



# Beyond Fragility & Inequity

Women's Experiences of the Economic Dimensions  
of Domestic Violence in Timor-Leste



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of Domestic Violence in Timor-Leste

Graphic design & photography: P.Y.L.

Additional photography: Conor Ashleigh (p. 35, 105)

Report prepared by The Asia Foundation.

First published July 2015 in Dili, Timor-Leste.

ISBN: 978-0-9943155-1-9

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# ACKNOWLEDGEMENTS

This research project would not have been possible without the support and commitment of a wide group of people at all levels of society and from a wide variety of institutions in Timor-Leste and beyond. To all of them we offer our sincere gratitude and apologise for any inconvenience that our project may have caused.

Most significantly, we thank the 22 women who shared their stories of domestic violence. We know that these stories were not easy to share, and we greatly respect and are thankful for the tremendous contribution that these women made to the research. We hope that the report does justice to their collective experiences and that their insights can bring us closer to finding justice for all women suffering domestic violence.

We would also like to thank the communities and in particular the *xefe-suku* and *xefe-aldeia* of *aldeias* Suliwa, Tasi, Ostiko and Bahamori in Baucau; *aldeias* TAT, Rio de Janeiro, Sakoko and Divinio 12 in Dili; and *aldeias* Asumaten, Lakonak, Baulela and Orun in Covalima. These communities welcomed us into their homes, were incredibly generous with their time and supported this research project in many ways; providing food, shelter, contacts, transport, interpretation, and even mechanical support.

Our thanks to the research team Meabh Cryan, Fernando B. Xavier, Saturnina Freitas Belo, Amonia M.F. Lobato and Vito Lopes who spent many weeks in the field and showed endless commitment to tracking down interviews, getting invitations to focus group discussions to the right people, liaising with *xefe-suku* and the many other tasks that made this research project a success. Our thanks also to Zach Abugov whose attention to detail and spirit of volunteerism greatly helped us in the analysis phase and to Ananias 'Otopsy' Carlos who stepped in to help on translations, logistics and finance towards the end of the project. Thanks also to Stefani Vasil for her invaluable assistance.

A huge thank you to our team of perseverant transcribers – Ujuh, Selly and Sonia – who spent hours toiling over interview notes and making sure that the voices of all our respondents were properly heard.

Many thanks to our colleagues and associates at the Royal Melbourne Institute of Technology (RMIT) and Hametin who helped to make this project a reality and dealt with all our logistical needs.

A sincere thank you to all of the staff at The Asia Foundation who thought up and funded this project and were a pleasure to work with throughout. In particular thanks to: Kerry Brogan whose careful oversight of the project and knowledge of all things (great and small) ensured its success; Barbara Rodriguez who originally developed the terms of reference for this project, Antonieta Maia; Vicente Maia; and especially Pai Cau and the logistics team whose excellent driving skills and sense of duty and adventure kept our research team safe and in good spirits throughout. Diana Fernandez and Lewti Hunghanfoo, with assistance from Ana Mendes Pinto da Silva, played a vitally important role in smoothing out the report, drawing together various essential elements, and taking it through detailed editing.

Finally a huge thank you to the many organisations and individuals who undertake the demanding and difficult work of caring for and providing services for victims of domestic violence in Timor-Leste. In particular to Psychosocial Recovery & Development in East Timor (PRADET), Uma Paz Baucau and Uma Mahon Salele who helped to organise interviews with women who had experienced domestic violence. Also to the many staff of *Forum Komunikasi Untuk Perempuan Loro Sae* (FOKUPERS), the Aloa Foundation, the Vulnerable Person's Unit of the National Police of Timor-Leste (PNTL), and the PNTL, Casa Vida, ALFeLa, Empreza Di'ak, the Ministry of Social Solidarity (MSS) and many others who were involved in designing and commenting on this research and participated in many interviews and focus group discussions throughout. Their hard work and commitment inspired and touched our hearts.

**The Research Team**





# ACRONYMS

<b>ALFeLa</b>	<i>Asisténsia Legál ba Feto no Labarik</i> (Women and Children's Legal Aid)
<b>CCV</b>	Common couple violence
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination against Women
<b>DV</b>	Domestic violence
<b>FAO</b>	Food and Agriculture Organization of the United Nations
<b>FGD</b>	Focus group discussion
<b>FOKUPERS</b>	<i>Forum Komunikasi Untuk Perempuan Loro Sae</i> (Communication Forum for Women from the East)
<b>GBV</b>	Gender-based violence
<b>ICRW</b>	International Center for Research on Women
<b>IPV</b>	Intimate partner violence
<b>JSMP</b>	Judicial System Monitoring Programme
<b>JSSF</b>	Justice Support Sector Facility
<b>LADV</b>	The Law Against Domestic Violence
<b>MDGs</b>	Millennium Development Goals
<b>MSS</b>	Ministry of Social Solidarity
<b>NGOs</b>	Non-governmental organisations
<b>PRA</b>	Participatory rural appraisal
<b>PRADET</b>	Psychosocial Recovery & Development in East Timor
<b>PNTL</b>	<i>Polisia Nasional Timor-Leste</i>
<b>SEPI</b>	<i>Sekretária Estadu ba Promosaun Igualdade</i> (The Secretary of State for the Promotion of Equality)
<b>SGBV</b>	Sexual and gender-based violence
<b>TLDHS</b>	Timor-Leste Demographic and Health Survey
<b>VAW</b>	Violence against women
<b>VPU</b>	Vulnerable Person's Unit (within the National Police)
<b>VSS</b>	Victim Support Service
<b>WDR</b>	World Development Report
<b>UNDP</b>	United Nations Development Programme
<b>WHO</b>	World Health Organization

# GLOSSARY OF NON-ENGLISH TERMS

<b>Adat</b>	(See also <i>lisar</i> ) Indonesian word for the sacred laws and belief systems on which local justice is based, commonly used in Timor-Leste.
<b>Adat-na'in</b>	Customary leader or authority figure who is called on to lead ceremonies and decision-making based on customary norms, practice and law. This can be a <i>lia-na'in</i> or other respected figure in the community.
<b>Agrikultór(a)</b>	Farmer.
<b>Aldeia</b>	Hamlet; the smallest administrative unit in Timor-Leste.
<b>Barlake or hafolin</b>	A marriage custom that relates to an agreement of exchange between the bride-groom and the bride's family in order to allow the marriage to occur. (This term is often incorrectly translated in the literature as 'bride price' or 'dowry.')
<b>Bee manas ai tukan</b>	Literally 'hot water and firewood,' referring to the labours of the mother and father of the bride.
<b>Bei'ala (sira)</b>	Ancestor(s).
<b>Dona da casa</b>	A house wife, literally 'lady of the house.'
<b>Feen ki'ik</b>	Second wife, literally, 'small wife.'
<b>Feto-saa (n):</b>	Sisterhood; the husband's family or wife-takers.
<b>Fetosaa (n)-Umane:</b>	The system of inter-familial exchange between wife-giving and wife-taking families as part of a marriage.
<b>Foho</b>	A hill or mountain. Also used to describe the countryside or remote areas.
<b>Fó moral</b>	To remind someone of values and morality.
<b>Kaben sai</b>	Literally 'married out,' referring to the situation where a woman leaves her household to join her husband's patrilineal, patrilocal families. The woman is generally seen to be breaking ties with her <i>uma lulik</i> .
<b>Kaben tama</b>	Literally 'married in,' referring to the situation where a man leaves his household to join his wife's family. <i>Kaben tama</i> tends to be practiced in sites where matrilineal descent and matrilineal residence occur.
<b>Lia mate</b>	Funeral ceremony.
<b>Lia moris</b>	Ritual ceremonies.
<b>Lia-na'in</b>	An elected family member usually an older man, who makes decisions based on customary laws and norms. It can also be a community leader that people in the village trust and call to help lead ceremonies and decision-making based on customary law.

<b>Lisan</b>	The customary practices that traditionally regulate social relations within extended families. In use, this is a broad term encompassing local law, social norms and morality, art and rituals, and a system of community leadership and governance.
<b>Lulik</b>	Used to describe the sacred value of a given place, item, or type of building (as in an <i>uma lulik</i> , or sacred house)
<b>Matan-dook</b>	Elderly people who possess and know how to cure other people's sickness using traditional medicines and by calling on ancestors (for instance through, ritual and animal sacrifice).
<b>Nahe biti</b>	Literally, 'stretching the mat,' a local Timorese equivalent of reconciliation which embraces the notion of meeting, discussion, and agreement in order to reach a consensus among opposing factions or points of view.
<b>Negosiante</b>	Businessperson.
<b>Rate</b>	A grave or burial place.
<b>Sede suku</b>	Village office.
<b>Selingkuh</b>	Indonesian word, commonly used in Timor-Leste, referring to infidelity.
<b>Suku</b>	A village, which consists of a number of hamlets; the second smallest administrative unit in Timor-Leste.
<b>Tais</b>	Traditional woven cloth, typically used for ceremonial adornment, home decor, and personal apparel.
<b>Uma adat</b>	(See also <i>uma lulik</i> ). Spiritual house or clan.
<b>Umane</b>	Brotherhood; wife's family or wife-givers.
<b>Uma-kain</b>	Extended family. Can also refer to a household.
<b>Uma lulik</b>	Sacred house. Also referred to by some respondents as <i>uma adat</i> .
<b>Uma lulik na'in</b>	Appointed elderly people who reside at an <i>uma lulik</i> . Their role is to take care of the ancestors who are believed to live there and also to greet and take care of family members who come to visit their <i>uma lulik</i> .
<b>Violénsia baibain</b>	Used by respondents to refer to patterns of violence resulting in less overt physical harm, which they viewed as 'normal' or 'routine' violence.
<b>Violénsia grave</b>	Used by respondents to describe patterns or situations of violence where acute bodily harm occurred, such as broken bones, severe bleeding, and open lacerations.
<b>Xefe-aldeia</b>	Elected head of the <i>aldeia</i> (hamlet).
<b>Xefe-suku</b>	Elected head of the <i>suku</i> (village).



# FOREWORD

The Asia Foundation is pleased to be able to publish this report, *Beyond Fragility and Inequity: Women's Experiences of the Economic Dimensions of Domestic Violence in Timor-Leste*.

This research contributes critical information on violence against women in Timor-Leste and directly addresses key assumptions made about the married economy. By examining the economic elements linked to domestic violence, this report enables us to better understand the economic situations of women who experience domestic violence in Timor-Leste.

The report also seeks to challenge the assumption that many women experiencing domestic violence do not seek help for fear of losing access to their husband's income, family land, or other economic resources. The report's findings highlight the need for a nuanced understanding of the complex situation facing women in violent relationships. The research demonstrates that while women within the married economy are vulnerable, leaving a violent husband or partner may not necessarily lead to a decline in a women's economic situation.

The Asia Foundation has increasingly sought to use research to ground the organisation's own programming and has actively supported evidence-based policy making and programming by other organisations and institutions. With this in mind, the Foundation recognises that this report provides critical information to policy-makers and those in both government and non-governmental organisations supporting women who experience violence. However we also recognise that research findings need to be presented in ways that are easy for policy-makers to understand and utilise, allowing for easy identification of key policy implications for particular sectors. This report is therefore being published in its entirety and in summary forms, including as fact sheets in Tetum. The Foundation has conducted discussion sessions on the research findings with key stakeholders and will continue to disseminate the findings among local and international actors moving forward.

The Asia Foundation is grateful to both of the development partners who funded this important research. This research project began in 2013 with funding from the UK Government's Department for International Development (DFID) under a regional program being implemented by The Asia Foundation. The Australian Government also provided funding for the research through the Nabilan (Ending Violence Against Women) Program in Timor-Leste, which is being implemented by The Asia Foundation.

As with most research projects, this report was a collaborative effort. The idea for the research arose from discussions between The Asia Foundation's Women's Empowerment Program and Timor-Leste Office on key research gaps regarding violence against women. Key government and civil society stakeholders contributed ideas and experience to the formation of the research terms of reference. The research was managed by The Asia Foundation Timor-Leste and conducted by Timor-Leste based research group, Hametin. The report was written by Damian Grenfell, Meabh Cryan, Kathryn Robertson and Alex McClean. The project was managed by the Foundation's Nabilan (Ending Violence Against Women) Program.

The Foundation is grateful to the many organisations and individuals who assisted the research by sharing their time and extensive knowledge of violence against women. We hope that the research findings will contribute understanding and insight to the complex sector in which you work. Finally, the Foundation acknowledges the generosity and bravery of the women who shared their stories with the research team. The experiences of these 22 women are in our minds as we seek to reduce violence against women and support better outcomes for women and children who experience violence.

**Susan Marx**

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# EXECUTIVE SUMMARY

This report identifies the socio-economic factors that impact upon the choices women make when determining if they should remain in an abusive relationship. The economic dimensions of domestic violence do not sit in isolation; they are in fact situated within a broader web of other societal pressures, obligations, and relationships. Given that, this research focuses on the intersection between economy and violence, while drawing together broader factors that help us to understand women's decision-making when in abusive relationships. This research was undertaken in three districts of Timor-Leste—Baucau, Covalima, and Dili—during the first half of 2014. Research findings were complemented by an analysis of existing survey data and a literature review. A total of 339 respondents were involved in the field work.

The challenges of ending violence against women and children are immense in Timor-Leste and domestic violence is frequently seen as a private issue with interventions from outsiders resisted. The use of violence has become all too commonplace and is often socially tolerated; police are ill-equipped; women are often stigmatised for reporting abuse; both customary and modern systems of justice have been reluctant to afford appropriate recognition to victims and to ensure basic needs are met; and, there is a lack of political will at the national level to provide the necessary financial support to victims.

In 2013, East Timorese NGO, the Judicial System Monitoring Programme (JSMP) reported that domestic violence cases have increased in recent years, and now constitute the largest category of criminal cases that they monitor. According to JSMP, domestic violence cases are often treated as unduly light infractions, and that in the majority of cases courts remain eager to 'suspend' a prison sentence or substitute it with a fine in cases where the defendant is found guilty. The *perceived* economic dependence of women upon their husbands and partners was clearly a factor in many of these court decisions, and both judges and prosecutors are often reluctant to send men to prison for violence because of this perception.

Timor-Leste's economy is heavily influenced by gender and markedly unequal. There is a general lack of resources, and men tend to benefit more from those resources that do exist. Furthermore, a variety of factors reduce a woman's levels of mobility and her bargaining power in instances where she is in an abusive relationship, including:

- A woman's income-generating activities and general livelihoods production often remain contingent upon access to land and a house;
- Women's skill sets tend to be of lower market value, and so it is difficult to utilise these skill sets elsewhere;
- Women often lack access to sufficient savings to enable them to relocate, and,
- Being bound to the domestic sphere makes it harder for women to connect to outside support, for their situation to be effectively evaluated, and for effective interventions to take place.

These inequities become pivotal when considering the economic dimensions of domestic violence and the relatively constrained room for women to leave abusive relationships.

A woman's ability to leave an abusive relationship is also influenced by other factors, including her reduced income-generating capacity, whether she is caring for children (particularly young children), and the levels of anticipated familial support. Women also tend not to have access to larger sources of income generation or savings that can be accessed in emergencies, which may be an important consideration in leaving.

Women are engaged in constant, diverse, and low-level income generation activities leaving them relatively immobile, and fearful that disruptions in their routine or sources of income would quickly leave them and their children with no safety net whatsoever. The relative confinement to specific spaces has other limiting effects on women beyond domestic violence, limiting their access to the flow of information and reducing their prospects to build social networks beyond the family.

The tendency for women to 'hold the money' within many households should be considered as part of the general gender dimensions of the economy. However, the management of household funds by women can often be a two-edged sword: it gives them an important measure of influence, yet can also place them at risk of violence when they are not seen as sufficiently compliant by an abusive spouse. In instances of severe violence and what we classify as 'severe controlling abuse,' the nature of a woman's economic role within the marriage is often marginalised, including through how money is managed.

An area of common controversy and debate in Timor-Leste is that of *barlake*, a marriage custom that relates to an agreement of exchange between the bride-groom and the bride's family in order to allow the marriage to occur. There was little sense from this research that *barlake* is a cause of domestic violence, although it is often part of a discursive repertoire of violence that a husband can draw from (in the same way that other justifications might be made, such as sources of income or ownership of land).

A key factor in the decisions made by women as they weighed separation was the level and kind of abuse that they experienced. For some of the women interviewed, multiple forms of abuse, coupled with severe levels of violence, ultimately resulted in a tipping point for women to leave. This was particularly the case if the severe controlling abuse involved forms of economic abuse, and the women themselves had the capacity for livelihoods production.

Of the 18 victims of abuse that were interviewed, nine of the women had separated from their partners. Of these, six women felt that their personal finances had improved since they left their partners, and one woman felt that her situation was relatively similar. While the small sample of interviews for this study should not be interpreted as suggesting that all women who separate from their husbands will see their economic situation improve, it does suggest that the prevailing assumption that women cannot support their families post-separation should be challenged.

In terms of justice in Timor-Leste, much of the existing literature categorises the options for justice into one of two groups: informal/traditional or formal/modern justice. The customary system is most frequently depicted as the site of injustice, a domain dominated by men where women's voices are not given adequate space or weight. The research for this project suggests that the reality looks somewhat different, and that justice is not necessarily perceived by women as having a clearly defined split between the two systems. In other words, women view the two legal systems within a continuum of options, and not as two distinctly separate processes.

Lastly, findings from this research illustrate how limited access to services and limited long-term support both serve to intensify the containment of women to a domestic sphere and reduce women's bargaining position within a relationship where abuse is occurring.





# INTRODUCTION

There is a pervasive assumption that many women experiencing domestic violence do not seek help for fear of losing access to their husband's income, family land, or other economic resources. Indeed, many judges have resisted giving abusers jail time and justified such decisions on the notion that removing a husband from the household would also effectively punish the wife because of women's economic dependence on their husbands.

Yet, there are abundant examples of women who have been abandoned, widowed, divorced, or otherwise have absent husbands, who manage to earn income and make their own economic decisions. In addition, there is evidence that even with such suspended sentences, men may still, according to a 2012 Asia Foundation study, "abandon their families and refuse to pay maintenance following a negative court decision."<sup>1</sup> A recent Judicial System Monitoring Programme (JSMP) report warned of the "tendency towards lenient and/or suspended sentencing in cases of domestic violence and sexual crimes," with such trends within the judicial system being deeply intertwined with the view of women's broader economic conditions within society.<sup>2</sup>

This report explores the economic elements linked to domestic violence through a multi-layered lens in an effort to better illuminate the nuanced economic situations of women who experience domestic violence in Timor-Leste. This includes the identification of the socio-economic factors that impact the choices women make when determining if they should remain in an abusive relationship, an examination of the economics of marriage in Timor-Leste, and the impact of marriage practices and separation. Importantly, the economic dimensions of domestic violence do not sit in isolation, they are situated within a broader web of other societal pressures, obligations, and relationships. Given that, this research focuses on the intersection between economy and violence, while continuously drawing together broader factors that help us to understand women's decision-making when in abusive relationships.

There are many reasons why a woman may not leave a violent relationship—fear, love, a sense of shame, and many others—and so to consider the economic dimensions of domestic violence is to focus only on one element of a larger and intricate set of dynamics. Nonetheless, it is an important dimension, and as this report underscores, there are times where the alternatives for a woman are so narrow in possibility that it must be challenging to even conceive the idea of leaving an abusive relationship. As such, it is often only when domestic violence is at its most severe and pervasive that a woman will leave the home or separate from her husband. At that point, leaving may be a matter of survival rather than one of choice.

Breaking the dynamic where women are forced to choose between 'lose-lose' options is essential to improving policy approaches to prevent domestic abuse and allowing women equitable treatment under the law. The complex interactions at play within the issue of domestic abuse are well illustrated by this quote from a woman who experienced such violence:

We had ten children, two girls and eight boys. In 2005 and 2006, my husband started to beat me badly, hit me, punched me until my face was black and bleeding...the women came to help me and they took me away from the refugee camp... he said he was going to kill me. He had another woman, and because I would not accept her, he wanted to kill me. I decided that I didn't want to suffer any more, so I left him. The women gave me rice and soap. My husband went to live with his *feen kiiik* [meaning second wife, literally "small wife"], and so I look after my 10 children on my own...

We live in the market. Now most of them [the children] are big, but I still struggle, I am only one person and cannot afford transport for them to go to school. Now their uniforms are expensive. The women gave me milk and coffee so that I could sell in the market, but when one of my children was sick and had to be admitted to hospital, someone came and stole my money, all of the milk and the sugar. When I came back I had nothing. I had nothing, so I had to go back and ask for more.

Some of my children are older now, but they can't find work. I have put four of them through school myself. We live in the market so, even to use the washrooms, we have to pay. To go anywhere, we have to pay for transport. I have to find money to pay for the children's shoes, and then we have to think of our stomachs. It is very difficult. We don't have a proper place to live, we just live in the market. If in the future they move the market or kick us out, I don't know what we will do or where we will live. I can't sell things in the market, because I live at the back. If you want to sell things you need to be at the front, but there's no space for me there. At night we cook rice and papaya leaves and bring it to the road to sell. If we get some money, then the next day I can buy vegetables to feed the children; if we don't, then we eat rice on its own and wait for the next day.<sup>3</sup>

While the impetus for this report may have originated with concerns about judicial decision-making and the frequent application of suspended sentences in abuse cases, the remit for this research was far broader and multi-dimensional. In summary, the research here examines four different points of intersection between economy and domestic violence, with an emphasis on: 1) the economic dynamics within marriages in Timor-Leste; 2) the impact of marriage and separation in abuse cases; 3) how abused women engage with service providers intended to assist them; and, 4) how women approach the justice process related to abuse cases.

The findings are based on research undertaken in three districts of Timor-Leste—Baucau, Covalima, and Dili—in the first half of 2014. These findings were complemented by an analysis of existing survey data and a literature review. While such an approach obviously does not provide a basis for a broad 'national claim' to the research findings, it does provide an important contribution into an area where little substantive research has been conducted.

In selecting possible sites for field research, we selected the sample from both "married in" and "married out" communities (please see page 79 for a detailed explanation of these groups), and this was one key reason why Baucau (more generally married out) and Covalima (more mixed, but with greater tendency for married in) were selected, with one rural *suku*, or village, and one *suku* closer to the urban centre chosen in each site. Dili was selected as a site for a range of reasons; communities of mixed ethnicities, higher levels of access to services, different levels of integration into modern forms of livelihood production and governance, as well as representing a significant proportion of the population.

Baucau, Suai (the capital of Covalima district) and Dili all host courts, allowing for interviews with service providers and members of the community who were more likely to have an experience of attempting to access modern justice. There are also women's shelters in all three districts. Based on the diversity of districts selected, it was hoped that the findings would carry detail that is of high relevance to different communities across Timor-Leste.

In terms of language, and while there have been many discussions throughout this research process about whether it is more appropriate to use the term 'survivors' (favoured in most western discourse), we have used both 'women who have experienced domestic violence' and also 'victims' throughout this report, with the latter being the most commonly used term in the policy arena in Timor-Leste. Throughout the report we have also periodically provided 'Global Views,' boxed summaries providing comparative points on key topics based on literature covering world-wide trends.

In post-independence Timor-Leste, it remains challenging to ensure that the resources required to meet a wide range of social needs are mobilised, and domestic violence falls among them. Following decades of Indonesian occupation, which in itself followed centuries of Portuguese colonialism, the devastation wrought on the territory has produced enormous and acute social needs with scarce resources to address them.

The challenges of ending violence against women and children are of course immense: the use of violence has become all too commonplace and is often socially tolerated; police are ill-equipped; women are often stigmatised for reporting abuse; both customary and modern systems of justice have been reluctant to afford appropriate recognition to victims and to ensure basic needs are met; and there is a lack of political will at the national level to provide the necessary financial support to victims. Domestic violence is frequently seen as a private issue with interventions from outsiders resisted. Interwoven among all of these factors is the economic dependence of women on their husbands, a situation that can make it extremely difficult for victims to leave violent relationships. Advocating for the need to address domestic violence, a challenge in any society, has occurred in Timor-Leste in the midst of a competition over a large number of complex problems and limited resources and systems. Addressing the economic needs of women who have experienced domestic violence remains fundamentally important to the quality of life for so many women and children, as well as families, in Timor-Leste.

Lastly, it should be noted that this report did not attempt to establish a one-to-one relationship between cause (for example 'poverty') and effect ('violence'). The question of domestic violence is far more roughly knotted and interwoven than simply arguing for direct causations. Indeed, many women who are economically dependent do not experience domestic violence, whilst patterns of abuse have been found in even the wealthiest households. And yet it would be equally amiss to suggest that poverty plays no role in aggravating these issues, and it is abundantly clear that the married economy is formed around such significant inequities that it makes it very difficult for a woman to leave should abuse occur. Caught between deep social inequities and a profound sense of fragility driven by poverty, many women in Timor-Leste continue to face an environment where men can commit even severe abuses with relative impunity.



## PART ONE:

# DOMESTIC VIOLENCE IN TIMOR-LESTE

Part One of this report draws on existing data from national surveys, as well as key pieces of literature, to establish basic definitions and an overview of statistics which are relevant to the report. This section also provides short overviews regarding the prevalence, attitudes and impacts, and risks and causes of domestic violence. In addition, it discusses the existing understanding of livelihoods and domestic violence.

The aim of this part of the report is to introduce the reader to key ideas and concepts and to give a national overview of domestic violence before examining findings from the research in detail in Parts Two and Three.

