imported, however, the processes and relationships by which it engages with its context – by which it reshapes and is reshaped by local understandings of community (or health or justice, *etcetera*) or is drawn into existing political dynamics – are critical to what kind of work that institution will do and what effects it will have (Boege *et al.*, 2009).

### **Engagement and Relationship**

Working across different logics of governance and constructions of power generates particular challenges for the quality of the exchange and of relationships between community members, decision-makers and institutions – to what extent are people able to articulate their concerns and needs or explain decisions, who and what is heard or not heard, what is seen and what is rendered invisible, who is able to be part of exchange and who is not. Effective, legitimate government, and certainly participatory government, requires some shared ‘language’ of political community. Being ‘included’ and able to take part in the ‘conversation’ of political order – metaphorically ‘having a say’ or, more importantly, being listened to – is what East Timorese might expect of independence, self-determination and democracy. To take part you need to be able to make sense of the prevailing order and language of political community. Expanding the political conversation, however, is particularly challenging when there are different languages concerning what we owe each other. As James Tully has argued regarding relations between indigenous and settler Canadians, participatory political life in regions marked by deeply different constructions of political community requires conscious dialogue between and across life-worlds (Tully, 1995; Connolly, 2000). Engagement, in this context, requires much more than the usual efforts at popular consultation, where state agencies commonly ‘hear’ input only according to their own frames of reference (Tully, 1995; Brown, 2002). Internationally, there is a long history of the marginalisation and systemic overlooking of endogenous, community-based forms of social order by state structures (Smith, 2005).

It is not only participation and inclusion, however, which require conscious engagement. The intersection of divergent logics of accountability and obligation bears directly on issues of corruption; different expectations of legitimacy and authority affect the exercise of leadership; approaches to political order that exclude large sections of the population will encourage division, impoverishment, insecurity and corruption, and so on (Brown, 2009). The enmeshment of logics of governance shapes the kinds of practices that predominate, whether formally, informally or more deeply hidden from view. It is often not clear beforehand how these logics affect and reshape each other's function in practice (Cummins, 2010). The effort to replace customary forms of decision-making and accountability with bureaucratic-legal approaches, for example, can contribute to the erosion of customary decision-making, without supplying genuinely authoritative, locally legitimate, or well-understood alternatives (Ellis and der Haar, 2004; Pereira and Korten, 2012). Bureaucratic-legal and local forms of governance also generate their own forms of exclusion that are as likely to compound as to neutralise each other (Cummins, 2010). That is, there is an ecology of relations taking shape which is not described either by liberal institutional or customary terms of reference. The dynamics of power that emerge within this ecology of relationships will determine who and what is enabled or excluded in different arenas of activity. Whether these interactions are explored and negotiated through unacknowledged shadow zones or through more accessible forms of exchange will be critically important to the nature of political community in Timor-Leste.

This kind of dialogue across difference does not sit easily with the processes and demands for certainty of most central government operations. It is a profound challenge for state institutions to enter into two-way exchanges, or 'unscripted conversations' that involve listening beyond the confines of standardised frameworks, rather than delivering 'messages' to supposedly compliant populations (Duffield, 2007). Nevertheless, there is likely to be a great cost to not persisting in this slow, uncertain work. For in Timor-Leste, much of the justice, social welfare and food security upon which the contemporary state depends is underpinned, not by institutions of government, but through largely customary forms of authority (Grenfell *et al.*, 2009). The interface of Timor-Leste's own national government with customary social orders represents a new, critically important era. After generations of colonisation and occupation, Timorese could reasonably demand a government oriented towards them and could hope for more genuine political exchange.

Building a more substantial and acknowledged set of relationships around how justice might work, for example, or food security, or decentralisation, will take a great deal more engagement. Food security or justice are not services existing in a vacuum. They are part of contexts of value and inter-subjective meaning, and go to the root of people's expectations of each other; they involve debates about what is needed, what is meaningful and what is feasible that are part of what constitutes democratic exchange.

## Conclusion

Much of the political trauma in post-colonial regions may be generated in the shadow world between the structures of state power and the reality of communities. Thinking about the political community of the state could instead begin with the networks of relationships linking social orders, institutions, and norms, of which state institutions are part. This shift of perspective brings into focus a different range of questions and emphases. It foregrounds the need to pay attention to the realities of communities and to engage seriously with them. It emphasizes building a shared language of political community, in the context of negotiation around values, practices and social and political goods. For Timor-Leste, it means taking *sukus* seriously, not merely as recipients of services or of a statebuilding project, but as central to political community, and it means paying attention to customary governance. As José Magno and António Coa have noted, "democracy is grounded in the community, and communities live within their culture" (Magno and Coa, 2012: 173).

Customary governance is not incipient liberalism; to take custom seriously might seem to entail a weakening of values, such as human rights, that many seek in liberal statehood. Experience indicates, however, that customary practices, while conservative, are not static, but can be creative and adaptable. Some customary practices would and should be challenged by efforts to work against violence and marginalisation. Pursuing human rights, however, also includes acknowledging indigenous and collective rights, and so entering into the slow, difficult exchanges that seek to work against violence while engaging seriously with local norms, practices and circumstances (Tully, 1995; Brown, 2002). It is important not to romanticise customary life, but it is equally important not to idealise liberal institutions (Brown, 1995). State institutions also generate violence and marginalisation – all participants may have something to learn from each other.

Better understanding the life of *suku* could mean that the impacts of legislation could be better foreseen, services and projects better oriented, and what people have to say better heard. Already existing linkages could be acknowledged and valued, so they can be reviewed, learnt from and built upon, without being closely centrally managed. This could open a process of state formation from the bottom up. Building a 'shared language' of political community does not mean there is not serious disagreement, that real difference is overcome or that all aspects of how political community is understood are shared. Nor does recognising the role of customary governance in collective meaning and order require the integration of custom into government. It does, however, require crafting over time mutually intelligible processes for open engagement with communities and supporting habits of dialogue and listening. The process of exchange can itself change participants, subtly or more radically. Such habits are already there in Timor-Leste, across the spectrum of political life, but their function and importance is not 'seen' within the terms of international statebuilding, and so not valued or built upon. Such exchanges, however, are integral to the slow, messy, but generative paths by which populations come to experience themselves as sharing in political community and by which the structures and mechanisms that enable and manage that community evolve. Governance that is democratic, accountable and turned towards people's well-being may be significantly located here, in how these explorations and negotiations take shape.

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