## DEFINITIONS

Violence against women – as one aspect of gender based violence – was identified by the United Nation's *Declaration on the Elimination of Violence against Women* as:<sup>1</sup>

any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty... whether occurring in public or private life.<sup>2</sup>

The broader category of violence against women incorporates different forms of violence, however the focus of this report has been narrowed to concentrate on the more specific subset of domestic violence. In Timor-Leste, domestic violence is defined under the Law Against Domestic Violence (Law No.7/2010) as:

any act or a result of an act or acts committed in a family context, with or without cohabitation, by a family member against any other family member, where there exists influence, notably physical or economic, of one over another in the family relationship, or by a person against another with whom he or she has an intimate relationship, which results in or may result in harm or physical, sexual or psychological suffering, economic abuse, including threats such as acts of intimidation, insults, bodily assault, coercion, harassment, or deprivation of liberty.<sup>3</sup>

The definition of 'family' within the Law Against Domestic Violence is quite broad, but for the purposes of this report the focus is on "spouses or former spouses," and "people who live or have lived in conditions similar to that of spouses, even without cohabitation."<sup>4</sup>

It is important to remember that, by legal definition, domestic violence in Timor-Leste — and also in this research — does not include sexual assault or harassment outside of family relationships (for example by strangers or friends or in a work or school context). The focus then is on the familial domain that results in ‘physical, sexual or psychological suffering’ or, of particular relevance to this research, economic violence, which is defined as:

any conduct that involves retention, partial subtraction, or total destruction of personal items, working instruments, impeding work inside or outside the home, personal documents, goods, values and rights or economic resources, including those designed to meet the personal needs and the needs of the household.<sup>5</sup>

Beyond definitions based on different kinds of harm inflicted, it is also important to speak briefly to different typologies of domestic violence. Women in interviews, focus group discussions (FGDs), and participatory rural appraisals (PRAs) in this research frequently referred to the high levels of domestic violence in their *suku*. Participants in these discussions frequently made a distinction between what they called ‘*violénsia baibain*’ (normal or routine violence) and ‘*violénsia grave*’ (serious violence). While this distinction is often seen by service professionals as further evidence of the alarming regularity of domestic violence in Timor-Leste, the distinction does carry real meaning. ‘*Violénsia baibain*’ was used by respondents to refer to patterns of violence resulting in less overt physical harm, while ‘*violénsia grave*’ was used to describe situations where acute bodily harm occurred, such as broken bones, severe bleeding, and open lacerations.

There are three other types of violence referred to in the report: ‘combined’, ‘severe,’ and ‘severe controlling abuse.’

Both the *Timor-Leste Demographic and Health Survey*, and Professor Angela Taft's subsequent analysis, use ‘combined violence’ and ‘severe violence’ as major categories of violence. ‘Combined violence’ is defined as situations where women have experienced “forms of physical and/or sexual and/or economic forms of violence from a partner/husband or someone else.”<sup>6</sup> ‘Severe violence’ is a different term that is often used, but not always with the same degree of clarity as to its definition. In general, it involves repeated patterns of physical abuse with aspects of the violence being close to what women in Timor-Leste referred to as ‘grave’ (as discussed in the paragraph above).

While these are then distinct categories, Taft writes of the intersection between these types as she explains “the outcomes are usually worse for women who experience combined forms of violence” and that “women experiencing severe physical violence were 77 per cent more likely to experience combined violence.”<sup>7</sup>

‘Control’ is an important concept in terms of the more general form of abuse. Professors Michael Johnson and Kathleen Ferraro make the important point that “partner violence cannot be understood without acknowledging important distinctions among types of violence, motives of perpetrators, the social locations of both partners, and the cultural contexts in which violence occurs.”<sup>8</sup> They discuss the prevalence of four typologies of domestic violence, two of which are of significance to this report. Common couple violence (CCV) is “partner violence which is not connected to a general pattern of control.”<sup>9</sup> Common couple violence occurs in the context of a specific argument where one or both partners engage in violence to in effect ‘win’ the argument or simply because they are aggrieved with the dispute. This type of violence is, as they see it, committed by either partner, and tends not to escalate nor involve severe violence.<sup>10</sup> It is probable that much of the violence discussed in Timor-Leste as ‘*violénsia baibain*’ (‘normal violence’) falls into this category, where a husband (or wife) uses force in the context of an aggravation over a specific incident.

Johnson and Ferraro make reference to a second type of violence which they term ‘intimate terrorism.’ This is described as a type of violence that is “only one tactic in a general pattern of control and is motivated by a wish to exert general control over one’s partner.”<sup>11</sup> At least three of the cases in this research fall into this category, however for the purposes of this

report, this type of violence is termed ‘severe controlling abuse’ since ‘terrorism’ is typically associated with other forms of violence. Intimate terrorism, or severe controlling abuse as we refer to it, may include more sustained, severe violence, and is likely to escalate over time. It is almost exclusively committed by men against women and is characterised by emotional abuse and extreme controlling behaviours.<sup>12</sup>

Finally, while not specific to domestic violence, it is important that we discuss what is meant by the term ‘bargaining power.’ This is an important concept where economic dependency is seen as one of the key factors in the continuing cycle of domestic violence. In the context of acute, generalised and systemic poverty, with an accompanying lack of educational and health infrastructure, women are very often seen to be highly dependent on men for their livelihood and financial support.

One study that highlights this issue is The Asia Foundation’s report, *‘Ami Sei Vítima Beibeik’: Looking to the Needs of Domestic Violence Victims*, which identified economic issues as key to the discussion of domestic violence, especially in terms of the reasons why women remain in abusive relationships. The study notes that:

For all of the women who participated in this research, economic pressures played a fundamental role in the decisions that they made, including whether or not they decided to leave their violent spouse. While women from all classes, backgrounds, and education levels may be subject to domestic violence, their relative ‘bargaining’ capacity in dealing with family pressures and local authorities, and their ability to leave a violent situation if they choose to do so, is heavily influenced by their economic capacity. The issue of livelihoods provides a clear point of focus for policy makers and service providers.<sup>13</sup>

Most East Timorese are subsistence farmers who live in rural communities, and thus domestic violence needs to be contextualised in the economic structures of village and family life. In such situations, gender roles tend to be tightly prescribed, with the same report also pointing to ‘class structure’ and ‘familial hierarchy’ in highlighting the structural impediments to women gaining greater agency over their own lives. Hence, “for women who are vulnerable, including domestic violence victims, this economic dependence means that they have no power over their situation.”<sup>14</sup>

Bina Agarwal, a development economist, undertook an analysis of families where “a member’s bargaining power would be defined by a range of factors, in particular the strength of the person’s fall-back position.”<sup>15</sup> In essence, this analysis explored the options available to spouses outside of the marriage. Relationships were treated in this report as immensely more complex than simply a matter of how individuals position themselves in terms of material well-being. This approach also sheds light on the access to, and control of, resources within marriages, emphasising the impact of a partner leaving a marriage on an individual’s status and situation.

Agarwal’s research looked at a range of factors and realities that East Timorese women perceived as either enhancing or detracting their ‘fall-back’ position and what factors enabled them to leave or forced them to stay in an abusive relationship. Agarwal highlighted eight factors which she suggested were particularly influential with regard to a rural person’s bargaining strength.<sup>16</sup> These factors included:

1. Access to employment and other income-earning means;
2. Control of household expenditure and decision-making over purchases;
3. Access to, and control over, assets and resources;
4. Level of education and access to education;
5. Number of dependants;
6. Access to communal resources such as village commons and forests;

7. Access to traditional social support systems such as patronage, kinship, caste groupings, and proximity to one's own family structures; and,
8. Level of support from, and proximity to, NGOs and service providers.

Our current research added five additional factors influencing a rural person's bargaining position:

1. Level and type of support and proximity to the State;
2. Social perceptions about a woman's needs and relative economic contributions;
3. Social norms;
4. Access to information; and,
5. The legal and policy structures surrounding marriage.

Merging these two lists together gives us a useful set of factors through which to examine bargaining power within the households of Timor-Leste. As the list suggests, bargaining is much more than simply the sum of what can be negotiated out of self-interest between a wife and a husband. Rather, the term 'bargaining' refers to the relative power of a woman and the resources she can draw upon when experiencing abuse and considering the multiplicity of 'costs' that might be incurred in leaving a relationship.

## PREVALENCE OF DOMESTIC VIOLENCE IN TIMOR-LESTE

Statistics regarding the prevalence of domestic violence are notoriously unreliable even in countries with strong justice systems and highly capable national statistical institutions. Timor-Leste lacks effective data collection and sharing systems across a wide range of social and economic activities, with domestic violence certainly among them.

However, two key documents are quite useful in shedding light on the prevalence and trends of domestic violence in Timor-Leste: the *Timor-Leste Demographic and Health Survey 2009-10* (DHS) and *Violence Against Women in Timor-Leste: Secondary Analysis of the 2009-10 Demographic and Health Survey* authored by Taft and Watson. As the title suggests, the latter study utilised original data from the *Demographic and Health Survey* in order to run detailed correlations and produce findings on the experiences of women exposed to physical and sexual violence aged between 15 and 49. The analysis cited a direct relationship between domestic violence and significant deleterious health effects.

The following findings highlight the significant health burden suffered by a large minority of Timorese women, their children, and the communities in which they live. Because the analysis confirms the links between violence against women, maternal poor health and infant mortality, it highlights opportunities to prevent and reduce this health burden in Timor-Leste and improve the potential to reach UN Millennium Development Goals, especially those relating to reduction of maternal and infant mortality.<sup>17</sup>

The statistics from both of these sources provide a sense of the depth of the problem in Timor-Leste. According to the *Demographic and Health Survey*, 38 per cent of women in Timor-Leste experienced physical violence beginning at age 15.<sup>18</sup> Some 33 per cent of women who had been married experienced physical violence and a further 11 per cent experienced "combined forms of violence," indicating that more than 44 per cent of women who had been married were subjected to domestic violence.<sup>19</sup> Although there are dangers of placing too much emphasis on a single set of surveys, these figures place Timor-Leste in the upper mid-range of global comparisons to prevalence of domestic violence.<sup>20</sup> Twenty-nine per cent of women reported experiencing violence in the year prior to when the survey was conducted and domestic violence is the most common form of violence experienced by women in Timor-Leste.<sup>21</sup>



The *Demographic and Health Survey* statistics indicate that women frequently experience violence in the context of family relationships and may experience abuse from multiple people. The largest percentage of perpetrators of violence against women who were married or had formerly been married were husbands and current partners – who represented 74 per cent of perpetrators, with another six per cent perpetrated by a former husband or partner.<sup>22</sup> In addition, 34 per cent of women in this cohort reported being abused by their mother/step-mother, 26 per cent by their father/step-father and 11 per cent by sisters and brothers.<sup>23</sup>

### Global View: The Prevalence of Domestic Violence

A World Health Organization (WHO) multi-country study—which covered 80 countries—on women’s health and domestic violence against women found that between 6 per cent and 59 per cent of women report forced sexual intercourse, or an attempt at it, by an intimate partner in their lifetime.<sup>24</sup>

The London School of Hygiene and Tropical Medicine and the Medical Research Council analysed existing data from the World

Health Organization multi-country study and found that globally 30 per cent of women who were ever partnered experienced intimate partner violence during their lifetime. As many as 38 per cent of all murders of women are committed by intimate partners, and intimate partner and sexual violence are mostly perpetrated by men against women.<sup>25</sup>

In terms of support, only 27 per cent of women in the survey said that they had family members who could provide them with financial assistance or shelter if needed, meaning that over 70 per cent of women felt that they could *not* seek these forms of assistance from their family.<sup>26</sup> Despite that low figure, women who experienced abuse were most likely to seek help from their family (either theirs or that of their husband), rather than from police or service providers, with the *Demographic and Health Survey* finding that only 4 per cent of women who experienced violence sought help from the police, and only 1 per cent sought help from service providers.<sup>27</sup>

Some of the key findings from the secondary analysis of the *Demographic and Health Survey* data by Taft and Watson include:<sup>28</sup>

- Married women who were employed, but not for cash, were 25 per cent more likely to have experienced physical violence only, and significantly less likely to have experienced combined forms of violence;
- Compared with women still living with a spouse, women who were divorced, separated, or widowed, were two-and-a-half times more likely to have experienced combined forms of violence;
- Women living in rural areas were two-thirds less likely to report having experienced physical violence, and a third less likely to have experienced combined violence;
- Women with a higher level of education were significantly less likely to have experienced combined forms of violence;
- Women having first intercourse before age 15 were twice as likely to experience physical violence and over two-and-a-half times as likely to experience combined forms of violence than those whose first experience of intercourse was at age 15 or older; and,
- More than 97 per cent of currently married women said that their husbands had no other wives, with 2 per cent indicating that their husband had two wives.<sup>29</sup>

A range of other relevant research has been generated in Timor-Leste since its independence in 2002 and those findings also inform this report. *A Determination of the Prevalence of Gender-Based Violence Among Conflict-Affected Populations in East Timor* was published in July 2003 and has served as an important benchmark study. Undertaken in Dili and Aileu, the primary aim of the report was to estimate the prevalence of gender-based violence and explore the frequency of intimate partner violence. The survey found:<sup>30</sup>

- 25 per cent of the women experienced physical violence;
- 16 per cent of the women experienced sexual coercion;
- 31 per cent of the women reported verbal abuse; and,
- 14 per cent of the women reported partner intimidation.

In 2013, JSMP reported that domestic violence cases have increased in recent years, and now constitute the largest category of criminal cases being monitored.<sup>31</sup> JSMP maintains that their court monitoring since the implementation of the Law Against Domestic Violence in 2010 suggests that domestic violence cases are often treated as unduly light infractions, and that in the majority of cases courts remain eager to 'suspend' a prison sentence or substitute it with a fine in cases where the defendant is found guilty. Some 52 per cent of court decisions monitored by JSMP have resulted in suspended sentences and 24 per cent resulted in fines.<sup>32</sup>

The perceived economic dependence of women upon their husbands and partners was also clearly a factor in many of these court decisions, and both judges and prosecutors have often couched their reluctance to send men to prison for violence against a spouse in such concerns. In addition, many women make requests to withdraw cases, making prosecutions difficult. Both of these issues pre-date the Law Against Domestic Violence. For instance, a 2005 report by JSMP made clear that economic concerns and coercion pushed many women to drop cases against their husbands:<sup>33</sup>

The reasons for the drop off in cases from the Prosecution Unit to the Court are similar to the reasons for the drop off from the Police Service to the Prosecutor, in that the majority of the victims and their families approach the prosecutor to withdraw their case and request for there to be no further processing of their case. The majority of victims withdraw their case due to economic factors, (because they have many children, and their husband (the suspect) is the one who provides for the family) and also because of threats of further violence and divorce from the suspect and his family.

Table 1 gives an indication of cases received by the Vulnerable Persons Unit (VPU) from 2009-2014. Due to issues of definitions and consolidation of data, these figures are indications, to give a sense of where the reporting of domestic violence to the VPU is concentrated.<sup>34</sup>

**Table 1: Vulnerable Persons Unit Data 2009-2014**

	2009	2010	2011	2012	2013	2014
Aileu	21	30	15	23	9	19
Ainaro	27	24	28	28	17	36
Baucau	63	52	71	4	72	29
Bobonaro	36	19	23	48	52	46
Covalima	35	24	30	44	31	19
Dili	175	169	261	95	173	229
Ermera	76	56	50	51	45	50
Lautem	45	34	9	16	27	19
Liquiça	66	95	64	61	74	54
Manatuto	39	29	27	23	18	23
Manufahi	11	14	19	11	15	6
Oe-cusse	51	64	76	182	118	115
Viqueque	34	42	50	61	53	54
<b>TOTAL</b>	<b>679</b>	<b>652</b>	<b>755</b>	<b>664</b>	<b>704</b>	<b>699</b>

This data would seem to indicate that there is not a consistent increase or decrease in cases on a district by district basis. Consolidating the data for all districts, there seems to have been a decrease in cases reported to the police in 2014.

The Ministry of Social Solidarity (MSS) also collects information about cases it has received. Many of these cases would also be registered with VPU and some would be registered by service providers. Tracking statistics year-by-year is somewhat complicated due to changing formats and categories of violence which are used in reports. Table 2 is an indicative summary of cases registered by MSS over three years:<sup>35</sup>

**Table 2: Summary of Cases Registered 2012–2014**

DISTRICT	2012		2013 - ONLY CASES WHICH RECEIVED DIRECT SUPPORT FROM MSS STAFF —TOTALS ONLY			2014 - INCLUDES CASES IN WHICH MSS REFERRED ON TO SERVICE PROVIDERS		
	DOMESTIC VIOLENCE	ABANDON-MENT	DOMESTIC VIOLENCE	ABANDON-MENT	INCEST	DOMESTIC VIOLENCE	ABANDON-MENT	INCEST
Dili	7	7				5	2	0
Aileu		6				9	13	0
Ainaro	12	5				32	4	1
Manufahi	1	4				2	5	0
Ermera	12	4				13	19	0
Covalima		2				27	9	2
Bobonaro						44	7	0
Liquiça						53	0	0
Manatuto	2					36	3	0
Baucau	4					7	1	0
Viqueque	14					41	1	0
Lautem	6	1				12	0	2
Oecusse						14	0	0
<b>TOTAL</b>	<b>58</b>	<b>29</b>	<b>95</b>	<b>8</b>	<b>1</b>	<b>295</b>	<b>64</b>	<b>5</b>

These statistics indicate a general increase in the number of cases being brought to the attention of government officials or civil society organisations providing supports to victims. The higher number of cases presented in a particular district may be related to more active helping networks than a higher prevalence of women experiencing violence.

Data from service providers in Table 3 indicates an increase in women seeking services in the years following the Law on Domestic Violence (LADV) coming into effect.<sup>36</sup>

**Table 3: Indicative Data from Service Providers Supported by The Asia Foundation with Funds from the Government of Australia – Post-LADV**

PRADET (Medical and forensic examination, temporary shelter, counselling, follow up for domestic violence, sexual assault and child abuse provided in four locations.)				CASA VIDA (Long-term shelter for children experiencing violence.)				UMA MAHON SALELE (Long-term shelter for women and children experiencing violence and accommodation for girls attending school.)			
2011	2012	2013	2014	2011	2012	2013	2014	2011	2012	2013	2014
231	293	350	803	16	21	61	75	13	13	43	36

A decrease in the total numbers of clients served, particularly in a shelter setting can indicate that some residents must stay for longer periods, due to a lack of options related to housing, security, family and community support or livelihoods.

In the most recent Asia Foundation *Law and Justice Survey* in 2013, 86 per cent of respondents felt that local elders and elected *suku* and *aldeia* leaders (*xefe-suku* and *xefe-aldeia*) had primary responsibility for maintaining law and order, rather than the police.<sup>37</sup> Some 33 per cent felt that it was the *xefe-suku* who maintained law and order, and 31 per cent felt this was the role of the *xefe-aldeia*.<sup>38</sup> When asked if anyone from the respondent's family had experienced domestic violence in the two years, only 9 per cent answered 'yes,' which would suggest a lower rate than the *Demographic and Health Survey*.<sup>39</sup> But, when polled, the police report that domestic violence is the 'number one' problem they deal with in the communities where they work.<sup>40</sup>

## ATTITUDES AND IMPACT OF DOMESTIC VIOLENCE

According to the *Demographic and Health Survey* data, 86 per cent of women believe that a husband is justified in beating his wife for a series of reasons including: neglecting the children (76 per cent); inciting an argument (64 per cent); going out without informing him (72 per cent); burning the food (43 per cent); or denying him sexual intercourse (30 per cent).<sup>41</sup> One interviewee who had experienced domestic violence spoke about some of those situations, even though she saw the violence against her as unjustified.

I do everything, if I was a lazy wife and he beat me I would have to accept it because I was lazy... if he came home and I gave him no rice or his clothes were dirty then he would have to beat me because what else should I be doing at home.<sup>42</sup>

Drawing from the field research completed for this project, the families of many victims are unsupportive if they perceive a woman is 'to blame' for causing the violence. According to Asia Foundation research, the "acceptance of violence in certain circumstances can also close off modes of support and recourse, as victims' families may not support them, and may in fact blame them for the behaviour that led to the violence."<sup>43</sup>

The Foundation's *Law and Justice Survey* also indicates changes in attitudes about domestic violence. In 2013, 27 per cent of respondents expressed that a man has absolutely no right to hit his wife, but in 2008 that rate was 34 per cent, and in 2004 the rate was 75 per cent.<sup>44</sup> A greater proportion of women than men in the 2013 survey agreed that a man can hit his wife, depending on various circumstances.<sup>45</sup> The same survey also indicated an increasing level of support for women to speak during customary justice processes, with 51 per cent of respondents thinking that women should be able to speak during such processes, compared to 40 per cent in 2008.<sup>46</sup> These rates were higher when respondents were asked if the woman should be able to speak if she is a victim, with 56 per cent of women and 64 per cent of men agreeing in that case.<sup>47</sup>

There is ample reason to believe the conflict and abuse which Timor-Leste has experienced has had an impact on the prevalence and types of violence that women face (and indeed broader patterns of violence and conflict across society more generally), but the connections are complex. Women experienced sexual and physical violence during the Indonesian occupation (including non-consensual relationships with Indonesian security forces, rape and abuse due to their connections with the pro-independence movement, rape and abuse when imprisoned, sexual harassment, and non-consensual administration of birth control), but due to the social stigma attached to the victims of such abuse and limited political and social support for addressing these issues openly, attention to these issues has reduced over time.

Violence against women has significant impacts at all levels—individual, household, community, and society at large. It has both short- and long-term effects on the physical, mental, sexual and reproductive health of women and their children.<sup>48</sup> The health and inter-generational impacts in particular are corrosive, and they impede the development of future generations while often leading to continued patterns of violence.<sup>49</sup>

For example, the secondary analysis of the *Demographic and Health Survey* data found that women whose fathers beat their mothers were almost six times more likely to experience physical violence when they themselves became adults.<sup>50</sup> Women who have experienced violence are more likely to suffer health problems including injuries, reproductive health issues (such as unintended pregnancy and greater risk of sexually transmitted diseases), and are at increased risk for negative behaviours such as substance abuse and smoking.<sup>51</sup>

Children suffer both directly and indirectly from abuse, either by witnessing violence directly or through the negative impacts that abuse may have on a woman's ability to care for her children. As one example, children of women in Timor-Leste who experience physical violence are 74 per cent less likely to be vaccinated and are more likely to be born with low birth weight.<sup>52</sup> A 2006 study found that 67 per cent of children reported being beaten with a stick by teachers and 60 per cent reported being beaten with a stick by their parents. Sixty-three per cent of parents felt it acceptable to yell violently at a child, 39 per cent said it was acceptable to beat a child with a stick,<sup>53</sup> and one third considered other physical punishments such as ear-twisting and face-slapping 'acceptable.'<sup>54</sup> A situational analysis in 2011 in randomly selected schools in three districts of Timor-Leste found that 35 per cent of the girls felt unsafe on the way to school, and 26 per cent felt unsafe in school. Forty per cent of students reported that their teacher used physical punishment.<sup>55</sup>

## RISKS AND CAUSES OF DOMESTIC VIOLENCE

The UK's Department for International Development, (DFID) has developed a "Theory of Change on Tackling Violence Against Women and Girls" which provides a useful framework and enables a better understanding of the risks and causes of violence, barriers faced by women and girls, and key issues to consider when planning how to most effectively respond.<sup>56</sup>

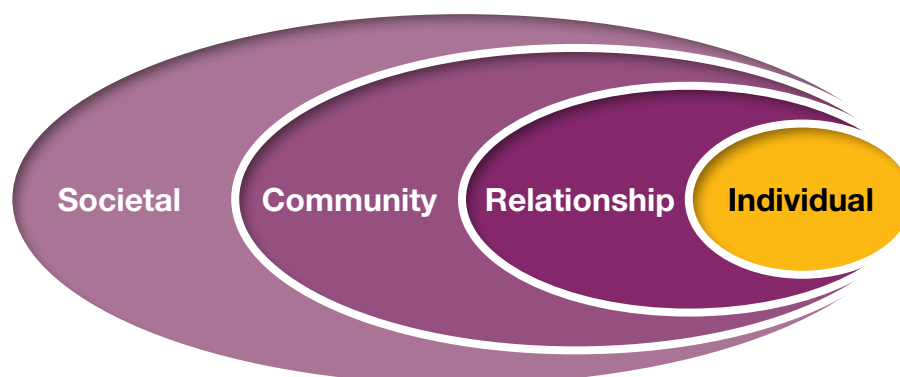
There are particular factors which tend to put women at greater risk of experiencing, and men of perpetrating, abuse, even as these shift in form and emphasis across location, age, wealth, and education. In general terms, across societies, some of the most important risk factors linked to violence against women include:

- Exposure to child maltreatment (perpetration and experience);
- Witnessing family violence (perpetration and experience);
- Anti-social personality disorder (perpetration);
- The harmful use of alcohol (perpetration and experience);
- Having multiple partners and being suspected by their partners of infidelity (perpetration); and,
- Attitudes that are accepting of violence and gender inequality (perpetration and experience).<sup>57</sup>

For domestic violence more specifically, the following risk factors were also cited as relevant:

- Past history of violence for both men and women in the relationship;
- Marital discord and dissatisfaction; and,
- Communication difficulties between partners.<sup>58</sup>

How violence is *manifested* in a woman's life depends on a number of factors, including her age, education, location, socio-economic status, race, ethnicity, sexual orientation, whether she experiences disability, and whether she is affected by disasters or conflict.<sup>59</sup> Heightening the level of risk for women generally—and of particular relevance to Timor-Leste—is the fact that women living in resource-poor, conflict- or disaster-affected settings are more vulnerable due both to the limited presence of 'safety nets' and because conflict and poverty are understood to heighten the threat of violence.<sup>60</sup>



**Figure 1: Ecological Model for Understanding Violence**

The 'ecological model' is a useful framework to analyse and contextualise the violence experienced by women, and recognises that violence is caused by a number of interacting factors.<sup>61</sup>

Several studies have been undertaken that assist in identifying the contributing factors to domestic violence in Timor-Leste.<sup>62</sup> *A Determination of the Prevalence of Gender Based Violence Among Conflict-Affected Populations in East Timor* found that the most common triggers for domestic violence were 'money trouble' at 45 per cent, and 'children behaving badly' at 32 per cent. Drinking was the third ranked problem, at 13 per cent, followed by problems with family at 10 per cent.<sup>63</sup> The *Baseline Study on Sexual and Gender-Based Violence in Bobonaro and Covalima* (2009) by Alves and others is one of the few all East Timorese publications available on gender-based violence in English.<sup>64</sup> While limited to two districts, this publication identifies some of the core reasons why sexual and gender-based violence is seen to occur, arguing that it "is the power of dominance or control of an individual over others who are subordinate to them,"<sup>65</sup> and it is "the patriarchal culture which puts men as the main power holder with all rights and access to education, employment and dominant in the decision-making of all aspects of life. Women are considered subordinate to men."<sup>66</sup> Various other factors are listed, and the following represents a summary of their more extensive list:

- The impact of Portuguese colonialism and the occupation by Indonesia;
- Poverty and the economic dependence of women on men;
- The lack of education;
- The lack of appropriate sex education;
- Community attitudes "including the preservation of traditional practices such as prostitution as a way to earn income to support families;"
- The vulnerability of women once they have been subjected to sexual and gender-based violence (making them vulnerable to further sexual exploitation); and,
- Alcohol consumption (generally) and drug use (the latter used to make women more vulnerable to abuse.)<sup>67</sup>

Other recent reports identify triggers, such as the UNDP's 2013 *Breaking the Cycle of Domestic Violence*.

While unequal power relations and misuse of that power remain the underlying reasons for domestic violence as is the case anywhere in the world, perceived factors provoking incidents of domestic violence identified by interviewees often related to the victim's behaviour prior to the violence. The most prominent perceived cause named by almost 50% of respondents relates to the wife neglecting the housework, including behaviour such as not cooking rice on time, or not looking after the children. For instance in Pante Makassar, 23 out of 29 respondents named failure to complete household tasks as triggering domestic violence in their community. 41% of respondents named lack of food and money or other economic problems, followed by jealousy related to adultery, named by 35%. Other commonly cited reasons include alcohol (19%), misunderstanding between husband and wife (16%), and gambling (5%).<sup>68</sup>

For researchers Nasrin Khan and Selma Hyati, in their report on marriage traditions, the reasons were similarly bound up in the gendered dynamics of married life:

All women and focus groups were asked what they perceived to be causes of domestic violence in society. The answers from focus group discussions were consistent across all communities, centring around money, family demands, jealousy, the wife's failure to prepare meals or fulfil other household tasks, and the husband drinking alcohol.<sup>69</sup>



Clarifying the difference between triggers of domestic violence and its actual underlying causes is obviously in need of further research and analysis. Not fulfilling a particular domestic duty should not be cause for one person to beat another, and the willingness to resort to violence in such situations is clearly based in behavioural and attitudinal norms.

### **Global View: Power in the Context of Causes of Domestic Violence**

As with many highly complex social problems and any discussion that has policy objectives, it is important to recognise the difference between causes, risks, and manifestations of violence. When underlying *causes* of violence against women are considered, there is considerable commonality across nations, though the particular displays or manifestations of violence are affected by context. In 2006, the United Nations Secretary General undertook a far-reaching review on violence against women. On causes, the report stated:

The roots of violence against women lie in historically unequal power relations between men and women and pervasive discrimination against women in both the public and private spheres. Patriarchal disparities of power, discriminatory cultural norms and economic inequalities serve to deny women's human rights and perpetuate violence. Violence against women is one of the key means through which male control over women's agency and sexuality is maintained.<sup>70</sup>

Power, at the heart of the quote above, is of course a complex issue. Power relations between men and women in the domestic sphere was one of the key areas in early advocacy and the development of services and policies to respond to violence against women around the globe. Power is critical to understanding the issue of violence, and assists in understanding the relationship between individuals. A man who experiences poverty may have a relatively low level of power within his society. However, he still may have relative power within his family due to the social norms that enable him to use violence with relative impunity to exert control over his wife and limit her mobility and contacts within the community. He may also use violence against women as a way to reassert his power, and in situations where he is feeling emasculated or threatened by social or familial change. Another example would be that while men and women may be equal before the law (such as in Timor-Leste where the constitution guarantees equal rights to women and men), social norms may preclude women from enjoying their full rights, such as ownership of land, parental custody of children in separations, and other examples.

## **LIVELIHOODS AND DOMESTIC VIOLENCE**

Livelihoods in Timor-Leste's highly rural population are gendered in many ways.<sup>71</sup> This is evident not only in the way labour is divided and livelihood roles are proscribed for women and men along gender lines, but also in the way that gender-based violence can impact heavily on women as key contributors to a household's livelihood. As described by the Food and Agriculture Organization:

Agricultural sector and agricultural-based livelihoods are highly dependent on land, natural resources and human labour, and thus on good health status of farmers; this means that farmers are negatively affected by GBV [gender-based violence]. Social stigma and discrimination may lead to psychological trauma, feelings of powerlessness, and inadequacy to engage in productive activities and to fully participate in community activities... Social capital is critical for farmers' ability to cope with external shocks, recover from their consequences and continue normal life and



work. Illness and death, emotional and psychological consequences, as well as stigma and discrimination related to GBV, disrupt people's links to their extended family and the larger community.<sup>72</sup>

While it is often assumed that strengthening women's livelihoods will lead to greater empowerment and independence, available data on the topic paints a somewhat more complex picture. If we begin for instance to consider women who are employed for cash, we find that they are more likely to report having experienced physical violence since age 15 than women who are unemployed, or employed but not for cash, a finding explained in the 2010 *Population and Housing Census of Timor-Leste*:

This may be an indication that working women who have an independent source of cash income may pose a challenge to the established norm of being dependent on their male partners for their livelihood, and therefore this role reversal may subject them to greater violence.<sup>73</sup>

According to the *Demographic and Health Survey*, the proportion of women who have ever reported experiencing physical violence is highest among those who have undertaken secondary education (46 per cent) and those belonging to households in the highest wealth quintile (45 per cent).<sup>74</sup> This data is often surprising to people, as it potentially challenges the frequent assumption that poor, under-educated women are more vulnerable to violence. The *Demographic and Health Survey* accounts for this higher percentage by arguing that "it is also possible that educated, wealthier, and urban women are more likely to report any violence because they recognise that any form of violence is unacceptable, in contrast to their counterparts, who may be more accepting of violence against women as part and parcel of life and hence less likely to report their experience."<sup>75</sup> This may also be because their relative wealth, education, and urban environment gives women greater mobility and better access to services to which they can report violence. There may also be several other factors that inform this higher statistic. It has, for instance, been reported elsewhere that men respond with violence to women who are seen to challenge social norms and conventions.<sup>76</sup> During interviews with higher level community stakeholders including parish priests and *xefe-suku*, it was suggested that these differences were manifested in higher levels of economic expectations, pressures and social jealousy, which they attributed as being more present amongst mid-to-high income families. Either way, to some extent further supporting the notion that increased income may increase risk, women who are employed for cash are twice as likely to report sexual violence compared with women who do not work and those who work but not for cash income.<sup>77</sup>

When referring to spousal violence, women who are unemployed are most likely to experience violence of any sort (emotional, physical, or sexual violence) committed by their husband/partner.<sup>78</sup> This same group is also less likely to seek help than those who are employed for cash (24 and 36 per cent, respectively),<sup>79</sup> even though evidence from elsewhere indicates that women in Timor-Leste are in general more likely to seek justice from formal authorities on issues such as boundary disputes.<sup>80</sup> This indicates that the issue here is not a general reluctance from women toward seeking formal justice per se, but more likely to do with other issues that correlate to economic status (education, empowerment, and so on), and to the personal and cultural sensitivities, fear, and shame related to being a victim of domestic violence.

The *Demographic and Health Survey* reports that 47 per cent of East Timorese women believe that men cannot control their sexual behaviour (a proxy for justifying sexual violence).<sup>81</sup> Women who either work for cash, reside in urban areas, have a higher education, or belong to wealthier households are less likely to support this belief, and appear less likely to accept or justify sexual violence.<sup>82</sup> However, complicating this picture, is the fact that the lowest wealth quintile of women in Timor-Leste are the least likely quintile to support the proposition that men cannot control their sexual behaviour, even though they are just as likely as other wealthier women to believe that marital rape is acceptable.<sup>83</sup>

## Global View: Impact of Economic Empowerment on Women

The links between economic empowerment and violence against women are complex. Of importance to this report is that evidence suggests that violence against women, at least in terms of reported cases, may initially rise as women gain greater access to social and economic opportunities and resources. In some settings, women in the poorest households may in fact also be somewhat protected from violence. The WHO's World Report on Violence and Health 2002 argued that, "Partner violence is thus usually highest at the point where women begin to assume non-traditional roles or enter the workforce."<sup>84</sup> These dynamics are by no means a reason to avoid economic empowerment of women. However, they do indicate that it is important to plan programming in order to minimise women's risk of violence and to engage men in adapting to transitions in women's status and situation, particularly in terms of exposing and challenging traditional gender norms.

STRIVE is a research consortium investigating the social norms and inequalities associated with HIV. Recognising that violence against women has strong connections to the transmission of HIV, STRIVE has undertaken a valuable review of data from projects in multiple countries to try to clarify the evidentiary basis for work on violence against women. Similarly to the WHO report discussed above, the STRIVE review of evidence poses the challenge that, "most theories suggest that increasing women's access to economic resources will increase their power in a relationship over time. But this may only be true under certain circumstances and at particular historical moments."<sup>85</sup> The STRIVE review then puts forward the proposition that research needs to move away from looking at single factors, and instead focus more on how different factors interact to influence whether economic changes impact women's risk of violence.

In Timor-Leste, there has been limited application of evidence and data in programming to address the economic needs of women who experience abuse. The STRIVE global review found that there are some key approaches showing long-term promise, which are summarised here:

- Efforts to strengthen women's rights to property, inheritance, labour force participation, divorce;
- Expanding social services for women and children (e.g. counselling, legal aid, shelters, etc.) through public-private partnerships that include government ministries and non-governmental organisations;
- Micro-credit programs for women that explicitly address the implications of gender-based violence; and, Mice; and,
- Attention to women's needs and priorities within transport and infrastructure projects.<sup>86</sup>

Studies across low and middle-income countries were mixed, suggesting that women's access to cash employment was protective in some cases, but linked to increased risk in others. Few prospective or impact studies are available (in either high-income or developing countries) to help clarify how changing economic circumstances effects the risk of partner violence. In cases where studies had been undertaken, economic interventions had only secured partial success in terms of risk mitigation.

For example:

- A controlled trial in rural Ethiopia found that women's risk of physical violence from their partners increased 13 per cent and risk for emotional violence increased 34 per cent after women became employed in the export flower industry. This study concluded that the violence was not as much about getting control over resources, but involved an emotional response when household roles started to deviate from norms, and men attempted to restore order along traditional lines.
- In Mexico, women receiving cash transfers were less likely to be physically abused by their partners but more likely to receive threats of violence and be emotionally abused by their partners. Measured again across later years (5–9 years), the rates of violence were the same as with non-beneficiary couples, showing that the program had no long-term benefits on women's risk of violence.

The effect of economic variables on women's risk of violence may depend in part on the relative economic position of her partner as well as cultural expectations regarding male and female gender roles:

- In the WHO multi-country study, women who worked for cash when their partner did not were at increased risk of violence in six out of 14 countries. Couples in which only the man worked were at slightly lower risk than when both partners worked in eight of 14 settings.
- Qualitative studies in a number of developing countries have suggested that when current circumstances do not provide men with the "expected opportunity to validate their masculine identity, violence may serve as an alternative way of doing so."<sup>87</sup>
- In both Peru and Brazil, studies found that if a woman contributes more financially to family income than her partner, she is at increased risk of severe partner violence. If she contributes less or the same, she is not at increased risk of abuse. As well, if she owns assets independently she has twice the risk of abuse, compared to women who own assets jointly or do not own assets.

Owning non-moveable assets such as land or a home appears protective against partner violence in some, but not all, studies. Owning a home appears to provide an escape route from violence for some women.<sup>88</sup>

- A household survey in Kerala, India found that ownership of property had a strong deterrent effect on women's lifetime and immediate risk of experiencing physical or sexual abuse from a partner, even after controlling for other factors which could contribute to abuse.
- Other key factors were the nature of the property owned, whether the woman owned property before the marriage, her level of access to the property, the role of the property in the economic standing of the family, whether the woman continued to have support from her natal family, and whether her partner was employed and had problems with alcohol.
- A study in Brazil found that women who owned property in their own name (rather than owning no property or owning it jointly with her husband or someone else) were twice as likely to experience severe and systematic violence.

Such an array of variables, and the potential for making interventions that put women at further risk rather than reducing the chances of domestic violence, speak to the need for learning from different instances, but always adapting generalised frameworks back to the context of local communities in which the intervention is going to take place. This requires a deep knowledge of a place and society, as well as a longer-term commitment toward trial and adaptation.





## PART TWO:

# THE MARRIED ECONOMY IN TIMOR-LESTE

In examining the economic dimensions of domestic violence in Timor-Leste, this report draws together macro national level data available from sources such as the *Demographic and Health Survey* and the *National Census*, along with detailed field research highlighting the local context and women's experiences in the economics of their own marriages. Part Two of this report examines work, income, expenditure, and access and control over resources. While various findings are put forward in this part of the report, there are four foundational points that feed into our over-arching conclusion that the married economy in Timor-Leste is gendered in such a way that it leads to a 'relative containment' of women to the domestic sphere and makes it very difficult, from an economic standpoint, for women to leave abusive situations. The five points underpinning this conclusion are outlined here.

Firstly, the national economy, as well as the economics of marriage in Timor-Leste, are both highly gendered and unequal. There is a general lack of resources, and men tend to benefit more from those resources that do exist. Moreover, this all occurs within an economy that remains highly fragile, leaving people very vulnerable. In particular, we found that there are high demands on women's time for work (including, but not limited to, domestic care, which we argue is an essential part of an economy), and yet this does not translate into financial and economic security for women, nor has it placed them in an equal position of making decisions within the household.

Secondly, a variety of factors reduce a woman's levels of mobility and her bargaining power in instances where she is in an abusive relationship, including:

- A woman's income generating activities and general livelihoods production often remain contingent upon access to land and a house;
- Women's skill sets tend to be of lower market value, and so it is difficult to utilise these skill sets elsewhere;
- Women often lack access to sufficient savings to enable them to relocate (acknowledging that for many families in Timor-Leste, there are not cash savings, but however, men are often in a position to raise larger amounts of income more quickly); and,
- Being bound to the domestic sphere makes it harder for women to connect to outside support, for her situation to be effectively evaluated, and for effective interventions to take place.

Thirdly, it is a common tendency for women in Timor-Leste to 'hold the money' within the household, but this can be a double-edged sword. It allows them a measure of control, but can also place them at risk and further increases their integration into a domestic sphere.

Fourthly, in instances of what we have classified as 'severe controlling abuse,' a woman is not only contained to the domestic sphere, but her ability to 'hold the money' is often absent.

While it is important to state clearly that in this report there is not a direct correlation made between domestic violence and poverty, respondents often cited poverty or a lack of money as a stressor that led to arguments and conflict within the household. This correlates for instance with data in much earlier studies where 'money trouble' was identified by 45 per cent of survey respondents as a cause of domestic violence (thus suggesting a closer correlation between poverty and domestic violence.)<sup>1</sup> However, the main point in this section is to look at the broader structural effects of the gendered economy and how they may set in place conditions which impact significantly on a woman's decision-making when she is suffering abuse. As this section puts forward, whilst women contribute greatly to the economy of Timor-Leste, their control remains carefully circumscribed to certain areas, bound within the larger dimensions of unequal gender relations. Equally true, men's decision-making continues to be conditioned by their position of relative power within the economics of marriage in Timor-Leste.

Before we proceed, it is important to connect the findings in this section to the methodological framework and project priorities as outlined at the start of this report. In the first instance, the resourcing for this project was limited to two districts initially, and then expanded to include Dili as well. Given that the project's focus was on women's views of the economic dimensions of domestic violence, the priority was to get their perspective on economic activity (from income generation to access and control, and so on) and any relationship to abuse. Had participatory research appraisal methods and focus group discussions also been run separately with men, then the amount of possible data gathered from women would have been halved or more. Keeping the focus on women's views was important given the overall aims of the project, and more so given data had not previously been gathered in this way for this kind of study in Timor-Leste.



One of the consequences of this approach is of course that while there is a detailed sense of how women see their economic activity, that detail dissipates when it comes to their views on male economic activity. This is perhaps most apparent with the table that compares women's views on their own sources of income, or work, and their equivalent views of men's economic activity. A larger study that was focused on the gendered nature of the married economy, rather than more specifically focusing on women's subjective views within that relationship, would clearly add a series of methodological measures in order to clarify and test what is included here with regards to male economic activity. Nevertheless, the data remains of value, and there are three key factors shaping its use.

Firstly, given the report is interested in women's experiences of issues such as income generation, expenditure, access and control, it is entirely valid to be asking what their opinions are on their own as well as male economic activity. These conversations then help us understand women's own views, rather than trying to establish some broader overarching truth that may in fact be less helpful in terms of shaping policy. Secondly, while we have included information on women's views of both their own and also male economic activity in various tables (so it is at least there for reference and future thinking), the actual written analysis tends to emphasise what women had to say about themselves. This allows for important points to be made for instance comparing rural and urban women, different generations of women, and how women view their own economic activity. Thirdly, it was important that the focus group discussions in particular were conducted with women only, given that they engaged with very sensitive issues of violence. In this report, data from focus group discussions has been lifted into connection with other forms of available information, both from within this project (for instance interviews), and from external sources (as per the extensive use of statistical studies and so on), so as to advance understanding.

This is not a positivist study, but rather a study that tries to comprehend, from a woman's perspective, something akin to what *their views* of economic relations are (typically from within a marriage) and how that might play into the exercise of abuse and violence. Given the dearth of information otherwise on the matter, we have taken that as being the most important place to start the inquiry from, especially in terms of impacting on policies and programs pertaining to prevention, services and justice. We encourage future studies to take up this approach, use and adapt these kinds of methods, add more detail and dimensions, and deepen the analysis. For the time being however the following data provides for an initial foray into an important area that in turn allows us to think more broadly on how to reduce domestic violence, at least in terms of its economic dimensions.

## THE TIMOR-LESTE ECONOMY

In Timor-Leste, 70 per cent of the population lives in rural areas,<sup>2</sup> placing it thirty-third in the world in terms of the percentage of population living outside urban centres (roughly comparable to India and Bangladesh).<sup>3</sup> In 2010, 63 per cent of households were involved in crop production and 86 per cent were involved in livestock production.<sup>4</sup> However, agriculture currently accounts for only one-fifth of the nation's GDP.<sup>5</sup> Yields are typically low on Timor-Leste's sloping tropical, limestone soils,<sup>6</sup> and only 36 per cent of East Timorese households are considered food secure despite it being a predominately agrarian economy.<sup>7</sup>

Timor-Leste ranked third worst in the world for the number of underweight children under the age of five (49 per cent).<sup>8</sup> Food insecurity and particularly child malnourishment are more critical in the central and western highlands, where soils are poorer, communities are more isolated, and options for livelihoods diversification are fewer, leaving households more vulnerable to climatic and social shocks and stresses.<sup>9</sup> On average, women and girls suffer more from malnutrition than men and boys, suggesting significant gender bias in access to, and utilisation of, food within families. However, there appears to be no correlation between the gender of the household head and the incidence of wasting, stunting, or malnutrition amongst children under five, suggesting that while female-headed households are more often food insecure, these women are often able to navigate this situation well enough to avoid the worst health outcomes for their children.<sup>10</sup>

Overall, 41 per cent of the population is reported to live below the poverty line of U.S. \$0.88 per day.<sup>11</sup> Average monthly household incomes in urban areas (U.S. \$634) are more than double those of rural households (U.S. \$292), with wages and business being the main sources of income, as opposed to crops and livestock sales in rural areas.<sup>12</sup> Women's average contribution to household income is consistently estimated at between 20-30 per cent across all income types, with little significant difference between urban and rural areas.<sup>13</sup>

Government unemployment figures as cited in the 2010 *Timor-Leste Labour Force Survey* (the most recent data in this area), show the overall unemployment rate in 2010 as 3.6 per cent, a comparatively low rate.<sup>14</sup> However the 2011 UNDP Human Development Report explains that the definition of employment used in the Labour Force survey is "a person doing as little as one hour-work (paid or unpaid) during the reference week."<sup>15</sup> As such, the 'underemployment,' 'vulnerable employment,' and economically 'inactive' rates are far more revealing about the population's access to income. These figures show that at that time, 70 per cent of all employment was 'vulnerable' and around 50 per cent of the population (200,000 males and 300,000 females) were considered 'inactive.'<sup>16</sup>

Viewing details of Timor-Leste's economy at the most general level gives a strong sense of the importance of rural livelihoods production, which is central to our discussions here. However, such sets of statistics, indices and measures, while important and giving a clear sense of the population as a whole, only give a mono-dimensional sense of what is meant in this report by 'economy.' While it is not uncommon for economies to be divided into 'formal' and 'informal' sectors, in Timor-Leste this does not really help to explain the multi-dimensional character of the economy, let alone how those dimensions intersect. While different, the 'economy' in Timor-Leste, especially when speaking in micro-level terms of households and communities, should be seen as multi-layered and intersecting with different modes of economic practice. There are important customary elements to the economy, as well as significant non-monetary forms of exchange, and these can have an important economic effects at particular moments. Therefore, in speaking here about the economy in Timor-Leste, it is important to see the economy as multi-dimensional along the following lines:



1. Production: subsistence agricultural production, as well as wage labour in manual and service industries, non-wage labour, and volunteer work. Much work in Timor-Leste, such as agricultural production, is toward immediate familial consumption.
2. Exchange: market forms of exchange (for instance the purchase of commodities), reciprocated exchange between individuals and families, forms of barter (labour in exchange for a share of production) as well as customary forms of exchange (at the point of marriage, for customary ceremonies, including death, and the building of sacred houses).
3. Consumption: with an emphasis on basic goods, often what would be regarded as basic necessities, in tandem with some leisure-related items.

An important additional point is that while much agricultural production is to a significant extent subsistence-based (not completely of course, as many people buy basic foods, such as rice, but also fruit and vegetables), the economy in a more general sense may be regarded as semi-subsistence in that there are at times surpluses in agricultural production that are sold to generate income, as well as unevenly developed market economies where cash income is generated.

## THE MARRIED ECONOMY

The term 'married economy' refers to the range of ways a wife and a husband engage with and organise economic practices within their household. This includes how their engagement with broader economic flows of goods, services, resources, and finances is organised. This allows for analysis to be focused on what is actually differentiated between a wife and a husband and the relative degree of equity in these power and economic relationships.

In this report, the term 'domestic sphere' is used rather than 'home' when referring to the married economy, because we felt it important to include the broader space in which work related to domestic care and production are undertaken, which often includes spaces nearby to the home such as gardens, neighbours' houses (often familial), structures where animals are kept, and water sources. Further, we treat domestic care as part of the economy on the basis that it is labour, and that there are forms of co-dependence between domestic care and income-generating activities. For instance, the more time a person needs to prepare a meal, or wash clothes, the less time they have for other work or for resting and recovery in preparation for more work.

## Global View: Productivity and Women's Unpaid Work

A key area for understanding unpaid work is the domestic domain. The UN Special Rapporteur on Extreme Poverty recently identified unpaid work as a key issue related to rights and economics:

Owing to gender stereotypes related to family and work, such as 'male breadwinners,' 'women as carers/nurturers,' this generally means that women assume the bulk of the work, to the detriment of their human rights enjoyment... In both developed and developing countries women work longer hours than men when unpaid work is taken into account. However, because of structural discrimination, the work women do in the home is seen as unskilled and less valuable to society, meaning that men not only receive higher earnings but also more recognition for their contribution. This situation renders many women socially and financially dependent on men, thereby restricting their agency and autonomy.<sup>17</sup>

Action Aid published research in four countries (Nepal, Nigeria, Uganda, and Kenya) looking at women's unpaid care in an effort to deepen understanding of the gender-distribution of work in households. The main method of inquiry was time-use diaries and reflection. The study found:

- Excluding sleeping, men tend to spend longer than women on other forms of self-care, social, and cultural activities such as socialising with friends and mass media use, including listening to the radio;
- Men tend to spend longer than women on work which would be counted by traditional economic measures of GDP, while women tend to spend longer than men on the collection of fuel and water as well as unpaid care work. For all countries, the gap between women's and men's unpaid care work was larger than the gap between men's and women's GDP work. In each of the three countries women's work time exceeds that of men when all types of work are included;
- Rural women spent longer than urban women on GDP work when paid and unpaid GDP work were combined. However, a far larger proportion of rural women's GDP work was unpaid than that of urban women.
- Qualitative information from participants said that there seemed to be a shift in men's involvement in caregiving after the time use diaries were completed and the extent of women's work was more obvious.<sup>18</sup>

In Timor-Leste, where subsistence agriculture dominates livelihood production, the notion of unpaid work needs to be adapted so as to recognise that in many instances very little monetary value is produced from a vast amount of labour. Hence, many are 'unpaid' beyond that of caring work. This has two immediate effects in thinking about the economic dimensions of domestic violence, one being that it could exacerbate the influence of the limited sources of cash income available, as well as shift the focus on to the access and control of other types of resources.

## WORK

The vast majority of women involved in focus group discussions, as well as women interviewed who had experienced domestic violence, did not work outside the domestic sphere in formal employment.<sup>19</sup> There was a highly gendered division of responsibilities within the married economy of respondents, and women were conspicuously far more bound to the domestic sphere. The following quote is a very typical expression of how women explained their work (or activities and responsibilities if not conceived directly as work):

My activities every day are to wash the clothes, cook, clean the house, watch the children, and bring them to school.<sup>20</sup>

The dominance of domestic work and care in these women's lives is part of broader discriminatory picture where women in Timor-Leste face disadvantage in most aspects of work, employment, and remuneration. Women's labour force participation is variously reported at 37 per cent<sup>21</sup> and 62 per cent,<sup>22</sup> with the split largely dependent on how labour is counted.<sup>23</sup> According to the Asian Development Bank, East Timorese women allocate 50-77 per cent of time to domestic work compared to only 36 per cent by men.<sup>24</sup> And just as in most locations around the world, East Timorese families find it difficult to place monetary value on domestic work.<sup>25</sup> Some studies indicate that women in Timor-Leste work on average six hours more than men per week, and are given permission by their husbands to attend trainings or undertake paid work only if temporary arrangements can be made to absorb their domestic responsibilities.<sup>26</sup>

While the research for this project suggests that women perform the significant majority of domestic and care work, this work is frequently supplemented by other forms of labour, including income generation by informal employment. As each of the following quotes suggest—and as will be explored further in this section—these supplementary forms of labour tended to be diverse:

We [speaking of the women in the focus group discussion] do the housework, cook, wash the clothes, mind the children, and do all of the things that the man needs in order to find work to sustain the household... If we have some money then sometimes we can cook biscuits to help sustain the household and send the children to school.<sup>27</sup>

*suku* Caicoli, Dili district

Our work is at home but we also cook biscuits, make ice, wash people's clothes, and cook for the school so that we can give the children money for transport to get to school.<sup>28</sup>

*suku* Caicoli, Dili district

I am at home, make the breakfast, send the children to school, and then I get ready to go to the fields, to plant potatoes and pick coconuts and palm, my husband goes to the rice fields.<sup>29</sup>

*suku* Ogues, Covalima district

We go to weed the corn fields, and my husband goes to tend the animals. In the afternoon we come home to cook the dinner.<sup>30</sup>

*suku* Ogues, Covalima district

In rural areas in particular, women were highly involved in farming. In Baucau for instance, 100 per cent of women defined themselves as '*agrikultóra*' (farmer), and many women in rural *suku* stated that their income generation activities were equal, if not more important to, the household economy than their husband's. Across the developing world, women are highly significant in the agricultural workforce,<sup>31</sup> and while the rates across Timor-Leste are lower than those stated here for Baucau, nationally women still account for 43.5 percent of subsistence agricultural workers.<sup>32</sup> This means that women are often major contributors to both household production and income generation within the married economy, as described by women in focus group discussions in *suku* Ogues, Covalima:

**Participant:** We are both the same, we both go to dig the land, clear the fields, and weed the potato beds. In the morning, I get up and make the breakfast and the father [my husband] goes to check the horses and animals. When he comes back we go to the fields together.

**Facilitator:** Who earns the most income?

**Participant:** We earn the same, because our household lives from the fields, so we work together. Some people have husbands who do other things like work as a carpenter, that is different, they get money from that too, but we just depend on the fields.

**Facilitator:** How many of you are in a similar situation, or do some people have different incomes?

**Participants:** We're all the same, we all live from the fields.<sup>33</sup>

In contrast, it was notable in Dili that the vast majority of women said that they were not involved in income-generating activities. They stated their role was to look after the children and carry out household activities while the men's role was to generate income. In the list of participants for participatory rural appraisals and focus group discussions, 80 per cent of Dili women defined themselves as '*dona da casa*' (a house wife) and 20 per cent defined themselves as '*negosiante*' (a businessperson).

Of the eight women who participated in the participatory rural appraisals discussion in *aldeia* Sakoko (*suku* Caicoli, Dili district), only three were involved in any income generation activities. While the others stayed at home, looked after the household, the children, and cooked, it is notable that the women who did supplement their work engaged in non-agricultural labour. Even then, those who were involved in selling vegetables or a small business were often dependent on their husbands. "Rural people work the land," one woman explained, while "we as Dili people only get something when we work...my income depends on my husband, when he buys other people's vegetables I can go and sell them."<sup>34</sup>

That options for women appeared to be limited to the domestic sphere, particularly in Dili, were echoed by focus group participants when asked to imagine income-generating possibilities in the hypothetical story of Maria and Paulo, a wife and husband, a method used in this research whereby different generic scenarios were presented to focus groups (Please see the section on methodology for more details of this approach). If Maria was to leave Paulo, participants in *suku* Bairro Pite suggested a number of potential sources of income for Maria, for instance 'she could open a kiosk' or 'she could look for work washing clothes.'<sup>35</sup> In other words, options for Maria were those that meant she remained connected to a domestic sphere. In the alternative, it was never suggested that Maria could return to education, become a public servant or a police officer, or some other such role.

Looking at the gendered dimensions of paid work nationally, there is unsurprisingly a strong correlation between women living in rural areas being engaged in agricultural work, with urban women more likely to be engaged in the retail and the service industries.<sup>36</sup> Waged employment is more common in the retail and service sectors, with almost fifty per cent

of women employed in non-agricultural work receiving cash earnings.<sup>37</sup> These are also sectors where proportionally more women are employed than men (22 per cent and 14 per cent respectively), a reversal from the agricultural sector (61 per cent and 67 per cent respectively).<sup>38</sup> However, this is balanced by the fact that the overall number of women employed nationally is significantly lower than men (50 per cent compared to 85 per cent respectively) and the fact that in total only 19 per cent of all working women are paid in cash, compared to 33 per cent of men.<sup>39</sup>

While employment, and in turn types of employment, suggest a gendered economy, there is also the issue of vulnerability. Coupled with higher unemployment in urban areas is the issue of very high 'vulnerable employment'<sup>40</sup> across the country, felt for instance in Dili, given its relative concentration of post-secondary education institutes and high level of youth in-migration.<sup>41</sup> However, vulnerable employment is higher in rural than urban areas, where a significant proportion of household income takes the form of non-cash remuneration, working for family with no formalised workplace protections.<sup>42</sup> This is particularly the case for women, who are more likely to be in vulnerable employment than men,<sup>43</sup> and less likely to be in waged employment.<sup>44</sup>

To say that there is a gendered economy does not mean that men do not contribute to domestic work. Respondents noted that men assist in the domestic sphere to varying degrees, as explained by one woman who explained how her, "husband works nights as a security guard. When he comes home, I prepare the food, and he eats and then rests. When he wakes up, he helps me to wash the clothes and mind the children."<sup>45</sup> While it is important to recognise that there are not hard and fast distinctions between what is seen as 'women's' and 'men's' work, it is also important not to lose focus of the overall picture of unequal and highly gendered workloads, a point emphasised by a CARE livelihoods program gender analysis:

Men and women often shared productive workload, although there were some gender specific activities such as fishing for men and seed storage for women. Men and women share the burden of agricultural work, coffee harvesting, and caring for home gardens. However, in terms of the domestic or reproductive sphere there is generally little change from traditional gender roles, where women care for children, cook and clean, and pay attention to household food security.<sup>46</sup>

What emerges is a picture of a highly gendered economy where women are responsible for domestic work, care, and other forms of work that are either complementary or equivalent to that of their husbands. These are important findings, as they start to build a picture of women both contributing to a significant portion of the work within the married economy, but in ways that neither result in equity within the married economy or a more general sense of equality. These inequities become pivotal when considering the economic dimensions of domestic violence and the relatively constrained room for women to leave abusive relationships.

## Global View: A Framework for Economic Empowerment of Women

The International Center for Research on Women (ICRW) has developed a helpful framework to clarify women's economic empowerment, based on experiences and research in a number of countries.<sup>47</sup> The work of the ICRW is relevant to draw from here in considering economic empowerment in a generalised, cross-cultural fashion which can then be adapted and reconsidered when applied to a specific society.

ICRW's work helps reinforce the notion that programs and interventions on violence against women often fail to recognise women's economic issues and needs, or lack the ability to effectively discern a woman's situation. While there has been recognition of the importance of economic 'empowerment' in a general sense, this concept has often lacked specificity and measurability. The ICRW definition argues that both power and agency are critical. The ICRW maintains, "a woman is economically empowered when she has both the ability to succeed and advance economically and the power to make and act on economic decisions." This in turn has two parts to it, firstly "to succeed and advance economically, women need the skills and resources to compete in markets, as well as fair and equal access to economic institutions," and secondly, "to have the power and agency to benefit from economic activities, women need to have the ability to make and act on decisions and control resources and profits."<sup>48</sup> However, given the WHO and STRIVE reports previously discussed, developing new skills and capabilities for women can also pose a risk of backlash and violence within the household.

The ICRW framework proposes indicators at an individual/household level and the community/institutional level, recognising that barriers to empowerment can range from those imposed at the household level all the way to national policies.

They suggest a number of important indicators in looking at women's power, agency, and economic advancement:

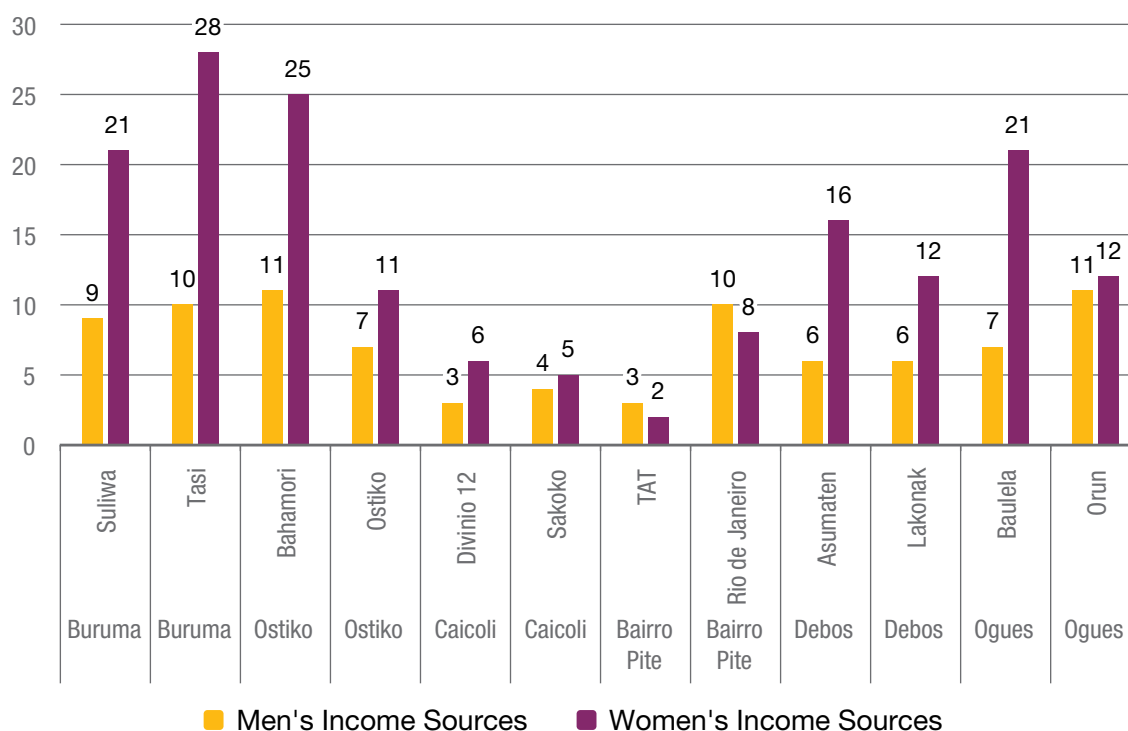
- Control over assets;
- Agency/decision-making;
- Autonomy and mobility;
- Self-confidence/self-efficacy;
- Gender norms; and,
- Gender roles/responsibilities.

# INCOME

This section explores income generation and how 'cash' enters the married economy. While cash is often very limited in subsistence and semi-subsistence communities, it is of value to research because it offers an unusually tangible avenue into how power is exercised within married relationships with regard to a highly valued and limited resource. Moreover, both immediate and potential longer-term access to income, or lack of it, affects a woman's position with regard to her bargaining power within a relationship.

Considering income at the most general level, only about 24 per cent of household income in Timor-Leste is assigned to women, however in rural societies women's contribution to the household income is generally underestimated.<sup>49</sup> Over 50 per cent of women perceive themselves as earning at least as much as, if not more than, their husbands.<sup>50</sup> However what exactly 'earns' means in this context is complicated by the fact that 78.8 per cent of working women are not paid wages for their work. This is most likely because the vast majority of women engaged in agricultural work (96 per cent) are non-salaried workers employed by family members at the peak of the agricultural season. Only 43 per cent of women are employed year round, with that number dropping to 27 per cent in the agricultural sector.<sup>51</sup>

Agriculture figured heavily in the research conducted for this project, especially in Baucau and Covalima, and it was apparent that women were engaged in a wide range of activities. In the Income and Expenditure Mapping Participatory Rural Appraisal conducted as part of this research, women indicated that they were involved in significantly more types of income generation than their husbands in 11 of the 12 *aldeia* covered in this research. The only exception to this was *aldeia* TAT in *suku* Bairro Pite, Dili district, where both women and men's income sources were very limited (see Figure 2 below).



**Figure 2: Number of Income Sources Identified for Men and Women by Aldeia and Suku**

The *aldeia* with the largest range of economic activities conducted by women was in *aldeia* Tasi (*suku* Buruma, Baucau district – see Table 4 shown below), where women listed 28 sources of income generation; 16 of these were the production of vegetables, six related to the production and sale of food and drink, and three related to the sale of consumer items.

**Table 4: Lists of Husbands’ and Wives’ Income from participatory rural assessment sessions in *aldeia* Tasi**

	<b>WOMEN’S INCOME</b>	<b>MEN’S INCOME</b>	<b>SHARED INCOME</b>
1	Mustard	Fishing	Raising goats
2	Water spinach	Selling of fish	Raising pigs
3	Lettuce	Carpenter	
4	Tomatoes	Musician	
5	Onion	Electrician	
6	Selling cigarettes	Plumber	
7	Breadfruit	Labourer - \$3 project	
8	Aubergine/eggplant	Rice	
9	Chili	Civil Servant	
10	<i>Bayam</i> (spinach)	Driver	
11	String beans		
12	Fried food – <i>gropuk</i>		
13	Running a kiosk		
14	Telephone credit		
15	Fried foods – <i>pisang goreng</i>		
16	Producing and selling coconut oil		
17	Bananas		
18	Steamed fish		
19	Palm wine		
20	Coconut		
21	Making and selling virgin coconut oil		
22	Papaya (seeds)		
23	Papaya (flowers)		
24	<i>Suku</i> representative		
25	Selling chickens		
26	Sweet ice		
27	Ice cubes		
28	Palm wine		

Women’s diversity of income sources were mostly seen in three areas: small scale garden production (where rural women were significantly more active than their husbands); sale of consumer items and running of small kiosks (for instance sweets, lottery tickets, phone credit, *tais*, firewood, gasoline); and the preparation and sale of food and drink (sweet ice, satay, biscuits, bread, roasted fish, crisps, alcohol, and so forth).

The most common income generation activities carried out by women included: growing various types of vegetables (11 *aldeia*); baking biscuits or fried snacks (8 *aldeia*); running a kiosk (6 *aldeia*); keeping chickens (7 *aldeia*) and keeping pigs (7 *aldeia*). These forms of income generation tended overwhelmingly to occur very close to the home.



In comparison, the most common income generation activities carried out by men included: working as a carpenter or builder (7 *aldeia*); working as a civil servant (5 *aldeia*); raising and selling cows (5 *aldeia*); working as a police officer (4 *aldeia*). Here, conversely, we see labour activities that rely on far greater mobility for men in conducting their work. Even when it came to caring for livestock, women usually tended small animals (such as chickens and pigs) near the home while men took care of goats, buffalos, horses, and cattle that tended to cover greater distances.<sup>52</sup> From the perspective of women, men were significantly less involved in growing vegetables than women. When rice was not included, men were only listed as involved in growing vegetables in three *aldeia* and in each of these *aldeia* there were specific types of crops: beans, corn and cassava in *aldeia* Orun, *suku* Ogues; corn, cassava, pumpkin and cucumber in *aldeia* Ostiko, *suku* Ostiko; corn and taro in *aldeia* Bahamori, *suku* Ostiko.

It is important of course to note again that there are forms of income generation that are in effect joint. Examples of joint activities included candlenut production in *suku* Ostiko and rice harvesting in *suku* Buruma (both in Baucau district.)<sup>53</sup> Beyond this however, it is possible to see the gendered nature of income generation within the married economy, also reflected in a CARE Climate Change evaluation.

In rural areas...where the predominant occupation and income source for many households is agriculture, there is a marked gender division of labour. Women are most often responsible for managing the household food and water supplies, for specific agricultural tasks and for marketing of vegetables. Men tend to be responsible for raising and selling livestock. Since men do not usually help with household work, women often endure heavy workloads, as chores such as collection of fuel wood and water can be very time consuming.<sup>54</sup>

Most women remain underrepresented in high income generating forms of work. For example, rural women in Baucau stated that they carried out more work and that their income was more regular and sustainable than their husbands. While women acknowledged that men's incomes were larger, they also explained that they were often irregular and depended on various factors including: client's needs (carpenters); the condition of the sea and the boats (fishermen); and, projects and contracts (builders). This data suggests women take on multiple informal income generation activities in order to ensure the survival and basic needs of the family.

Paid employment for women, when it does occur, remains highly gendered in Timor-Leste. More than half of employed women are, according to the 2010 Timor-Leste Labour Force Survey, employed in unskilled and often unwaged work, usually within the socially sanctioned 'women's' sectors of agriculture, wholesale and retail trade, and education.<sup>55</sup> In participatory rural appraisal discussions with women, a number of professions were almost exclusively listed as male: public servant, police, carpenter, security guard, and driver. In contrast, the only types of labour that women listed were: working as a tailor; a cook; a house cleaner; cooking food for schools; rubbish collection; and paid labour to clean other people's fields.

The data here on types of income reinforces in key respects the earlier point that in most cases a woman's sphere of work is more linked and integrated into the domestic sphere than that of a man. While income inequality, and the intensity of work, are important when considering equity issues and the general quality of a woman's life, it is also worth considering how it structurally affects the ability of a woman to remove herself from her household, especially in cases of abuse. A key finding here is that the gendered economy makes it much more difficult for a woman to leave. This is particularly the case given that women's economic opportunities are overwhelmingly tied to the home and nearby fields that she would have to leave if she was to remove herself from an abusive husband.

Consider:

- Women usually have primary care over children, and are required to support their children's needs as well as their own.
- Women often have a skill base that is not in demand elsewhere, such as unpaid domestic work, and are largely dependent on access to the domestic sphere for what income generating activities their skill sets allow.
- For a woman to leave a relationship usually means relying heavily on her own extended family, which can present many challenges.
- Women tend not to have access to larger sources of income generation or savings that can be accessed in emergencies, which may be an important consideration in leaving (for instance, a woman cannot sell a piece of livestock in order to fund the purchase of basic essentials or rent alternative accommodation.)
- A woman's labour tends to lack mobility, especially in an emerging market economy. Women are engaged in constant, diverse, and low-level income generation leaving them relatively immobile, and fearful that disruptions in their routine or sources of income would quickly leave them and their children with no safety net whatsoever. It is important to remember that money, or other forms of transferrable value, are key to forms of mobility as people move away from their land.
- The relative confinement to specific spaces has other limiting effects on women beyond domestic violence, limiting their access to the flow of information and reducing their prospects to build social networks beyond the family.

To take the example of a kiosk, which gives women access to both income and skill development (i.e. handling money, stock, ordering, profit-making, access to money), the kiosk itself is frequently structured into the built home precisely so a woman can simultaneously undertake caring duties and does not have to leave that space.<sup>56</sup>

At a more macro level, this characteristic of the gendered economy may help to explain why women make up over 40 per cent of micro-entrepreneurs in Timor-Leste, but own just 16 per cent of formalised businesses,<sup>57</sup> and also have particularly restricted access to markets.<sup>58</sup> Being bound to the domestic sphere has become a self-perpetuating cycle. Lower levels of education and literacy leave many East Timorese women with more limited formal business skills than their male counterparts, and leads to greater difficulty for many women in navigating the complex business registration requirements. This may be one reason for limited female ownership of formal enterprises.<sup>59</sup> Access to skills training in these areas is similarly problematic. Where business development services and training do exist, they often do not adequately consider the needs of women, including those operating in micro and small enterprises, resulting in poor attendance.<sup>60</sup> As a result, access to information is often dependent on male family members, thereby reinforcing traditional gender notions that women are less capable than men.<sup>61</sup> A further reason why women's involvement in business remains limited is a lack of access to credit, due at least in part to gendered criteria for accessing finance and credit (for example, requiring land or livestock as collateral for the loan) and to discriminatory land tenure practices.<sup>62</sup>

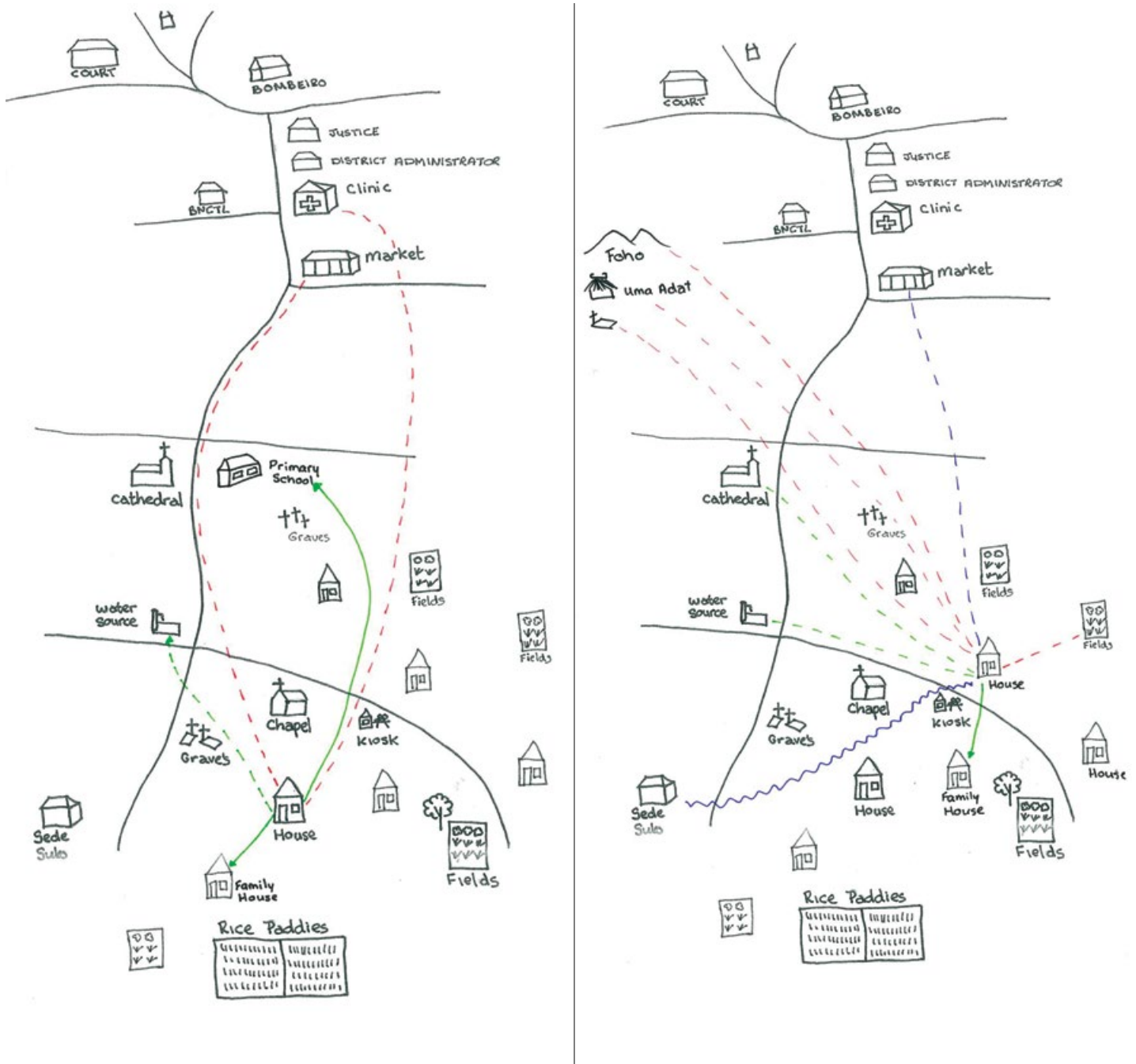
In many respects, women's confinement to the domestic sphere was confirmed through the mobility mapping exercise conducted for this research in all six *suku*. Women were asked to trace their movements on a map of their communities and asked three options in terms of where they went: I) 'I can go freely on my own and without asking permission'; II) 'I can go on my own, but must ask permission'; and finally, III) 'I can go, but must ask permission, and may not go alone'. Permission here was taken to mean consent from their husbands.

Leaving the whole notion of having to ask permission aside, and while there was variation within and across communities, the mapping shows that women generally stay very close to the home, with few women allowed to travel far without permission. As an example, the table below shows an analysis of where three women travelled in *suku* Ogues (Covalima district), and the relative freedom of mobility that they each have, with each number relating to a participant in the mapping process. This is obviously a very small sample, but the findings were fairly typical.

**Table 5: Amalgamation of Data Provided by Participants at the *suku* Ogues Mobility Participatory Rural Assessment**

*(Separate numeric indicators were used here for each participant.)*

	<b>I CAN GO FREELY, ON MY OWN, WITHOUT ASKING PERMISSION</b>	<b>I CAN GO ON MY OWN BUT MUST ASK PERMISSION</b>	<b>I CAN GO BUT MUST ASK PERMISSION AND MAY NOT GO ALONE</b>
<b>DAILY</b>	<b>Fields</b> - 2 respondents <b>Nearby family house</b> - 2 respondents <b>Neighbour</b> - 1 respondent <b>Primary school</b> - 3 respondents	<b>Rice paddies</b> - 1 respondent	
<b>WEEKLY</b>	<b>Water source</b> - 3 respondents <b>Cathedral</b> - 3 respondents	<b>Market</b> - 3 respondents <b>Cathedral</b> - 1 respondent	<b>Market</b> - 3 respondents <b>Cathedral</b> - 1 respondent <b>Hospital</b> - 1 respondent <b>Fields</b> - 1 respondent
<b>OCCASIONALLY</b>	<b>Graves</b> - 1 respondent <b>Cathedral</b> - 1 respondent <b>Kiosk</b> - 1 respondent <b>Water source</b> - 3 respondents <b>Market</b> - 1 respondent <b>Hospital</b> - 1 respondent	<b>Suku office</b> - 2 respondents <b>Hospital</b> - 2 respondents <b>Suku office</b> - 1 respondent	<b>Hospital</b> - 1 respondent <b>Suku office</b> - 1 respondent <b>Foho (far)</b> - 2 respondents <b>Uma adat (far)</b> - 1 respondent <b>Rate (far)</b> - 1 respondent <b>Visiting family</b> - 1 respondent <b>Visiting family far away</b> - 1 respondent <b>Indonesia</b> - 1 respondent



**Figure 3: Mobility Maps drawn by participants 0128 (left) and 0129 (right) in suku Ogues, Covalima**

These three women tended to be able to go to a different number of nearby sites, including water sources, the local primary school, their local kiosk, the local chapel, and potentially a nearby family home or neighbour without asking permission. There were exceptions to this, for example, participant 128 must ask permission and may not go alone to the church and participant 129 must ask permission and may not go alone to the fields. Importantly, only one participant in the example of *suku* Ogues was allowed to go to the market without asking permission (130). This was an interesting revelation which requires further investigation, as having to ask permission to go to a market may indicate a level of financial and asset control.

Closer analysis shows that some women are particularly more confined than others, for example the woman who drew the map shown above left (128) only 'goes freely' and 'without asking permission' to a nearby family house, the water source, and to the primary school. She must ask permission to go to the market and the clinic and may not go alone. Similarly, while the woman who drew the second map (above, right) appears to go to more locations, the only places where she said that she travels freely, alone, and without asking permission is to a nearby family house, the water source, and the cathedral. As a more general observation across the different sites in Covalima and Baucau, women could travel on a daily basis relatively freely to fields that were closer to the house. There were however exceptions in both Baucau and Covalima which usually involved fields that were farther away.

Women across multiple *suku* did not identify the *sede suku* (*suku* office) as a place that they go frequently and in most scenarios they must ask permission and go accompanied. From a policy perspective, further analysis of women's daily activities and travel could allow for more effective information sharing, support and interventions. Women are significantly more likely to go to the church, kiosk, water source or primary school alone rather than to the *suku* office or the health clinic, which may have implications for disseminating information about domestic violence, something which can presumably be better discussed or shared at locations women frequent and where they are comfortable.

The mobility mapping exercise largely confirms that women's labour tends to be far more integrated into the domestic sphere than men's. Husbands, it appears, undertook work that meant they tended to have higher rates of mobility, and made comparatively fewer contributions to domestic care. Where women displayed greater mobility, or where they were involved in income generating activities, such as running a kiosk, these activities often appeared to be conditional on their ability to maintain responsibilities for the domestic sphere. As outlined above, this has potentially very important ramifications for a woman experiencing domestic violence and the kinds of decisions she makes, but it is also important to consider how the married economy may change in circumstances where severe abuse is occurring.

## Rural and Urban Income Generation

Over recent years, there has been a pronounced migration toward urban areas in Timor-Leste, where 29 per cent of the population currently lives,<sup>63</sup> up from 26 per cent in 2004.<sup>64</sup> Some 64 per cent of urban dwellers live in Dili,<sup>65</sup> which appears to show a distinct profile in terms of the wealth gap compared to district based urban centres, as well as to rural Timor-Leste. Food insecurity in Dili is lower than the national average, with 29 per cent of households designated food insecure or highly vulnerable.<sup>66</sup> The value of transport and information/entertainment goods owned by urban households is six to eight times higher than those in rural areas, indicating better access to information and higher mobility for these households.<sup>67</sup> This does not necessarily mean however that women are less vulnerable, and in fact, as will be shown, in key respects urban women may actually become economically more vulnerable when subject to abuse.

The field work undertaken for this project showed a significant difference between what women reported as livelihoods in Dili versus those in the rural *suku* of Baucau and Covalima. It is not a surprise to see that men and women's incomes in Covalima and Baucau were based more in agriculture. In Baucau, during participatory rural appraisals, rural women listed between 6-21 types of vegetables they produced to generate income. In contrast, women in participatory rural appraisals in Dili listed a maximum of two vegetables produced for income. Similarly, women in participatory rural appraisals in Baucau and Covalima reported that their husbands were involved in raising and selling many different types of animals (including cows, pigs, goats, and horses). In contrast, women at participatory rural appraisal sessions in Dili did not list animals as an income source for their husbands.

From the view of women, the types of income generation for both men and women varied across the *suku* where research was conducted (see Table 6 below.)

**Table 6: Income Generation Sources**

	<b>ALDEIA BAHAMORI, SUKU OSTIKO, BAUCAU</b>	<b>ALDEIA OSTIKO, SUKU OSTIKO, BAUCAU</b>	<b>ALDEIA SULIWA, SUKU BURUMA, BAUCAU</b>	<b>ALDEIA TASI, SUKU BURUMA, BAUCAU</b>
1	Candlenut	Candlenut	Virgin coconut oil	Chinese mustard leaves
2	Potatoes	Potatoes	Grilled fish	Water spinach
3	Pig	Kiosk/small shop	Lettuce	Tomato
4	Peanuts	Chickens	Water spinach	Garlic
5	Chicken	Bananas	Chickens	Selling cigarettes
6	Chinese cabbage	Cassava leaves	Dried coconut	Breadfruit
7	Water spinach	Seamstress	Bananas	Aubergine
8	Mango	Taro	Breadfruit	Chili
9	Choko	Baked goods – bread	Marmalade	Spinach
10	Banana	Peanuts	Watercress	Long beans
11	Baked goods - <i>pisang goreng</i>	Pigs	Baked goods – donut	Fried goods – <i>gropuk</i>
12	Baked goods - donut		Dogs	Kiosk
13	Cassava leaves		Baked goods – bread	Selling telephone credit
14	Beans		Baked goods - biscuits	Baked goods - <i>pisang goreng</i>
15	Corn		Seamstress	Coconut oil
16	Cucumber		Pigs	Bananas
17	Tomato		Lettuce	Buying and selling fish
18	Cabbage		Weaving <i>tais</i>	Coconut – <i>nuu sos</i>
19	Lettuce		Sweets	Selling palm wine ( <i>tua sabu</i> )
20	Chili		Sweet ice	Virgin coconut oil
21	Pumpkin		Cooking	Papaya
22	Bitter gourd			Papaya flowers
23	Watercress			Village functionary
24	Papaya flowers			Chickens
25	Papaya			Sweet ice
26				Ice cubes
27				Selling palm wine ( <i>tua mutin</i> )

*Suku* in Covalima and Baucau were significantly more diverse than in urban Dili. Women's income sources in Covalima and Baucau ranged from 8-28 while men's income sources in these areas ranged from 6-11. By comparison, in Dili women's income sources ranged from two to eight and men's ranged from zero to six. From the perspective of women participating in this research, this suggests that rural women see themselves as more active in a wider range of income-generating activities than their urban counterparts. In both instances however, women in both urban and rural communities are less dependent on a single income source than men.

In Dili, very few women were involved in growing vegetables, and of those most were engaged in growing and selling water spinach (*kankung*). In *aldeia* TAT (*suku* Bairro Pite, Dili district), women did not list any vegetable growing activities in comparison to *aldeia* Bahamori (*suku* Ostiko, Baucau) where women's groups listed 21 different types of vegetables that they grow for income. For the most part, women in Dili had not replaced these sources of income with different sources of income. The variety of economic activities undertaken by women in Dili was very low with women identifying the following sources of income: running a kiosk; preparing school lunches; sewing; sale of lottery tickets; washing clothes; and rental of a house.

Women in the more urban *suku* in Baucau (*aldeia* Tasi and Suliwa in *suku* Buruma) had the advantage of greater access to markets than their counterparts in the more rural *suku* of Ostiko (*aldeia* Ostiko and Bahamori). In turn, when the income sources within Baucau are examined more closely we find that urban women (Tasi and Suliwa) were more involved in the sale of consumer items and the preparation of food and drink. This is in contrast to the rural *aldeia* (Ostiko and Bahamori) where very few women generated income from these sources and were more dependent on growing vegetables and raising animals.

However, having access to markets seems of little benefit to women in Dili, most likely due to their very low levels of food production in the first instance. While it is true that women in Dili listed preparation of food and the sale of consumer items more frequently than the production of vegetables, women's income sources in these areas are still well below those of the more urban *suku* in Baucau and Covalima. Rather, the research would seem to indicate that income generation and food production opportunities in Dili are drastically different, at least going by these lists in terms of what and how much is produced, suggesting that women in Dili are potentially more economically dependent on their husband's income.

National macro level data presents a somewhat contradictory viewpoint. Mean urban household incomes (\$634 per month) are more than double the mean income for rural households (\$292 per month.)<sup>68</sup> On average, women's contributions to this income appear comparable across urban and rural areas and across a range of sectors,<sup>69</sup> suggesting that urban women's income and living standards are on average higher than their rural counterparts. However, data from this research project suggests that rural women are active in a wider range of income-generating activities than their urban counterparts. The use here of mean incomes where a few high incomes skew the averages may well mask the theme emerging in participatory rural appraisals and focus group data, namely that for many women, opportunities for any income at all may in fact decrease in urban areas.

The significantly lower number of income-generating activities carried out by women in Dili, alongside the shift in perceptions that women's role is solely that of 'housewife' rather than 'farmer,' could suggest an increase in women's dependency as urbanisation increases. During participatory rural appraisals and focus group discussions in Dili, women tended to emphasise women's role as primary caregiver and were more likely to state that the woman's role was in the home whereas the man's role was to generate income. This type of statement was rarely heard in the more rural settings.



## Vulnerability in *Suku Caicoli*

Eight women attending a focus group discussion in *suku* Caicoli (Dili district) explained the various income generation activities that they and their husbands undertook to sustain their households. In general, the women saw their roles as that of housewife and as being responsible for the domestic sphere as this quote made clear:

The men work, but when we feel that there is not enough money then we also work a little, cooking biscuits or other things to sell so that the children can go to school. I cook biscuits, make ice, wash peoples clothes, and cook for the school so that I can pay the children's transport to school.

The husbands of two of the eight women worked full time jobs (one as a security guard and the other as a public servant). These women saw themselves more firmly within the domestic sphere and rarely undertook work outside the home. Two others had husbands who did occasional work. One woman explained that because her husband was from a distant rural area it was difficult for him to find work, therefore she had to understand and support him:

My husband is from far away...when friends or family find work and give him a job, it is good. But if not, I have to understand because he is from far away.

However, in the past the women explained that they had all worked harvesting and selling *kankung* (water spinach) from a large field close to their homes in Caicoli. In recent years, the government had cleared the land and prevented *kankung* from being planted at the location, which had a significant effect on their household income.

We would go to harvest the *kangkung* and buy it from the owner. If the state had not cleared the land then we would still live on the *kangkung*. From the Indonesian times through until Independence our lives depended on *kangkung* but since it was cleared we feel as if we have been abandoned...We tried going to Matadouro to pick *kangkung* there but there was not enough and now the government is clearing that land too.

Such stories show the intense vulnerability of households and women in urban areas and the hidden gender dimensions of development projects and urban evictions. Through clearing the *kangkung* land, the government not only reduced the income of the neighbouring households, but in particular the income of women.

## Generational Change

One issue which was observed by researchers was that younger women seemed to be less involved in income generation activities than older women. Most of the younger women involved in participatory rural appraisals and focus group discussions said that their daily activities included washing clothes and minding the children. We were not able to collect sufficient information on this issue to make more specific conclusions. However, one possibility is that there is a generational change in the relationship between women and income generation. It may be that there are less opportunities for generating income for younger women (pointing to the possibility of broader social change), or socio-cultural changes where younger women are tending to spend more time in the home when they have young children and/or when they are living with other family members, in particular with in-laws. Alongside the observations relating to urbanisation, this generational difference could suggest a substantial change in gender roles and a potential increase in levels of dependency and gendering of roles.

It is also possible that the increase of urbanisation, education, and other opportunities for young women means that the older generation of women are not passing on many of the subsistence skills to younger women.<sup>70</sup> While these opportunities result in increased income for some, it may leave many younger women in a particularly vulnerable position, not able to secure formal employment but also unskilled in the informal income generation mechanisms that their mothers relied upon. Specific research is needed in this area to verify these trends and understand the broader implications and dynamics of these findings.

## EXPENDITURE

Moving the analysis from income to expenditure provides for another opportunity to examine the nature of the married economy, with the broader aim being an understanding of how economic structures and practices impact women's experience of domestic violence. Examining expenditure through this lens is important for a range of reasons, and allows for better consideration of relative equity within the married economy. In addition, control over household expenditure and participation in decision-making can be one way of looking at women's bargaining power, an important consideration in terms of a woman's capacity to leave a relationship.

There are of course challenges associated with understanding 'control' and how to assess the degree of decision-making power any person has in a given situation. For example, in this research, women frequently mentioned that they did not require spousal permission to buy certain items but felt obligated to inform their partner of such purchases. This suggests that while a level of control might exist for certain women, it still occurs within a more general framework of consent. Similarly, and as Argawal notes, many bargaining processes are far from explicit discussions, but are instead embedded in the power relations between people:

For instance, a man in north India rarely has to tell his sister that he will break all contact with her if she demands her share of ancestral land. That he can do so at low economic and social cost to himself, but at high potential cost to her, may be enough for her to forego her claim.<sup>71</sup>

In short, power doesn't always need to be explicitly deployed to have an impact. Similarly, when we look at women's decision-making in East Timorese households we must be aware that these decisions play out within the context of key social norms and expectations. The following section will break the analysis of expenditure into two parts, one being 'holding the money', and the other 'spending the money,' and will again combine statistical data from national surveys and with a range of findings from the field work undertaken for this project.

## Holding the Money

The vast majority of women involved in participatory rural appraisals and focus group discussions in this research stated that they held the money in their marriages, suggesting a potentially high level of involvement in financial decision-making. This aligns with national trends in Timor-Leste, where only 19 per cent of working women are paid in cash (compared to 33 per cent of men),<sup>72</sup> but women's involvement in making decisions about spending their own and/or their husband's income is high. According to Ministry of Finance data, some 95 per cent of women with no cash earnings participate alone or jointly with their husband in deciding how to use their husband's cash earnings.<sup>73</sup>

On average however, fewer women (68 per cent) than men (75 per cent) perceive there to be joint decision-making over the husband's earnings, indicating that perception of control of these assets remains gendered.<sup>74</sup> This is supported by the fact that women perceive a higher incidence of 'only husbands' and 'only wives' controlling the husband's income (6 per cent and 26 per cent respectively) compared to men's perceptions (3 per cent and 22 per cent respectively).<sup>75</sup> This may indicate that some men are less likely to perceive the ways in which their actual control over their income excludes women from being involved in joint decision-making.

When compared to the broader context of decision-making within households in general, similar patterns emerge. Overall, 74 per cent of currently married women report participating in the list of hypothetical household decisions presented to them by the *National Demographic and Health Survey* team, as a way to understand more about household decision-making patterns. Only 1 per cent of women reported that they did not participate in any of the decisions presented.<sup>76</sup> More than 90 per cent of men agree on women's participation in each of the decisions specified. This is an indication that many East Timorese men think that women's participation in household decision-making is essential, although a more complex picture emerges from the data collected.

Respondents in this current study frequently made the point that it was women who held the money in the household, which at least suggests an important level of input into decision-making. In a focus group in *suku* Caicoli (Dili district), seven of the eight participants agreed that in their households they held the money, with one woman explaining:

If I earn the money, I keep it. If the father [my husband] earns it, he gives it to me. If the father needs something he has to come and tell me what he will use it for. If he carried all the money, he would spend it on cigarettes, so it is better that I keep it. But now is the era of human rights, so we have to give some money to the fathers.<sup>77</sup>

Women in *aldeia* Rio de Janeiro (*suku* Bairro Pite, Dili district), sounded similar themes, while highlighting different approaches within families to small versus large expenditures:

When money comes in, I mind it. When we want to use some, we both have to know. For everyday things, I can make decisions, but for something expensive or out of the ordinary, we both have to know.<sup>78</sup>

And also:

Mine is like this: when my husband is paid, he comes home and gives everything to me. I open it and see how much money there is, and then give him what he will need, maybe \$10 or \$20. I give him this because a man needs to have some money in his wallet. If he goes to another house, or a funeral, or to play cards, he needs some money. But I tell him, that is yours, there is no more. If you gamble all of it, you need to come home. The rest I keep to use for our everyday household needs.<sup>79</sup>

While the vast majority of women in Timor-Leste either manage household finances themselves or jointly with their husbands, irrespective of whether they earn income or not,<sup>80</sup> this does not equate to control over all aspects of finances, and it is certainly not the case for all households all of the time.

For instance, one point of differentiation is the small every day expenditure as opposed to contributions into the customary economy or the payment of children's school fees, as one focus group participant made clear:

Women hold the money in order to decide about the household purchases and the daily food, but large amounts of money for ceremonies (*lia mate*) or to pay for the kids school fees then as a wife we always sit together to consult [our husbands]. And then we make a decision. If men make decisions on their own, or women make decisions on their own, then this can create confusion within the family and lead to domestic violence.<sup>81</sup>

Here it is of note that the joint decision-making over certain types of expenditure is seen as a way to negate the possibility of domestic violence, though as we will suggest below, there are also risks associated with women being responsible for day-to-day expenses. Highlighting some of the various financial strategies that different households adopt, one woman in Caicoli explained, "My household is different. Mine is like this: he gives me money to buy rice, and oil, and vegetables, but he keeps the rest."<sup>82</sup> Another woman in *suku* Bairro Pite explained that because of her gambling problem, her husband kept the money:

He never gives me extra money to save, he just gives me the money for the children's school because I am a smoker and a gambler. That's why he doesn't give me any money. He will give me \$50, but never as much as \$100. In the past, when he would give me money I would never be able to keep it. Then when we needed it for *lia mate* [traditional ceremony of funeral rites] he would come and ask for the money, and I would say 'there's no more money.' Then we would have a fight. He would say 'I gave you all that money, where is it now?' Recently he gave me \$100, but I used it all in three weeks. I gambled most of it.<sup>83</sup>

In terms of more controlling husbands, the reverse can occur, with one participant in *suku* Buruma (Baucau district) explaining, "sometimes there are particularly aggressive men who don't allow women to hold the money. They keep all of the power to hold the money."<sup>84</sup> One woman from Covalima who had experienced domestic violence described such a situation and the ramifications of challenging her husband on the issue:

He [my husband] works as a farmer, when his younger brother has work cutting trees, he goes to help. One day he was paid \$47.50 for work that he had done. That day we had no food, so I went and crushed some yellow corn to cook for dinner so that we could eat... After we had eaten, I asked him for the money. He took out the \$40, he kept the \$7.50 hidden in his pocket. He took the \$40 and shared it between the two of us. He took \$20, and gave me \$20. So I asked him, 'What's with the \$20?' He replied, 'This \$20 is money for my wallet.' Straight away, I asked, 'Are you a public servant now, or do you have some big contract that you need your own money for your own wallet?'...Then he beat me. I was scared, so I took the children and slept in his family home for the night.<sup>85</sup>

It is possible however to see the question of women 'holding the money' in a different light that suggests there are risk factors involved. In the first instance, this social norm can be seen as potentially reinforcing a woman's relationship to the domestic sphere, especially when there is a limited number of purchases to be made and many of them are essential 'household items,' such as food or clothing. Second, and as an extension of this point, this may mean that women are held responsible or are 'to blame' when there is not enough money to purchase food or other household necessities, or when there is a problem with a purchased item.

This risk is particularly evident in the experiences of women who had experienced acute levels of domestic violence:

When he has no cigarettes, then I need to go sell something in order to buy cigarettes for him. If I don't, he beats me.<sup>86</sup>

It is worth introducing here a point that will be more fully expanded on in Part Three, which is that in cases of severe controlling abuse, there are shifts in aspects of the married economy, such as who 'holds the money.'

Our economy was always bad, we had no food and still he would just drink alcohol, I couldn't say anything. He drank, and if I asked he would hit me...sometimes he would go to drink and borrow people's money. Later those people would come and ask me, and when I didn't know they would say 'but you are his wife.' Yes, I am his wife, but I know nothing, he gives no money to me, I don't hold any of his money, he keeps everything himself... When I would ask, he would beat me.<sup>87</sup>

By 'severe controlling abuse,' we are varying a term identified earlier in the report which as a typology emphasises the controlling aspect of the violence.<sup>88</sup> What we are referring to are cases where the abuse is not only sustained, but where it is part of a broader context of control over the woman within a relationship. It is, in other words, not violence that is specific to a particular trigger, but part of a sustained attempt to repress a woman across whole aspects of her life.

In cases of severe controlling abuse, we see a change in terms of the married economy, with women beginning to isolate themselves from certain realms of decision-making as a risk prevention mechanism, and in many cases where they are pushed into additional labour and more economically vulnerable situations in order to appease an abusive partner or provide for a partner who has substance abuse problems or a gambling addiction. In terms of holding the money, the majority of victims (10 of 18) who were interviewed stated that in their households they and their partner held money separately. These 10 women were in economically abusive relationships where they reported having little or no control over their money, with husbands who did not contribute to the household spending, and/or beat them when there was not sufficient money for household needs (and in some cases, the husband's social activities). In some situations, this was less a choice made by the woman and more the reality of her relationship, wherein her husband would frequently not hand over any portion of his income. In the vast majority of these scenarios, women were still expected to provide for the household from whatever money they could cobble together:

Each holds their own [money]. When the household has no more money I find rocks or sell something in order to buy rice...<sup>89</sup>

And in another instance:

If he gives [me money] I take it, but I never ask. I hold the money from my business, and he holds the money from the taxi.<sup>90</sup>

In contrast to the above analysis of how decision-making tends to be undertaken, where there is severe controlling abuse, every-day decision-making or the woman holding the money almost entirely stops. The woman no longer has any control, and is economically subjugated as part of a more general pattern of exploitation and abuse.

**Table 7: Overview of Cases Where Women Separated from their Husbands**

BASIC CASE STATISTICS						MARRIED ECONOMY	
CODE	District	Number of children	Severe violence	Combined violence	Economically abusive relationship	Woman held money	Held money separately
Victim 1	Baucau	5	x	x	x		x
Victim 2	Baucau	5	x	x	x		x
Victim 4	Baucau	8	x	x	x		x
Victim 6	Baucau	3	x	x			x
Victim 4	Dili	8	x	x	x		x
Victim 8	Dili	10	x	x	x		x
Victim 2	Covalima	5	x	x	x		x
Victim 5	Covalima	3			x		x
Victim 4	Covalima	4	x	x	x	x	

## Spending the Money

During participatory rural appraisals sessions women were asked to detail on what they and their husbands spent money. Reflecting the fact that women typically hold the money and the kinds of purchases they tend to make, women reported that they spent money on significantly more items than their husbands. Women's list of purchases averaged 37 items while the lists they created for their husbands averaged 17 items. Reflecting their dual economic role in terms of domestic care and income generation, women were responsible for the vast amount of day-to-day and household-related spending which included almost all food items and kitchen supplies, as well as most spending on children and education. The following is a table constructed by women in *suku* Ogues (Covalima district), which by way of example demonstrates spending by wives and husbands according to women participants in the research.

**Table 8: Husbands' and Wives' Expenditure (according to women) in suku Ogues**

	WIVES	HUSBANDS
1	Rice	Cigarettes
2	<i>Lisan</i> (cultural ceremonies)	Alcohol
3	University fees	Betel nut
4	Coffee, sugar	<i>Lisan</i> (cultural ceremonies)
5	Cosmetics	Fuel
6	Betel nut	Tobacco
7	Salt and masako (seasoning)	Maintenance of the motorbike
8	Oil	Cockfighting
9	Soap and washing powder	Motorbike
10	Shampoo	Clothes
11	Bread, biscuits	Sandals
12	School materials	Shoes
13	Milk	Hat
14	Playing cards	Having other relationships
15	Cotton thread for <i>tais</i>	Turtles
16	Kitchen implements	Gambling (Cards)
17	Cigarettes, tobacco	Billiards
18	Garlic	Gambling (Dice)
19	Vegetables	
20	Toothpaste and brushes	
21	Sandals	
22	Television and aerial	
23	Shoes	
24	School transport	
25	Jewellery	
26	School uniform	
27	Children's clothes	
28	Mothers clothes	
29	Chairs and table	
30	Wardrobe/cupboard	
31	Bed and mattress	
32	Speakers	
33	Fan	

Women's spending was mostly on household items and included: food; soap, detergent and other household goods; children's clothing; household equipment; furniture; school fees and school materials. Women did also spend money on themselves and this occasionally involved spending on items including betel nut, cigarettes, bingo, and lottery tickets. These items were listed much less frequently than in men's lists. Women also identified that both women and men usually kept '*osan subar*' (secret money) aside from the general household pot, but most women said that they felt their husbands kept more *osan subar* aside than they did.

According to women in the focus groups and participatory rural appraisals, men's spending was mostly on purchases for themselves and social activities. Aside from tools, building materials, customary payments (*lia moris* and *lia mate*)<sup>91</sup> transport, phone credit and clothes, in most *suku* men's spending also included: cigarettes, alcohol, gambling and costs associated with having relationships with other women. Spending on cigarettes was the most frequent and largest expense for men, with seven of the eleven *aldeia* listing cigarettes as men's number one purchase (with cigarettes ranked highly in all other *aldeia*). Alcohol was listed in nine of the eleven *aldeia* and in five of those was ranked in the top ten expenditures. Gambling activities (bingo, cockfighting, dice, cards, billiards, and lottery) featured as significant expenses for men. Purchases for extra-marital affairs or '*selingkuh*' were listed in five *aldeia* and mentioned, although not written down, in a number of other *aldeia*.<sup>92</sup>

It is important to contextualise what control over expenditure can mean in practice. In Baucau for example, women agreed in all focus groups and participatory rural appraisals sessions that women were able to make decisions on their own about most household items and spending of smaller amounts of money. However, they invariably discussed these purchases with their husbands and/or informed their husband of the expenditure following the purchase. Accordingly, in the participatory rural appraisals women quickly adapted the research team's question and said that it was not usually a matter of 'asking permission' to buy household items but rather an issue of 'informing' and/or 'deciding together' what to spend money on. Here, control over expenditure does not necessarily mean women having conditional control, as it still occurs within societal convention and broad consent, even if not every purchase is discussed prior to an expenditure.

It is worth noting that whilst women may control important elements of household expenditure, many expressed the sentiment that "spending of large amounts is in the hands of the men."<sup>93</sup> Examples of spending where men were the priority decision-makers were particularly revealing about different dimensions of economic life. For instance, the gendered nature of the customary economy meant that men tended to make key decisions with regard to cultural ceremonies such as *lia mate* and *lia moris*. Women stated that men generally made these decisions as men had 'the right to speak' in such ceremonies. In terms of buying significant household purchases, it was again men who tended to make decisions when buying a television, telephone, or motorbike. However, as the following quote suggests, husbands tended to consult with their wives, including in the case of ceremonies and large expenses.

Women make decisions about the household necessities such as rice, spices, oil. When it is linked to culture, men and women consult each other in order to make a decision, but men have more power than women to make decisions.<sup>94</sup>

As mentioned in the previous section on holding the money, joint decision-making over certain types of expenditure was seen by some women as a way to negate risks of domestic violence. However, with regard to household purchases, there are risks associated with women being responsible for day-to-day expenses. On a structural level, women are placed in a position of having to be responsible for the successful financial management of the domestic domain, and thus the onus effectively shifts to them if there are problems with household items, or even if there is simply not enough money for basic needs. In a number of interviews, both *suku* and church leaders spoke of the responsibility of the wife in the financial management of the home, and as one parish priest noted, potential mismanagement of those funds was associated with subsequent domestic violence.

Some husbands who work and have wives are at home in the house, and when their husbands bring home the income or every month give their salary to their wives and then the main problem becomes about management, when the wife does not know how to manage the income there are always problems.<sup>95</sup>



Under this scenario, within the married economy a wife is responsible for particular forms of expenditure, but is then also held to account, potentially violently, for shortfalls. Following this through then, the management of household money provides responsibility but not always authority, leaving women vulnerable to a violent backlash during periods of financial duress. The potential connection between domestic violence and the household management of money was echoed across a range of focus group discussions.

Sometimes violence happens in the household when [I] don't give money, the man has the power to control the money, but women need to hold the money because men smoke so much.<sup>96</sup>

*suku* Buruma, Baucau district

Domestic violence can happen when men don't have a job, and there is no money, or not enough resources in the household, and when we don't understand one another or agree.<sup>97</sup>

*suku* Caicoli, Dili district

Domestic violence happens when there are problems within the household. When the man doesn't work, he comes home and says everything has to be the way he wants it. The food must be cooked, and the woman feels 'everyday you don't work, and we live like this'... how are we to find money? If you [the man] worked, then the woman is here to prepare food, but when the man doesn't work, the woman feels that it is unfair 'you go out to spend time with your friends and come home to expect the food to be prepared'... then the man says something to offend the woman, enough, they are angry already and violence happens very easily.<sup>98</sup>

*suku* Caicoli, Dili district

Noticeable in these quotes is the emphasis by respondents on shortfalls of income due to a husband's lack of work or consumption patterns (including drinking, smoking, and gambling), and not financial mismanagement by the woman.

## ACCESS AND CONTROL

While practices relating to income and expenditure provide one set of insights into the cash economy, it is important, particularly in subsistence and semi-subsistence economies, to examine arrangements between wives and husbands with regards to the access and control of other resources as well. For this study, 'access' was defined as being able to use a certain resource while 'control' was defined as being able to make decisions about the resource (for example whether to sell the house or slaughter a pig). In some instances the term 'access' was conflated with responsibility to care for an item, for example where a woman fed a pig she might in turn define herself as having access to it.

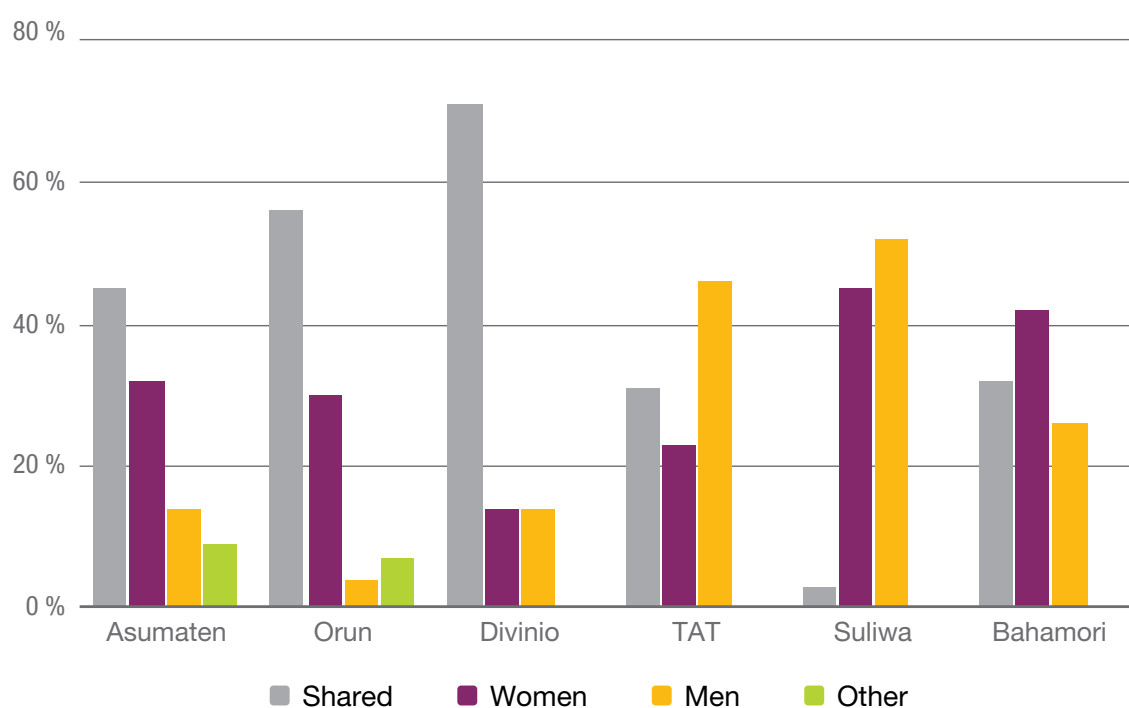
Table 9 is a list from one *aldeia* in Baucau that demonstrates the range of resources listed by women, and who they stated had access and control of them.

**Table 9: Resource Access and Control in *Aldeia* Bahamori, Suku Buruma, Baucau**

	RESOURCE <sup>99</sup>	WHO USES OR HAS ACCESS TO THIS RESOURCE?		WHO HAS DECISION-MAKING POWER OVER THIS RESOURCE?	
		WIFE	HUSBAND	WIFE	HUSBAND
1	Cows		X		X
2	Pigs	X			X
3	Goats		X		X
4	Horses		X		X
5	Money	X		X	X
6	Chickens	X		X	X
7	Papaya	X	X	X	
8	Potatoes	X	X	X	
9	Corn	X	X	X	
10	Taro	X			X
11	Rice		X	X	
12	Peanuts	X		X	
13	Coconut		X	X	
14	Land	X	X		X
15	House	X	X	X	X
16	Motorbike		X		X
17	TV	X	X		X
18	Green beans	X	X	X	X
19	Mung beans	X		X	
20	Bananas	X		X	
21	Mobile phone	X	X	X	X
22	Papaya	X		X	
23	Orange	X		X	X
24	Betel nut	X		X	
25	Spinach	X	X	X	X
26	Cucumber	X		X	
27	Pumpkin (white)	X	X	X	X
28	Pumpkin	X		X	
29	Mango	X		X	
30	Passionfruit	X	X	X	X
31	Breadfruit	X	X	X	X

According to participants in participatory rural appraisals, most households in Baucau and Covalima have access to a wide range of resources including, but not limited to: land, fields, housing, livestock (cows, goats, horses, pigs), chickens, a wide variety of wild and cultivated crops, furniture (beds, tables, chairs, kitchen supplies), tools (knives, machetes, crowbars, sewing machines, hoes, wheelbarrows); transport (motorbike and bicycles); gold; jewellery; and culturally specific items such *tais* (woven cloth), *morten* (jewellery used for marriage ceremonies), *ulsuku* (hair pins), *surik* (swords), and *kaibauk* (a crown used for customary ceremonies).

While there may have been common points at the more general level, access and control of these household resources varied from *suku* to *suku*. Figure 4 below shows the percentage of resources being controlled by men, women, shared, or others. While rarely selected, control by 'Others' was left as an option, in part because of community and/or familial control of resources, and accordingly was selected only in Covalima in the '*kaben tama*' matrilineal areas where land is inherited through the female kinship group.<sup>100</sup>



**Figure 4: Control of Resources Across Select Aldeias**

Shared control of resources seems to be significantly higher in *aldeia* Asumaten (*suku* Debos) and Orun (*suku* Ogues) in Covalima district and Divinio 12 in Dili and significantly lower in Suliwa in Baucau.

In general, women usually have access to, and either shared or exclusive decision-making power over, small animals (such as chickens, dogs, goats, and pigs) and exclusive access and decision-making power over kitchen supplies. Men have exclusive access to cows, buffaloes, horses, and in some *suku* had exclusive access to goats. In most of these cases men also have exclusive decision-making power over these resources (with the exception of *suku* Ogues in Covalima district where men share decision-making power over cows and goats with their wives).

Women have shared or have exclusive control over the vast majority (87 per cent) of food sources and crops listed, with the only exceptions being in Baucau, where men have exclusive control over rice, taro (*talas*), breadfruit, and pomegranate despite both men and women having shared access to these resources. This is more likely to be related to the

types of crops and sharing of labour than an indication of gendered control, as there are many other examples in both Buruma and Ostiko in Baucau where women have exclusive decision-making power over food and crops.

For victims of domestic violence, the destruction of economic assets can mean a total loss of both access and control to vital resources. One victim from Baucau explained how her husband would gamble using her assets and frequently her produce was taken from the fields to pay his debts:

When I lived with my husband, I felt bad because we would struggle for everything. We had problems so often. Every day he would drink palm wine until he was drunk, then come and make problems with us and beat me. When he would work in the fields, he would sell all the produce, sometimes when it was almost time to harvest the rice he would borrow other people's money and they would come and clean the fields, taking everything. I would plant tomatoes and other crops, and sometimes when they were ripe, people would come and take everything from me.

This experience shows how a woman can lose both access and control of essential livelihoods, including those cultivated by both her husband and herself. In this way, violence is not only physical but also economic, and has resulted in the most basic deprivations.

## Land and Housing

In general it is accepted that, as the World Bank argues, there is, "a positive correlation between women's land rights and their overall role in the household economy: women [who have more secure rights to their land] gain greater control over agricultural income, gain higher shares of business and labour market earnings, and more frequently receive credit."<sup>101</sup> An International Finance Corporation study in India also points to the fact that women who own land and/or property may be less likely to be the victims of domestic violence than women who do not,<sup>102</sup> although what drives this correlation is not entirely clear. The World Bank also notes that land alone is not sufficient to improve women's incomes if other supporting services are not in place, such as access to labour, water, inputs, skills, and markets.<sup>103</sup>

Land is one of the most fundamental productive assets required for building livelihoods within a subsistence culture such as that in rural Timor-Leste. The reality however in Timor-Leste, as elsewhere, is that women's rights to land are very restricted, with localised understandings of land often being more powerful than written laws allowing tenure rights.<sup>104</sup> The International Finance Corporation estimates that four-fifths of the land in Timor-Leste is acquired by inheritance under customary law, a process which largely excludes women because Timor-Leste's inheritance systems are predominantly patrilineal (with the exception of some groups such as the Bunak).<sup>105</sup> As such, women are not only excluded from ownership and access to land, but also from discussion and decision-making processes relating to land management,<sup>106</sup> including in the matrilineal areas of the country where women inherit land.<sup>107</sup> In the event of divorce or the death of the husband/father within a patrilineal community, often the mother and her children may not be able to stay or have access to the husband's land. Moreover, the mother's children may not have rights to inherit that land, particularly if she has no sons or if she initiated the divorce, although there are multiple scenarios where this may be approached more flexibly.<sup>108</sup>

For the majority of women who lack land rights, the implications can be potentially devastating, perpetuating gender discrimination and the ability of women, girls, and indeed whole families to improve their livelihoods.<sup>109</sup> For example, single and divorced women may lose out by being allocated smaller and poorer quality parcels of unclaimed land. Typically, where land is divided, women may only be given access to and control of small plots to establish backyard/homestead gardens, whereas men would more likely be allocated larger plots of agricultural land with the potential to create more profit.<sup>110</sup> Recent legislative efforts in

Timor-Leste have ensured that women's legal rights to land are recognised at a national level. While important, such national laws alone are insufficient to ensure women's actual access to land within communities where customary law holds sway.<sup>111</sup>

Access and control of land is a crucial consideration for women who are considering leaving violent relationships. Women in focus groups repeatedly suggested that where a woman had access to land and/or housing independently, through her own family or sometimes through her husband's, it would be significantly easier for her to leave since she would be able to house and provide for her family from the land.

In focus group discussions over the hypothetical case of Mena and Nuno (see the Methodology Appendix for further explanation) women frequently responded that it was significantly easier for Mena to leave because she had her own asset wealth (the restaurant), and her children were older—both freeing her up to run the restaurant and assisting her in doing so. In comparison, in the hypothetical case study of Maria and Paulo, there were frequent questions asked about where Maria would go to live if she left Paulo.

If her mother and father will take her in, that is good, but many parents won't. They will say, 'You chose him because you said you loved him, now this is your life. You have to endure it,' especially if she has a lot of children. If she has a lot of children, they may help for a few days or weeks, but they won't be able to help forever.<sup>112</sup>

Women participants indicated that husbands and wives share access to both land and housing in all *suku*. While women in *suku* Debos (Covalima district) eventually identified that both husbands and wives had control over the house, many participants' first instinct was to say that the husband had control. It was only with substantial discussion that they decided that both had control on the basis that if the house was to be sold then both would need to agree.<sup>113</sup> In *suku* Ogues (Covalima district), based on the information gathered during the FGD, women have exclusive control over the house and exclusive control over land and fields (highlighted in green in the table below). In *suku* Buruma (Baucau district) men have exclusive control over the house and land (highlighted in blue in Table 9 below).

**Table 10: Access and Control Table for Land and Housing across all *Suku***

RESOURCE	WHO HAS DECISION-MAKING POWER?			ALDEIA <sup>114</sup>	SUKU	DISTRICT
	WIFE	HUSBAND	OTHER			
House	X	X		Bahamori	Ostiko	Baucau
House	X	X		TAT	Bairro Pite	Dili
House	X	X		Divinio 12	Caicoli	Dili
House	X	X		Asumaten	Debos	Covalima
House	X			Orun	Ogues	Covalima
House		X		Suliwa	Buruma	Baucau
Land	X			Orun	Ogues	Covalima
Land - fields	X			Orun	Ogues	Covalima
Land		X		Suliwa	Buruma	Baucau
Land		X		Bahamori	Ostiko	Baucau
Land		X		TAT	Bairro Pite	Dili
Land		X		Divinio 12	Kaikoli	Dili
Land			X	Asumaten	Debos	Covalima

In comparison, men have exclusive decision-making power over the land in all of the *suku* in Baucau and Dili. In Covalima, women have control over the land in *suku* Ogues whereas in *aldeia* Asumaten (*suku* Debos, Covalima district) the woman's family has control over the land (highlighted in yellow in the graph above).

In the Bunak areas of Covalima most land is inherited by women, and men marry in to the woman's family (*kaben tama*). In *suku* Ogues, women stated that they had decision-making power over the land, whereas in *suku* Debos, women explained that their father, mother, and extended family held decision-making power over the land and that their husband could only use or sell the land with their permission. The following exchange between a facilitator and participants in a focus group in *suku* Debos gives a sense of how decisions over selling land are made by women.

**Facilitator:** Who has control and decision-making power over land?

**Participant:** Husbands and wives have the same rights because they have to agree before land can be sold or leased...but the land is the woman's right, so she has a stronger right.

**Facilitator:** So then can the woman make the decision to sell the land?

**Participant:** No, because the land is the woman's family land, the land belongs to her parents...They gave them this land as inheritance when they were married so that they could live there. If in the end they want to sell it, they can't. The husband has no rights to sell it, if they want to sell it, his wife and her whole family must make the decision to sell. She must ask her whole family whether they can sell the land. She must ask her brothers and parents, and grandparents and ancestors, they must all be of one voice, only then can she sell.

**Facilitator:** If they don't agree?

**Participant:** Then she cannot sell. If the land was her and her husband's sweat [meaning that if they had bought and paid for it themselves rather than inherited it] then they can make that decision, but not if it is from her family.<sup>115</sup>

It is important for actors working in this sector to be conscious of the fact that matrilineal, or *kaben tama*, areas in Timor-Leste do not necessarily equate to women's control over land and/or higher levels of economic empowerment. This is particularly the case in situations where women's families retain decision-making power over land. Similarly, women in Baucau showed the importance of familial context in terms of inheritance, even in a predominantly patrilineal system of inheritance, by explaining that if women in Baucau were left land by their parents then they would have exclusive control over it.<sup>116</sup> This conversely suggests that in patrilineal areas, 'control' over land may be an indicator of inheritance patterns rather than patriarchal structures. Nevertheless, the decision-making around inheritance, while varying in outcome, is likely to still be tightly bound to patriarchal frameworks.

## Communications and Valuable Items

Communication devices (such as radios, televisions and telephones) were included in this section as a valuable primarily because they are usually considered luxury items in Timor-Leste. However, they are also an indicator of a woman's access and control over potential sources of information that may in effect inform her decision-making as well as relative bargaining position.

**Table 11: Access and Control Table of Luxury Goods across all Suku**

RESOURCE	WHO HAS ACCESS?		WHO HAS DECISION-MAKING POWER?			ALDEIA	SUKU	DISTRICT
	WIFE	HUSBAND	WIFE	HUSBAND	OTHER			
Telephone	X	X	X	X		Bahamori	Ostiko	Baucau
Telephone	X	X	X	X		Divinio 12	Caicoli	Dili
Telephone	X	X		X		Suliwa	Buruma	Baucau
Telephone		X		X		TAT	Bairo Pite	Dili
Radio	X	X		X		Suliwa	Buruma	Baucau
Television	X	X	X	X		TAT	Bairo Pite	Dili
Television	X	X	X	X		Divinio 12	Caicoli	Dili
Television	X	X	X	X		Asumaten	Debos	Covalima
Television	X	X	X	X		Orun	Ogues	Covalima
Television	X	X		X		Suliwa	Buruma	Baucau
Television	X	X		X		Bahamori	Ostiko	Baucau
Motorbike	X	X	X	X		Suliwa	Buruma	Baucau
Motorbike		X	X	X		Divinio 12	Caicoli	Dili
Motorbike		X	X	X		Asumaten	Debos	Covalima
Motorbike		X	X	X		Orun	Ogues	Covalima
Motorbike		X		X		Bahamori	Ostiko	Baucau
Bicycle		X		X		TAT	Bairo Pite	Dili
Bicycle				X	X	Asumaten	Debos	Covalima
Money	X		X	X	X	Bahamori	Ostiko	Baucau
Money	X	X	X	X	X	Divinio 12	Caicoli	Dili
Money	X		X	X		Orun	Ogues	Covalima
Money	X	X		X		TAT	Bairo Pite	Dili
Gold	X		X	X		Divinio 12	Caicoli	Dili
Gold	X		X	X		Orun	Ogues	Covalima
Jewellery	X		X			TAT	Bairo Pite	Dili
Refrigerator	X	X	X	X		Divinio 12	Caicoli	Dili
Speakers	X	X	X	X		Divinio 12	Caicoli	Dili
Speakers	X	X	X	X		Orun	Ogues	Covalima
Speakers	X	X		X		TAT	Bairo Pite	Dili

The majority of women stated that they share access and control over luxury resources including key communication devices such as telephones, radios, and televisions. There are however a number of exceptions. In *aldeia* Suliwa, women stated that their husbands had decision-making power over the telephone, radio, and television, but they shared decision-making power over the motorbike.

Women had very little access to means of transport (potentially because women could not drive or ride a bike) which again impacts mobility, access to markets, access to information, and bargaining power. In four out of seven *suku*, women shared decision-making power over the motorbike and in the other three, men had exclusive decision-making power.

Not every *suku* mentioned money as a type of resource, but of the four that did, women always had access. Interestingly, in two of these four, women had exclusive access (this fits with the explanations from women that in general they hold and manage the household money). The fact that cash was not mentioned as a resource in some communities serves to remind us, as discussed earlier, that conceptions of the economy in Timor-Leste need to encompass elements beyond money.



## CONCLUSION

In Part Two of the report, the key argument has been that the structure of the gendered economy leaves women 'relatively contained' to the domestic sphere, and that this can often present an almost insurmountable barrier when considering leaving an abusive partner or husband. Some of the other key findings across this portion of the report include:

- The vast majority of rural households depend on subsistence agriculture and many remain highly vulnerable.
- Both wives and husbands are involved in subsistence agriculture, with women growing a diverse range of crops for the household, while men tended to be more involved in production of staple crops and high value crops for market.
- Rural women were highly involved in a diverse range of often low-value income generation activities and survival techniques.
- Access to land is fundamentally important for household viability. In Baucau, land is mainly accessed through the husband's family, whereas in matrilineal areas of Covalima, land is accessed mainly through the wife's.
- The wife usually holds the money and is in charge of all household expenses; husbands usually give their money to their wives to manage.
- According to women, both women and men keep some money aside; women think that men keep more money aside than women.
- According to women respondents, men spend more money on social activities than women.
- Most women stated that decisions on large household expenses were made jointly.

As discussed, there are always exceptions, and the idea of a 'relative containment' can be manifested in different ways, times, and at different levels. At the general level however, the idea begins to help shape and contextualise how economically it can be difficult for women to leave an abusive relationship. There are other factors at hand of course, but of significance in terms of potential separation is the fact that many women are sufficiently bound to the domestic sphere that they do not have the necessary economic resources required to ensure a high degree of mobility, not least when under duress. Other factors of course have an effect on further containing women, some relating to marriage and separation and the economic dimensions thereof, which are discussed in Part Three of this report.





PART THREE:

**MARRIAGE AND SEPARATION**

Part Two of this report focused on the effects of the married economy in Timor-Leste with particular regard to what it meant for women in abusive relationships. Part Three takes a similar approach, by combining field work with national level data, to examine the impact of different elements of marriage and separation on women's ability to leave abusive relationships. While many of these factors include economic dimensions, the analysis here takes the report more explicitly into both the domain of culture, and secondly, into a discussion of other factors that impact a woman's decision-making. We examine marriage conventions in Timor-Leste, focusing particularly on '*barlake*,' the process of exchange that occurs with marriage, and examine the effects on women and domestic violence. Part Three also examines the key drivers in women's decision-making as they ponder potential separation, and the impact of factors such as familial support, children, and *lisan* (customary practices and law), as well as the economic condition of women following separation. Issues of access to justice issues are examined, including consideration of the limitations on how women may seek support and access services.

## MARRIAGE AND CUSTOMARY CULTURE

A constant theme in literature on domestic violence in Timor-Leste is the significance of local beliefs and practices, two of which are central: *lisan* and *lulik*. While there is considerable unevenness in how these words are used, in general we take *lisan* (or the Indonesian word '*adat*') to mean the customary practices that traditionally regulate social relations within extended families, and *lulik* to describe the sacred value of a given place, item, or type of building (as in an *uma lulik*, or sacred house). There are various words that can be used for customary leadership, though the most common is the '*lia-na'in*,' translating literally to the 'owner of the word,' or in effect, the one that interprets *lisan*.<sup>1</sup>

The customary view of the world is often significantly different: ancestors (*bei'ala*) co-exist with the living; natural items such as rocks and trees have spiritual value; and life is often viewed within a notion of cosmological balance. If something bad occurs, for instance a sickness, it is may be because somebody has contravened an aspect of *lisan* or has acted in a way that is *kontra-lulik* (against sacredness). Understanding these concepts is important to understanding social patterns and practices within East Timorese society, and the social dynamics that influence decision-making, conceptions of agency, and gender roles. When the role of Catholicism is also considered, the relationships between customary practices, the Church and the modern state can make for a deeply complex society.

The period of independence has also brought a resurgence in customary practices, and one that is not without consequence for women. Anthropologist Sara Niner maintains that in post-independence Timor-Leste, women are being pushed into conforming with, "traditional cultural norms" that she feels amount to, "advocating a subordinate role for women."<sup>2</sup> And clearly, no matter what the view of recent events, customary culture plays a major role in gender relations, marriage customs, opportunities for justice, and the dynamics surrounding potential marriage or relationship separation.

### Marriage Customs

Within the 18 interviews with victims of domestic violence conducted as part of this project, there were four different categories of married or long-term relationships:

- Four of the victims were married in the church only;
- Three were married by *lisan* only;
- Five were married under both the church and *lisan*; and,
- Six had not been married under either, but often when asked about *lisan* responded by responding '*seidauk*' (meaning "not yet.")

Living together although not formally married is a common practice in Timor-Leste when there is an expectation that partners plan to maintain a continuous relationship and eventually take part in a marriage ceremony. Both *lisan* and church marriages can often occur after quite a number of years of living together, and with several children having already been born.

A church marriage in Timor-Leste means overwhelmingly a marriage in a Catholic Church (note there is a small Protestant population, as well as Islamic communities), and follows conventions of being married by a priest 'before god.'

Church and *lisan* marriages have a number of similarities. Both represent two families coming together (either the females to the male house or vice versa), the union is acknowledged, often with the *lia-na'in* or respected elders from each side explaining the importance of staying together, the duties of each partner and importantly each family to the other (and the penalty for not).

In *lisan* marriages, and depending on the financial capacity of the family there may be the giving of items such as gold earrings or necklace from the male to the female. The effect of *lisan* marriages also tends to be a kind of declaration of the relationship to the community, sanctioned by the *lia-na'in*, and the exchange or promise of exchange of goods (for example animals, *tais*, money) and mutual support (for example during times of economic hardship, funerals, and so forth) between the families. This exchange of goods (sometimes referred to as *barlake*) or other forms of exchange may accompany marriages, but are broader than the actual ceremonial moment itself.

At least 4 of the 18 women interviewed during this research were married very young (16 or younger) and were married to significantly older men. This data aligns with research carried out by Ann Wigglesworth, a researcher at the Monash Asia Institute, who quotes respondents as saying, "Women are likely to be married to a man 7-10 years older than herself."<sup>3</sup>

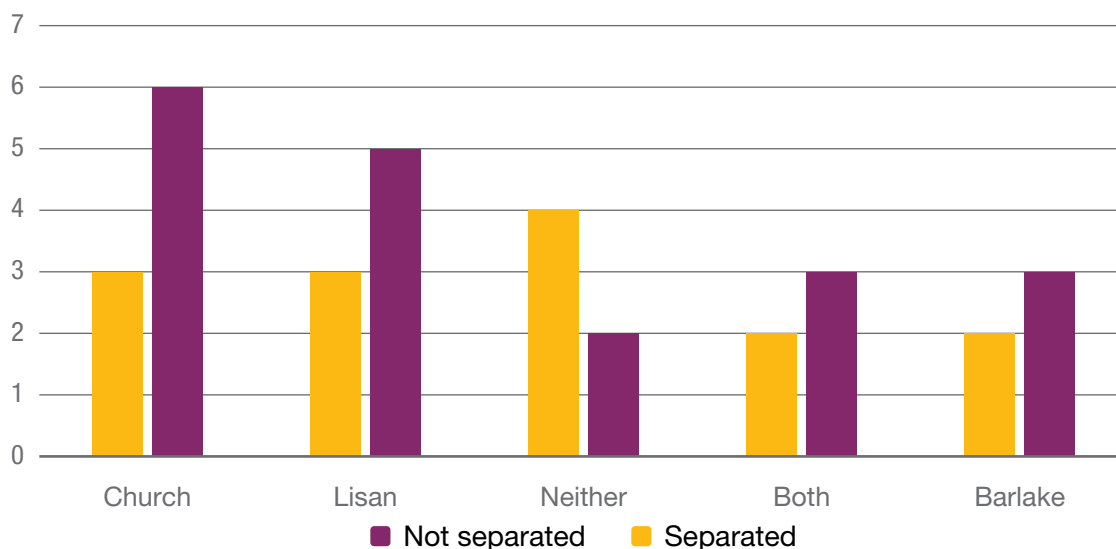
Some women who were not married under *lisan* reported feeling more vulnerable when violence occurred because their marriage had not been agreed upon by the families and that left them with fewer options to call on their families for assistance. Yet in other instances, the payments required for customary ceremonies appeared to add pressure to families. Other women reported that their marriages came under significant pressures to pay or contribute resources to cultural ceremonies (*lia mate* and *lia moris*), which for victims of domestic violence was a source of great shame. At least two of the 18 women interviewed stated that instances of domestic violence in their marriage were linked to payments toward customary practices:

We live with culture. How we can be in difficulties because of just \$20? My family came to ask for \$20 to bring grass to thatch the house. My uncles came. He started to shout at them and swear at my uncles. [I said] *adat* [or *lisan*] is supposed to make us smile. How can you swear at my uncles like this? ... Then he went after me with his machete.<sup>4</sup>

These situations can sometimes be aggravated by issues around the payment of *barlake*. For instance in situations where a man's family has not made *barlake* payments, the couple can be under even more pressure to contribute to cultural ceremonies.<sup>5</sup> In other situations, where a man feels that they have already contributed significant resources to the woman's family, this situation can become a trigger for abuse, as is discussed below.

Although admittedly a small sample size, the breakdown of women interviewed who stayed with their husbands versus those who did not is not significantly different between church and *lisan* measures, or both (See Figure 5 and Table 11 below).

**Figure 5: Marriage Customs by Current Marriage Status (Separated or not Separated)**



**Table 12: Marriage Status and Marriage Customs of 18 Women Experiencing Domestic Violence**

WOMEN WHO HAD NOT SEPARATED (8 WOMEN)					
DISTRICT	SEVERE VIOLENCE	COMBINED VIOLENCE	CHURCH	LISAN Traditional Marriage	BARLAKE
Baucau			1		
Covalima	1				
Covalima	1			1	
Dili					
Dili		1			
Dili					
Dili			1	1	1
Dili	1		1	1	1
<b>Total</b>	<b>3</b>	<b>1</b>	<b>3</b>	<b>3</b>	<b>2</b>
WOMEN WHO HAD SEPARATED (10 WOMEN)					
DISTRICT	SEVERE VIOLENCE	COMBINED VIOLENCE	CHURCH	LISAN Traditional Marriage	BARLAKE
Baucau	1	1	1		
Baucau	1	1	1		
Baucau	1	1	1	1	1
Baucau	1	1	1	1	1
Covalima					
Covalima	1	1		1	1
Covalima	1	1	1	1	
Dili	1	1		1	Not yet given
Dili	1	1	1		Not yet given
Dili	1	1			
<b>TOTAL</b>	<b>9</b>	<b>9</b>	<b>6</b>	<b>5</b>	<b>5</b>

## Barlake

An area of common controversy and debate in Timor-Leste is that of *barlake*, a marriage custom that relates to an agreement of exchange between the bride-groom and the bride's family in order to allow the marriage to occur. (This term is often incorrectly translated in the literature as 'bride price' or 'dowry'.)<sup>6</sup> While often viewed pejoratively, especially by foreigners, it should at the outset be noted that there are many different variations in marriage practices and many interpretations and adaptations within such practices.<sup>7</sup>

The practice of *barlake* relates more broadly to customary culture in a range of ways, both in terms of how *lisan* shapes the form of exchange between families (a kind of '*prestations*' which is, in English, a form of obligation),<sup>8</sup> as well as the way in which it links to a broader cosmology where fertility and balance between the spirit and the living world is essential in terms of being able to live with a feeling of peace.<sup>9</sup>

This aspect of ritual exchange, as with other customary practices, can be considered as part of the customary economy as discussed in Part Two of this report. The challenge is to understand that while it has an economic dimension, it is bound to granting social importance to particular forms of social relations (marriage) and the connections that these bring forth, rather than being seen as a transaction. The second challenge, not least for people wanting to make policies that are generalised and applicable across communities, is the sheer unevenness in the use of terms. For instance, authors such as Khan and Hyati<sup>10</sup> draw a hard distinction with *barlake* only seen as practiced in one form of marriage (where women are seen to leave the household), while other authors, such as Niner<sup>11</sup> and Hicks,<sup>12</sup> view *barlake* as being applied in far more graduated and uneven ways, dependent on the customs of a particular group.

Historically, marriage in Timor-Leste has had a significant social function attached, namely as a way to build alliances across families and *uma-kain* (extended families). In the case of *barlake*, this connection is made through the exchange that binds two extended families together, and as discussed below, this can mean both protective and risk factors for women.

It is important to first describe some key terms (also laid out in the definitions list below). Marriage in Timor-Leste is often underscored by the idea of *kaben sai* and *kaben tama*. *Kaben sai* (married out) is where the woman leaves her household to join her husband's; *kaben tama* (married in) sees the male leave his household to join the woman's family. Children born through the relationship are counted within the new household rather than seen as constituting a new separate family. *Kaben tama* tends to be practiced in sites where matrilineal descent and matrilocal residence occurs, and according to author David Hicks this includes, "some *suku* in Viqueque, the Bunak, the Tetun of Suai and Manatuto, the Galoli in Manatuto."<sup>13</sup> A situation of *kaben tama* either tends to require a lower *barlake*,<sup>14</sup> or if there is no *barlake*, then there can be what Khan and Hyati refer to as '*bee manas ai tukan*' (literally, 'hot water and firewood'), referring to the labours of the mother and father of the bride.<sup>15</sup>

*Kaben sai* however is seen to be far more demanding in that it tends to require substantial *barlake* where there is a particular *folin* (price). Here the 'wife taking family' will give a range of items that may include buffalo, swords, gold, or money, while the 'wife giving family' in effect give the bride, as well as items such as *tais* or animals, such as pigs.<sup>16</sup>

### Definitions of Key Terms Relating to Marriage in Timor-Leste:

- *Kaben Sai*: Married out, patrilineal, patrilocal families. The woman leaves her own family and enters her husband's household and is generally seen to break ties with her *uma lulik*.
- *Kaben Tama*: Married in, matrilineal, often matrilocal families. A man leaves his family and joins his wife's.
- *Barlake*: A marriage tradition between families (often *kaben sai*) where there is an exchange between the households which, other than the bride, tends to involve animals, gold, money, and symbolic items.<sup>17</sup> The exchange of items will often occur over an extended period, often coinciding with family births and deaths.
- *Bee Manas Ai Tukan*: (literally 'hot water and firewood,' refers to the labours of the mother and father of the bride). Often not considered as *barlake*, it can occur in instances of *kaben tama*.
- *Feto-saa* (n): Sisterhood; the husband's family, wife-takers.
- *Umane*: Brotherhood; wife's family, wife-givers.
- *Fetosaa* (n)–*Umane*: The system of inter-familial exchange through marriage through wife-giving and wife-taking families.

In the course of interviews for this research—which included women from *kaben sai* and *kaben tama* relationships—all women were asked whether *barlake* had an impact on their experience and/or was ever mentioned by their husbands when they were being beaten. One woman responded, "Yes. He [my husband] would often say, 'I gave all of your *barlake* already so you must do everything I want."<sup>18</sup> Another woman spoke about how her husband said, "I have given all the *barlake* already, I can beat [you] to death and it would be nothing."<sup>19</sup> However, neither of these women saw *barlake* as the cause of the domestic violence, rather explaining that this was something their husbands said to intimidate them.

In participatory rural appraisals, the majority of participants clearly and repeatedly stated that there was little causal connection between *barlake* and domestic violence. What they did state clearly however was the link between the 'fear of *lisan*' (customary law) and a woman being afraid to leave an abusive relationship. In Baucau, women explained that once a woman had eaten in the *uma lulik* (sacred house) of the man's family she had entered into that *uma lulik* and could not depart.<sup>20</sup> If she did, she ran the risk that some calamity would befall her or someone in her family.

Similarly one of the victims interviewed explained why she could not leave her husband despite repeated and serious violence. In this instance, if her husband's family agreed that she could return to her family, then she was less at risk from *lisan*, saying, "I did not leave because I was scared of *adat* [*lisan*], I was scared that some illness would befall me. I wanted the families to talk so that his family could return me."<sup>21</sup>

It was explained that where a woman had eaten in the *uma lulik*, that as long as the woman and/or their children participated in important ceremonies there would be no adverse *lulik* consequences to the separation. In the hypothetical case studies put to focus groups, the importance of this connection to the *uma lulik* (referred to as *uma adat* in the following text) and how it affects a woman's decision-making was made apparent in the following exchange.



**Participant 1:** When you go already to his *uma adat* ['spiritual house' or 'clan'], people say that it is hard to leave, when you go already and have used the sacred things and eaten the sacred food it is hard to leave... I think in this case, in Aunty Mena's case where her husband had an affair with another woman then the two of us can separate but my connection with the *uma adat* will still be strong so that my children can also have a connection going forward. If we sit together and the *barlake* is given back then this doesn't need to happen because the way is closed again, then we don't need to go to the man's *uma adat* we just go to the woman's *uma adat*. However, if the *barlake* has been given then we must enter the man's *uma adat*.

**Participant 2:** It is very hard to avoid Timorese *adat*. Our husband can leave us and go away, but our connection with the *uma adat* must remain so that nothing bad happens to our children, and so that they don't get sick. If we enter already to the man's *uma adat* and eat the sacred meat, then it is hard to leave.

**Facilitator:** So if Mena and Nuno separate [referring to the hypothetical case study], Mena cannot marry another man?

**Participant 2:** No, she can't because the spirits in the man's *uma adat* know her already.<sup>22</sup>

In *aldeia* Tasi, some women explained that a problem had surfaced where a woman who had separated from her husband wanted to remarry. While it was acceptable for her to leave and live with her family, she could not remarry. However other women within the group explained a custom whereby women could sometimes become *feto raan* ['a virgin'] of the man's *uma lulik*, and therefore would marry out of that house to another family. In this case, any *barlake* payment to be made would be made to that *uma lulik*.

**Participant:** I'll explain my own case. My husband is from this area, but he died in 1975. Now I have married another man from Laga. I entered the *uma adat* of my first husband, and so recently when I was marrying my [second] husband, we came to talk to the *uma adat* here. I became like a virgin of this *uma adat* and was married from here, and we are married and everything is okay.

**Facilitator:** So in this case you were widowed. But could this apply in Mena and Nuno's case, where they had separated?

**Participant:** Yes, as long as her *barlake* was not given back, it is okay. When she wants to remarry, she must come and talk to the man's *uma adat*, so that her children can always have this link. It is important that the connection is always maintained.<sup>23</sup>

Women in all four *aldeia* in Baucau explained that *lisan* decisions depended on who was at fault ('*se mak sala*.') In the hypothetical case studies of Maria and Mena, focus group participants often stated that because the men had beaten their wives, the women could return to their own families without any problem, and importantly their family would not have to return any *barlake* payments. In this sense, at least in terms of *barlake*, there was not going to be an economic burden on the woman and her family because the husband had in effect transgressed his rights. In *suku* Buruma, the circumstances in which *barlake* had to be repaid were explained in light of the hypothetical case study of Paulo and Maria undertaken in the FGD.

*Barlake* is like this, if the man's family have already paid *barlake* and finally the woman wants to leave, then they must sit together with the woman's family, and sometimes they must give back the *barlake*. When the *barlake* is given back, the children stay with the woman's family. If Paulo is the one who decides that he doesn't like Maria anymore and wants to leave her, then the *barlake* is lost and they do not get it back... In this case, Paulo is wrong and the woman's family do not give back the *barlake*, because Paulo was beating his wife.<sup>24</sup>

The findings from the research for this project are at odds with the critique of *barlake* found in other research that argues *barlake* has a causal relationship with domestic violence.<sup>25</sup> For instance, the 2003 report, *Traditional Justice and Gender Based Violence*, argued that the 'bride price' is frequently seen as, "the main source of discrimination against women," where women are viewed as a commodity with a market-value,<sup>26</sup> and that "the practice does allow for women to become vulnerable to mistreatment, which is not acceptable in terms of her rights and needs."<sup>27</sup> Other literature draws a direct relationship between *barlake* and domestic violence, including USAID's *Gender Assessment for USAID/Timor-Leste Country Strategy Plan FY 2004-2009*:

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

The report titled *Bride Price and Domestic Violence in Timor-Leste* by Khan and Hyati likely represents the largest single attempt to examine whether there is a causal link between *barlake* and domestic violence. However, the main finding that the, "cumulative effect of the evidence gathered here strongly suggests that *barlake* is linked to higher levels of domestic violence against women, although not a direct cause of it." The authors do not posit the reasons behind such a correlation. At other points, the report suggests something akin to what is being put forward here, namely that *barlake* serves discursively as part of a wider architecture of abuse and control. Khan and Hyati note elsewhere that *barlake*, "was not mentioned as a trigger for violence by any informers, although it was regularly described as something men would refer to as a way of reinforcing their rights over their wives."<sup>29</sup>

The 2013 UNDP report, *Breaking the Cycle of Domestic Violence in Timor-Leste*, notes only "seven out of 264 interviewees named the payment of the bride price (*barlake*) as a reason for domestic violence."<sup>30</sup> There were exceptions of course, as they quote one *adat-na'in* (customary leader or authority figure) as saying, "when I hit my wife and her parents complain, then I say that I have already paid *barlake*, and hitting my wife is like hitting my animals."<sup>31</sup> However, the report maintains that most interviewees were adamant that *barlake*, "is a symbol of respect from one family to the other, joining them together through ritual and symbolic exchange, which they acknowledged is not always well understood."<sup>32</sup> This view appears to concur largely with other studies, including the findings of Khan and Hyati where no respondents indicated "bride price" when asked to list the factors contributing to abuse by a partner.<sup>33</sup>

It is also important to understand how the practice of *barlake* may be evolving as Timor-Leste modernises, and whether these changes will increase or decrease the vulnerability of women. This possibility appears implied in the work by Alves and her co-authors, even if not elaborated:

The culture of dowry or "*barlaque*" that initially was a symbolic act to value women and to establish and strengthen new and close relations between the bride and the groom's family (traditionally known as *fetosan* and *umane*) is now being wrongly used or misinterpreted by some. Now *barlaque* is often considered as a transaction between families usually in a form of buffalos, gold, money, etc. and means that women will be the absolute property and possession of the man.<sup>34</sup>

This potential for changes and adaptations in the practice of *barlake* is carried into the work of authors such as Silva and her examination of contemporary marriage practices in Dili.<sup>35</sup> If the practice of *barlake* was to be commodified, and more fully monetised, rather than being

a customary practice that gives rise to connections between families, then it is possible that future research will see a greater level of perceived causality in terms of the practice of domestic violence.

Drawing this together then, *barlake* or other processes of exchange at the point of marriage, can be seen as having an economic dimension (varying in degree in part by the amount of such exchanges.) While it is important to remain aware of the patriarchal 'architecture of power' surrounding these processes, the reality of such exchanges are complex and should not be over-simplified. There is little sense from this research that *barlake* is a cause of domestic violence, although it is often part of a discursive repertoire of violence that a husband can draw from (in the same way that other justifications might be made, such as sources of income or ownership of land). Equally important, the consequences of *barlake* are not uniformly negative and the social effect of binding families together and thus multiplying the potential points of support for a woman suffering abuse should not be dismissed out of hand.

# SEPARATION

Women who experience violence and remain in violent relationships may be seen by observers as passive victims, resistant to change, or simply too willing to accept high risk to their safety and well-being. However, evidence collected globally suggests that most women are quite rational in their decision-making in such situations, making subtle calculations about their situation and often adopting strategies to maximise their safety and that of their children.<sup>36</sup> Just because a woman is not leaving an abusive relationship does not mean that she is not affected or concerned about the abuse. In this section, various factors affecting a woman's decision-making in potential separations are highlighted, focusing on several key findings, including the effect of children, the relative support and distance of family, and the kinds and severity of violence experienced by women.

## Factors Influencing Separation

In the ten interviews conducted where women had separated from their husbands, only two of the ten respondents indicated having reached a negotiated settlement with their husbands regarding the custody of children. Most of the other respondents indicated that their cases remained pending and/or civil cases had not begun due to the lack of legal aid or access to information on the part of the victims.

Participants in the research, both in victim interviews as well as in focus group discussions and participatory rural assessments, were asked the most influential factors affecting their decision to separate or not. Four common themes emerged:

- Family support levels;
- The age and number of children (with more and younger children making separation more difficult);
- The ability to identify income generation opportunities; and,
- The severity of abuse.

In terms of the victims interviewed, eight of the eighteen had stayed with their husbands, despite abusive relationships. Of these eight, at least three had suffered severe and repeated violence. Some of the reasons they cited for remaining in the relationships (even if they did leave the relationship later on) included:

- "I thought a lot about my children. I can go stay with my family for only a day or two."<sup>37</sup>
- "I stayed until the children were grown up, then I finally felt good."<sup>38</sup>
- "I didn't leave him because when he was sober he loved me. If I left him, I would not have a man to take care of me."<sup>39</sup>

One major factor that impacted on women's decision-making was children. Of the current marital status of the 18 women interviewed, ten were separated from their husbands, seven were still living with their husbands, and one was temporarily staying in a shelter but intended to return to their married home. All of the victims had children as described below:

- The average number of children was 4.6;
- The number of children ranged from two to ten; and,
- The children ranged in age from 3 months to 25 years in age.

From the women interviewed, the average number of children for those who had separated was higher (5.5) than those who had not (3.5). However, with such a small sample size, this difference is not statistically significant. However, it is worth further exploring the role that the number of children plays when women consider whether or not to separate from an abusive partner.

In the East Timorese context, the extended family is an extremely important social structure providing significant social, economic, and spiritual support, leaving many women who do not have access to supportive family structures particularly vulnerable. In a large number of the cases where women lived far from their own families, they reported feeling very isolated and that their options for help were significantly reduced:

- In 13 of the 18 cases in this study the woman lived far from her own family; and,
- In at least five of the cases, she lived with her husband's family or in his community.

In the case of one victim of domestic violence from Baucau whose parents had passed away, she noted:

Maybe if I had a mother and father it would be okay, but my parents are all dead...I am an orphan, not a person with family. I have only one younger brother, I am the only girl in my family.<sup>40</sup>

In the case of another victim, the distance from family was acutely felt in the way that it perpetuated her current sense of isolation:

My family are all refugees, I am on my own here. My brothers and my parents, they are all in Kupang. My family are all far away. When you have nothing, people do not want to be near you.<sup>41</sup>

Across the board, women in focus groups, participatory rural appraisals, and interviews all emphasised the importance of a woman's proximity to her family and her family's willingness to support her in abuse cases. The fragility and vulnerability of women in abusive relationships is greatly heightened when they are isolated or removed from family support networks and community. Women in such situations naturally view separation as a very risky proposition.

When asked why a family might not accept their return despite the abuse, respondents cited a number of factors including economic difficulties associated with taking in children; the family's own economic challenges; *lisan* and other cultural concerns previously discussed, and the sense in some cases that 'women had brought these problems on themselves.'

## Global View: Help Seeking and Separation

In the majority of cases, women do not leave after their first experience of abuse. In the WHO multi-country study for instance, 19–51 per cent of women who had ever been physically abused by their partner had left home for at least one night, and 8–21 per cent had left two to five times.<sup>42</sup> A woman's decision to leave her partner is often linked to the severity of the abuse.<sup>43</sup>

Many women do not even seek help when they are experiencing violence. Reasons for this include:

- Beliefs or feelings that violence is normal or not sufficiently severe;
- Fears about safety;
- Fears about losing children;
- Concern about not being believed or receiving an appropriate response;
- Lack of support from family and friends; and,
- Fear of shame.<sup>44</sup>

There is also evidence that helps us understand why a woman would eventually decide or be forced to leave an abusive relationship permanently. These reasons often include escalating severity of violence and the recognition that the violence is negatively affecting her children.<sup>45</sup>

## Severe Abuse and Economic Deprivation

Another key factor in the decisions made by women as they weighed separation was the level and kind of abuse that they experienced. This takes the research back to the earlier classifications of '*violência balbain*' and '*violência grave*,' and accords with the experience of service providers in Timor-Leste that women more often than not do not seek help immediately when violence occurs, and often seek support only when violence or injuries become severe or when other avenues of addressing violence (such as cultural or family processes) have not been fruitful.

We see a complex picture beginning to emerge, particularly in relationship to the women interviewed who had experienced domestic abuse, where multiple forms of abuse (at times akin to severe controlling abuse), coupled with severe levels of violence, ultimately resulted in a tipping point for women to leave. This was particularly the case if the severe controlling abuse involved forms of economic abuse, and the women themselves had a capacity for livelihoods production.

### *Profile of Abuse*

- Twelve of the victims interviewed in this project were victims of severe violence (including three of the eight women who had not separated);
- Ten were victims of combined violence, meaning that they suffered more than one type of violence;
- Ten of the 18 victims were in economically abusive relationships, and eight of the 12 cases that involved severe violence also involved economic abuse;
- Five of the 18 victims were abused by husbands who had substance abuse problems (usually alcohol) based on the victim's perception of her husband's actions;
- Five of the 18 victims were abused by husbands who had gambling problems;

- Seven cases involved situations where the partner of the victim was having an extra marital affair and, in four of these cases, the wife perceived that the man was actively trying to destroy the first marriage or wanted his wife to accept the second woman; and,
- In two of the cases, the man's family was also involved in abusing the victim and/or in encouraging the man to abuse her.

**Table 13: General Profiles of the Victims Interviewed**

CODE	DISTRICT	SEVERE VIOLENCE	COMBINED VIOLENCE	CONTROLLING BEHAVIOUR	ECONOMIC ABUSE	CHRONIC ALCOHOL ABUSE	HUSBAND WANTED TO BREAK UP THE MARRIAGE	SEPARATED
Victim 5	Baucau							no
Victim 1	Covalima	1						no
Victim 3	Covalima	1		1				no
Victim 2	Dili							no
Victim 5	Dili							no
Victim 6	Dili		1		1			no
Victim 7	Dili							no
Victim 9	Dili	1				1		no
<b>SUB TOTAL: NOT SEPARATED</b>		<b>3</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>		<b>8</b>
Victim 1	Baucau	1	1		1	1		yes
Victim 2	Baucau	1	1	1	1			yes
Victim 6	Baucau	1	1				1	yes
Victim 4	Baucau	1	1		1		1	yes
Victim 5	Covalima						1	yes
Victim 4	Covalima	1	1	1	1			yes
Victim 2	Covalima	1	1					yes
Victim 4	Dili	1	1		1	1	1	yes
Victim 8	Dili	1	1		1			yes
Victim 1	Dili	1	1	1				yes
<b>SUB-TOTAL: SEPARATED</b>		<b>9</b>	<b>9</b>	<b>3</b>	<b>6</b>	<b>2</b>	<b>4</b>	<b>10</b>
<b>TOTAL</b>		<b>12</b>	<b>10</b>					

Our research (and in keeping with the Taft and Watson report discussed in Part Two) shows that almost all of the women interviewed who experienced combined violence did so at extremely severe levels, and those women who were facing combined (and severe) violence were significantly more likely to leave their husbands than women who were facing only physical abuse. In some of these cases, women had left because they could not tolerate the violence any longer, or because of the level of threat to their children. However, in four of the cases of separation, the husband was reported to be actively looking to sabotage or destroy the relationship due to having a relationship with a second woman.

As per the data in the above table, ten women who had separated from their husbands were involved in some sort of income generation before separation. These women carried out many types of activities including: planting and selling vegetables, making biscuits and other goods, selling chickens, and running a kiosk. In contrast, only one of the women who had remained in her marriage was involved in income generation.

While this is a small sample, this could suggest that women who are economically abused are more likely to leave their husbands than women who are only physically abused, and that having some income earning potential or skill set that can be applied beyond the domestic sphere makes a potential separation less wrenching.

This finding is further bolstered by focus group and participatory rural appraisal data. In the hypothetical case of Maria and Paulo, participants in the Bairro Pite focus group discussion appeared more concerned with, and outraged by, Paulo's economic abandonment of Maria than by his physical abuse. Many of the women sanctioned the idea of separation given the economic abuse, as one participant explained:

For me, it is better to separate, because he [referring to the fictional character of Paulo] is not giving any money. If there is no money just leave him...just send him to the police...I also have many problems in my household. I told my husband when he comes looking to beat me, I tell him you can hit my body, but only so that no one knows. If you hit me till I am bruised, then I will leave you...I didn't marry you to die... if he only smacks me or pulls my hair that's fine, I will forgive him because he always brings money for us. But I say never until a bruise, if I am black [bruised], we will separate.<sup>46</sup>

In various focus group discussions women carefully considered Maria's vulnerability before determining whether she would be able to leave a relationship. In the first case where 'Maria' had little training or skills, had young children, and was dependent on her husband's income, women agreed that she should leave her husband, but only once the level of violence became severe. They acknowledged that there would be many difficulties for Maria, and that she would only be able to leave with external support from her family, her husband's family, or with long-term financial support from service providers.

In the second hypothetical case, where Mena was presented as an older woman with older children (ages 13 and 15 respectively) and her own restaurant, women agreed that it would be much easier for her to separate. They still acknowledged that there might be difficulties for her in terms of negotiating her position with her husband's family and because they were married in the Catholic Church, but most felt that these could be addressed.

When discussing these cases the vast majority of women agreed that in the case of *severe* violence (causing injury) women should leave the relationship no matter what her situation. Exceptions to this view were rare, but they included women who thought that one could never leave due to: *lisan*; the sanctity of Catholic marriage; and, because of social stigma and shame.

Women in *aldeia* Tasi, *suku* Buruma, Baucau had heated debates over the appropriate reaction of Maria and Mena in the hypothetical cases. Some participants said that Maria should leave straight away, go to the police, and not return to her husband, while others stressed the sanctity of marriage and the fact that the fictional characters must have loved each other when they got married. As one respondent said:

In these types of cases, she must be patient, because they chose to get married. And they are married in the church. When he comes home, she should be quiet, and keep her distance, and not provoke him.<sup>47</sup>

Alternatively some women put forward a strong argument for separation:

Paulo goes gambling every day, the children are here and there is no milk for them. [Maria] stays at home, where is she to get money from?...He will continue to do it [beat her]... everything comes back to our own perspectives... [Switching to first person] Okay, we made a promise in the church, we gave each other rings...but we did not promise that the woman would come and do all the work for the man...I run away to my parents, and come back, but everything they give me you will take, everyday you can beat me?...No! It is better to leave. Better for it to end, for us to separate...<sup>48</sup>



Women agreed that it was very difficult for a woman to make the decision to leave her husband and that this decision depended greatly on a woman's courage and creativity.

## Economic Well-being Following Separation

In Timor-Leste, the idea of what constitute 'alternatives' is a crucial question since police, courts, and service providers tend to reinforce the norm that a woman should stay in an abusive relationship rather than leave and be left potentially economically destitute. In this respect, the experiences of victims of domestic violence interviewed for this research are quite useful and challenge common assumptions.

Of the 18 women interviewed, in total ten had separated from their partners. Of these, six women felt that their personal finances had improved since they left their partners, and one woman felt that her situation was relatively similar. Only two of these women had received any support from the state or service providers, and this was in the form of one-off payments rather than long-term support. Interestingly, in this group only one of the nine husbands was providing support to his wife, despite the fact that two husbands had received suspended sentences conditioned on the need to financially support their families. While the small sample of interviews for this study should not be interpreted as suggesting that all women who separate from their husbands will see their economic situation improve, it does suggest that the prevailing assumption that women cannot support their families post-separation needs to be challenged and investigated more thoroughly.

**Table 14: Summary of Women's Marriage Status and Income Generation**

CODE	DISTRICT	SEVERE VIOLENCE	ECONOMIC ABUSE	INVOLVED IN INCOME GENERATION WHILE MARRIED	EMPLOYED OUTSIDE THE HOME	SEPARATED	FEELS ECONOMICALLY BETTER OFF
Victim 5	Baucau					No	
Victim 1	Covalima	1				No	
Victim 3	Covalima	1				No	
Victim 7	Dili					No	
Victim 2	Dili					No	
Victim 5	Dili					No	
Victim 6	Dili		1			No	
Victim 9	Dili	1		1		No	
<b>SUB-TOTAL: NOT SEPARATED</b>		<b>3</b>	<b>1</b>	<b>1</b>		<b>8</b>	
Victim 1	Baucau	1	1	1		Yes	Yes
Victim 2	Baucau	1	1	1		Yes	Yes
Victim 6	Baucau	1		1		Yes	Yes
Victim 4	Baucau	1	1	1		Yes	Yes
Victim 5	Covalima					Yes	
Victim 4	Covalima	1	1			Yes	yes
Victim 2	Covalima	1		1		Yes	yes
Victim 4	Dili	1	1	1	1	Yes	Yes
Victim 8	Dili	1	1	1		Yes	
Victim 1	Dili	1				Yes	Yes
<b>SUB-TOTAL: SEPARATED</b>		<b>9</b>	<b>6</b>	<b>7</b>	<b>1</b>	<b>10</b>	
<b>TOTAL</b>		<b>12</b>					

Of particular note here is that six of the seven women who stated that they were 'better off' economically following separation were from rural areas and were more active in income generation activities both before and after their separation (see Table 13 above). Conversely, only two women who were not involved in income generation while married indicated that they felt better off financially having separated. In the case of one woman from Baucau who had experienced domestic violence, the diversity in her livelihoods production appeared to be of distinct advantage in her ability to find multiple sources of income post-separation.

I do everything, I sell chickens, sell coconuts, borrow from the micro finance organisation, sell peanuts in the market, make '*pisang goreng*' [fried food] and *katupa* [rice wrapped in palm leaves], sell bananas, oranges and pineapples. Sometimes when there are no tangerines, I buy from other people and re-sell them [for more]. I have a little kiosk where people buy *supermi* [instant noodles], oil, and washing powder, and I weave *tais* when people put in orders.<sup>49</sup>

In *suku* Buruma, Baucau, participants also explained that a woman could separate or otherwise depend on her ability to access land and/or a house through either her family or her husband's family and her 'creativity' in finding alternative livelihood options.

It is important however to recognise that many of the women interviewed who had experienced domestic violence (even those who viewed themselves as economically better off after separating from their husbands) remained extremely vulnerable economically. This was typified by one woman who explained, "My younger sister's husband is a carpenter, they help me and my family by feeding us and buying washing powder, because we women cannot farm."<sup>50</sup> In this instance, the woman is still deriving support from a male income earner, albeit a family member other than her husband, rather than through her own labour. Thus, while it may be that a woman feels economically better off post-separation, this may be at least in part because, even with a high degree of vulnerability, she was still free of the economic and other forms of violence from within the relationship.

**Table 15: Breakdown of Economic Activities and Support for Women after Separation**

ECONOMIC ACTIVITIES AND SUPPORT AFTER SEPARATION																						
CODE	DISTRICT	NONE	BAKED GOODS FOR SALE	KIOSK	SELLING VEG	MAKING COCONUT OIL	FORMAL WORK	SELLING CHICKENS	SELLING PIGS	MAKING TAIS	SEWING	CUTTING WOOD TO SELL	RICE FIELDS	CLEARING OTHER PEOPLES FIELDS	CORN	BORROWING MONEY OR MICRO FINANCE	LIVING WITH FAMILY	SUPPORT FROM NGO OR GOVT	ECONOMY BETTER SINCE SEPARATED	HUSBAND IS CONTRIBUTING	NUMBER OF CHILDREN THAT SHE IS SUPPORTING	
Victim 5	Covalima	1															1					3
Victim 1	Baucau				1	1	1										1		1			2
Victim 2	Baucau		1		1	1		1	1							1		1	1			4
Victim 4	Baucau			1	1	1			1						1		1	1	1			8
Victim 4	Dili			1												1			1			8
Victim 8	Dili		1	1														1				10
Victim 2	Covalima			1	1			1	1	1							1		same	1		5
Victim 4	Covalima				1			1		1							1		1			3
Victim 6	Baucau				1			1				1	1	1			1		1			3
<b>TOTAL</b>		<b>1</b>	<b>2</b>	<b>4</b>	<b>6</b>	<b>3</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>6</b>	<b>3</b>	<b>7*</b> (1 felt it was the same) <sup>51</sup>	<b>1</b>	<b>AVERAGE: 5.1</b>	

## ACCESS TO JUSTICE

Women's access to justice in Timor-Leste has received considerable focus. The 2012 Asia Foundation report '*Ami Sei Vitima Beibeik*': *Looking to the Needs of Domestic Violence Victims*, provides a comprehensive analysis of both the criminal and civil processes, and the challenges that women face at various stages.<sup>52</sup> While well covered in other research, justice remains an important point for analysis here, especially in the context of Timor-Leste where men who are found guilty of domestic violence are frequently given suspended sentences on the assumption that women are economically dependent on their husbands and that sending the male to prison would re-victimise the woman.<sup>53</sup> The Judicial System Monitoring Programme's report, *Law Against Domestic Violence: Obstacles to Implementation Three Years On*, notes that of all decisions in domestic violence cases monitored between July 2010 and June 2013, "52 per cent (52%) have been suspended sentences and a further 24 per cent (24%) of all known decisions resulted in the issuing of a fine to the perpetrator."<sup>54</sup> This occurred despite evidence that husbands in many cases abandon their wives and refuse to pay maintenance.

As such, this final part of the report builds on findings presented thus far, and together with evidence from the experiences of victims and the perceptions of judges and other legal actors, contributes to two points of analysis. The first argument speaks to the categories that are used in terms of justice processes, for instance the 'formal/state/modern' which is typically juxtaposed against the 'informal/traditional/customary.' Such categories can be unhelpful when they are treated with excessive rigidity, making it difficult for policy-makers and those working in the sector to imagine effective policies and remedies. In this sense, categories must always be used in a context to ensure that they are allowing for analytical value, rather than taking the place of such analysis.

The second argument put forward here is that women do not necessarily approach authority figures for assistance in a prescribed order. Women, in this research at least, said that they did not engage assistance in a sequence of the customary to modern, as in *lia-na'in* or *xefe-suku* to police, but rather are informed by immediate needs, levels of access, and experience of individuals.

### Justice Systems

Much of the existing literature categorises the options for justice into one of two groups: informal, traditional or customary justice, and formal, modern or state justice. The customary system is most frequently depicted as the site of injustice, a domain dominated by men where women's voices are not given adequate space or weight. Similar to elsewhere, the UNDP report 'Breaking the Cycles of Domestic Violence' portrays this domain of justice as intrinsically negative for women.

...traditional justice mechanisms, while accessible and timely and perhaps cheaper, may not service female victims' needs. Traditional practices represent and reflect the underpinning male-dominated culture, meaning the values upheld and choice of justice mechanisms may necessarily be undermined, women's voices may be lost, and redress for individual women unavailable.<sup>55</sup>

In comparison, the formal system is often depicted as a strict and rigid system dealing with many capacity issues within institutions such as the police and the courts, as these additional comments from the UNDP report suggest.

The obstacles encountered by women when attempting to take their case forward are creating a chronic distrust in the formal justice system, as many women feel that there is little to gain in bringing their case to the courts.<sup>56</sup>

The research for this project suggests that the reality looks somewhat different, and that justice is not necessarily approached by women as if there was a basic split between the two systems. In other words, women view the two legal systems within a continuum of options, not as two distinctly separate processes. Similarly, as noted by the 2011 *Progress of the World's Women Report* and quoted in the recent UNDP report:

An effective approach toward justice sector reform in the context of legal pluralism requires rethinking some of the basic assumptions international policymakers have perpetuated. It is important...to avoid discussing legal pluralism in terms of binary oppositions, such as formal and informal justice. The lines are a blurred reality and some of the most successful initiatives illustrate a fine-tuned ability to negotiate the spaces between state and non-state orders to the advantage of the excluded.<sup>57</sup>

In focus group discussions, women rarely began their observations on the hypothetical cases by deciding whether a woman should interact with either the customary or state mechanisms. Rather, they began by focusing on an appropriate outcome:

For me, she should just leave....Bring him to the police, so that she is free to go.<sup>58</sup>

Women mostly considered their options as requiring a series of potential acts and engagement with actors that may or may not support their objective. This may have ranged from preventing an isolated incident from re-occurring to wanting a full separation from a violent partner.

The options open to women in terms of looking for prevention, protection, and/or to potentially leave their husbands include: close or extended family members of the man's family; close or extended family members of her own family; respected authority figures within the family or community; *lia-na'in* or other customary authorities; *xefe-aldeia*; *xefe-suku*; police; church leaders; and service providers. In turn, these actors avail of a range of techniques, only some of which may be considered as 'customary.'

These different actors can then respond to the woman and/or her family in a range of ways. For instance, in some cases a woman may approach a *lia-na'in*, local authority figure or even a police officer in the hope that he will take her husband aside and speak to him, described as *fó moral*, (meaning in effect to remind them of values and morality.) To '*fó moral*' is viewed as the most appropriate form of intervention to be used by women in the event of minor violence or the first instance of violence. Women in focus groups stressed that the woman should keep her distance while looking for someone to go and talk to her husband and attempt to resolve the issue:

She needs to leave and go to her parents to make the man avoid these types of behaviours, if he doesn't change his behaviour then she can stay with them.<sup>60</sup>

If that was my child I would want to take her back, if her husband would not change his ways.<sup>61</sup>

If she is cut and bleeding, then she needs to tell her parents, and her brothers, and the police, so that they can go to catch him.<sup>62</sup>

These types of tactics show how women engage with a range of actors and strategies in looking for prevention and protection, and how different familial and law enforcement structures are utilised in order to afford protection.

Table 16 below shows a range of actors and their potential or perceived role as identified by women in the focus group discussions. Roles marked in bold are those which were evidenced by women in their own cases. Those not marked in **bold** were ideas that came from women in focus groups in the context of the hypothetical cases. The options here are then a representation of people's views, and not necessarily recommendations by the authors of this report.

**Table 16: Roles of actors in women's lives when seeking support**

ACTOR	POTENTIAL OR PERCEIVED ROLE
CLOSE OR EXTENDED FAMILY MEMBERS (MAN'S FAMILY)	<ul style="list-style-type: none"> <li>• Give shelter to the woman while the man's temper cools</li> <li>• Speak to him about his behaviour and convince him to change his ways</li> <li>• Scare him into changing his ways with threats of spiritual repercussions or violence</li> </ul>
CLOSE AND EXTENDED FAMILY MEMBERS (WOMAN'S FAMILY)	<ul style="list-style-type: none"> <li>• Give shelter to the woman while the man's temper cools</li> <li>• Speak to him about his behaviour and convince him to change his ways</li> <li>• Scare him into changing his ways with threats of spiritual repercussions, family disputes or violence</li> <li>• Take the case to the man's family</li> <li>• Make a decision to pursue the case through customary mechanisms such as <i>nahe biti</i><sup>59</sup> or other processes</li> </ul>
RESPECTED AUTHORITY FIGURE WITHIN THE COMMUNITY	<ul style="list-style-type: none"> <li>• Speak to the man about his behaviour</li> <li>• Scare him into changing his ways</li> </ul>
CHURCH AUTHORITY (PRIEST OR NUN)	<ul style="list-style-type: none"> <li>• Speak to the man about his behaviour</li> <li>• Scare him into changing his ways through spiritual repercussions</li> <li>• Shame him in public at mass</li> <li>• Violent punishment</li> </ul>
<i>LIA-NA'IN</i>	<ul style="list-style-type: none"> <li>• Speak to him about his behaviour and convince him to change his ways</li> <li>• Scare him into changing his ways with threats of spiritual repercussions, family disputes or violence</li> <li>• Call together the two families to resolve the case through customary means</li> </ul>
<i>XEFE-ALDEIA AND/OR XEFE-SUKU</i>	<ul style="list-style-type: none"> <li>• Speak to him about his behaviour and convince him to change his ways</li> <li>• Scare him into changing his ways with threats of spiritual repercussions, family disputes, violence or legal repercussions</li> <li>• Call together the two families to resolve the case through customary or other means</li> <li>• Discuss the case in public to shame the perpetrator</li> </ul>
POLICE	<ul style="list-style-type: none"> <li>• Speak to the perpetrator about his behaviours and convince him to change his ways</li> <li>• Scare him into changing his ways with threats of physical violence, legal action, locking him up for 72 hours or prison</li> <li>• Proceeding with a criminal conviction and bringing the perpetrator to court</li> </ul>
CIVIL PROCEEDINGS IN COURT	<ul style="list-style-type: none"> <li>• Depending on the action could make decisions regarding: custody of children, alimony to be paid, civil compensation, sharing of assets etc.</li> </ul>
CRIMINAL PROCEEDINGS IN COURT	<ul style="list-style-type: none"> <li>• Issue a conviction with sentencing options ranging from one or more of the following: a prison sentence, fine, civil compensation, suspended sentence, warning, etc.</li> <li>• Acquittal</li> <li>• Dismissal of the case</li> </ul>
SERVICE PROVIDERS	<ul style="list-style-type: none"> <li>• Provide shelter to the victim while his temper cools</li> <li>• Speak to the perpetrator about his behaviour and convince him to change his ways</li> <li>• Resolution outside of formal justice processes</li> <li>• Scare him with the possibility of legal action</li> <li>• Facilitate links with local authorities/church figures</li> <li>• Facilitate the link with the police</li> </ul>

## Engagement with Authority Structures

While the existing literature and the majority of women in focus groups suggest a graduated system whereby a woman attempts first to resolve an issue within the family, then with her *lia-na'in*, followed by the *xefe-aldeia*, *xefe-suku* and finally the police,<sup>63</sup> this research also suggests that there are many variations to this sequence.

By way of example, of the 18 women experiencing domestic violence involved in this study, the police had been involved in every case. In some cases, police were involved in the first instance or as a first recourse to justice, whereas in other cases the police were turned to after the victim first tried a number of other alternatives. In a large number of cases, women who went first to other service providers (NGOs and shelters) were then brought to the police. Engagement with the police did not follow a set pattern, but was informed by a series of different factors, such as proximity to, and relative trust in police, the levels of violence, family involvement, and access to services.

For women tightly integrated in the domestic sphere, turning first to customary authorities, and only going to the police when directed to by service providers, can appear most logical. These women were more likely to know of, and be familiar with customary practices than more modern justice mechanisms. However, the cases being brought to the police in the first instance suggest that perceptions of formal justice in Timor-Leste may also be evolving.

As discussed above, going to the police did not mean that women were looking to have their husbands prosecuted. As such, women's expectations of the police were not necessarily based on a clear understanding of the legal role of the police, including that they needed to find alternative sources of authority to provide a warning rather than to bring charges, as one focus group participant discussed:

I went to the police so they could *fó moral* to him...I didn't dream of going to the court.<sup>64</sup>

One woman whose husband was a police officer explained a detailed interaction with the police, who she felt would be the best institution through which to prevent her husband from beating her:

I took my children and I went straight to the place where they register cases, I went in the wrong door, they took all of my information and then asked me 'Sra. Do you want the case to go to the court, but the impact is that maybe your husband might lose his job' – so I thought again...I said, 'No I came here so that you could give him a warning so that he won't beat me anymore. They told me 'Right, then you have to go to talk to the commander.' They took me to make a declaration to the commander. The commander spoke to me, after a while they called him [my husband in] because he would listen to the commander as his father [leader]...I told him I could make a declaration, but didn't want to in case it would make a problem for the commander because if he beat me again my case would go straight to the court... The commander gave me his telephone number and the telephone number of the taskforce commander...he said if there were any other problems to call him.<sup>65</sup>

These examples would seem to demonstrate that many women perceive the police and justice sector actors to be able to engage in ways that are more akin to customary justice systems. Two of the women interviewed during our research described how they hoped the police would act as a moral authority within the community and 'scare' their husbands into behaving better. Here, women perceive that the high levels of flexibility that are common in the customary system also exist within the police force. They often speak of locking up their husband for 72 hours to teach him a lesson or the police chief talking to him to prevent him from repeating violence. This concept is far from the provisions of the Law Against Domestic Violence which states that domestic violence is a public crime and must be prosecuted.

In some respects, the way in which women approached the police with the desire for greater flexibility was also reflected in the practice of organisations and authorities. Despite widespread understanding by local authorities, justice sector actors and police that domestic violence has been criminalised—and therefore must be reported to the police and must go to court—the research identified ways actors were using alternative mechanisms to maintain some level of flexibility in different cases.

Often the victim comes here and wants to withdraw her case, because they have reconciled and want their relationship to continue on a good footing... Many people think that judges' decisions about domestic violence are not good, because we always give suspended sentences, but it is not that judges think like this. We have to look at the objectives and rationale of the court decision... in a situation where we think the offender will not perpetrate again should we continue to give a custodial sentence?<sup>66</sup>

While nationally, according to the *Demographic and Health Survey*, only 4 per cent of women seek help from the police,<sup>67</sup> all the women interviewed during this research who had experienced violence went to the police in either the first instance or as one of a series of options (See Table 14 above). As discussed in the methodology section, this highlights that our sample in the focus group discussions was likely over-weighted with women who have, in one way or another, sought help in cases of domestic violence rather than those who remain silent.

Women outlined a range of reasons why they wanted to go to the police: some saw it as more effective;<sup>68</sup> others felt that they did not have sufficient access to customary mechanisms; some women said that their husbands would not attend a *lisan* ceremony and/or that his family did not want to engage; others felt ashamed and perhaps felt that the state systems could offer a level of confidentiality that was not possible through customary systems:

**Victim 6, Dili:** We tried to resolve it at the local level, the families went to the *xefe-aldeia* but he [my husband] did not appear. The priest called him to come speak to him, but he did not show up.<sup>69</sup>

**Interviewer:** Did you ever try to access justice either through the police and the courts or at the local level through your *xefe-suku* or *lia-na'in*?

**Victim 6, Dili:** No, never until now.



## Access to State and Civil Society Service Providers

The challenges for service providers in this sector are immense. Intervening in cases of domestic violence is naturally complex, resources are limited, and the need for support can often be open-ended. Successfully allocating resources to gender-related issues can be difficult in any context, but is all the more so given the enormous range of social needs in Timor-Leste as it emerges from the social and material destruction which occurred during the Indonesian occupation.

The level of support available to victims of domestic violence from either the state or service providers varies greatly across the country. Some districts—typically districts where there are courts—have access to a number of services (for example Baucau, Covalima, Dili) while other districts have none (for example Manufahi, Ainaro). Women living in isolated rural areas have very little access to support. However, even in districts with courts, there can be many women who have little access to information and services. Women's access is impacted by a lack of information about services available, levels of family and community support, and practical issues in terms of physically reaching services. In some places, women may have the misconception that services, especially legal services, require payment.

While the vast majority of the women interviewed had received medical and/or emergency shelter support from service providers such as PRADET, Uma Mahon Salele and Uma Paz Baucau, only three of the 18 women had received any economic support from a service provider or the state, despite all of the women save one having been referred to the research team by service providers. One woman described how she had asked for financial assistance from the Ministry of Social Solidarity, but was still waiting for a decision.<sup>70</sup> Another woman had received a one-off payment from the Ministry of Social Solidarity of \$150. Many of these women remained in highly vulnerable situations with little or no support. One service provider explained the frustrations of the job:

We know that they need help, that they need training, that when they leave our shelter it is very difficult for them, but that is not our role. That is the work of [a different organisation]. We cannot know whether all of the women who leave our shelter are making it to them for training, and whether this training is successful.<sup>71</sup>

As a general reflection, many of the service providers that we worked with during the course of this research seemed to be doing a high level of work with few resources. Quite often practical needs such as lack of access to transport and fuel or appropriate shelter space and training were making their already challenging jobs that much more difficult.

Access to sufficient information about domestic violence and legal processes remains a challenge for women, particularly in rural areas. Among participants in participatory rural appraisals and focus groups, women demonstrated a fairly good knowledge of the existence of the domestic violence law and the vast majority seemed to understand what domestic violence is (at least in the narrowest sense) and that it constituted a crime. Fewer women understood that domestic violence was multi-dimensional and did not only involve physical violence, with very few identifying psychological and/or sexual violence as a crime.

What was significantly less present was knowledge about legal processes and access to services. While women could identify that they should go to the police, they seemed significantly less sure about what would follow if they were to do so. This could reflect that public education on violence against women has tended to emphasise law and criminal justice responses and the need to report to the police.

## Childcare and Schooling

As per previous discussions in Part Three of this report (under Separation) relating to factors inhibiting a woman from leaving, a significant problem for women who had separated from their husbands involved their children and schooling. Service providers and staff of the Ministry of Social Solidarity often become involved in issues surrounding school enrolment for children whose mothers have had to leave abusive partners. In the short-term, women were forced to return early from the Uma Mahon and other shelters to look after their children and ensure that they had access to schooling. In some situations, very young children were allowed to go with their mothers to the Uma Mahon. At the Uma Mahon in Salele, Covalima district, there was a nursery and primary school available for mothers. However children of secondary school age were forced to stay in town and attend school there. There were little or no services to help with childcare for these children, leaving mothers dependent on the support of family members. In addition, most Uma Mahon will not allow male children over a certain age to stay in the shelter.

A second issue which was often very difficult for women who leave their husbands relates to children's birth and schooling certificates. Many legal processes and school applications require not only the children's birth certificates and school reports but also the parent's marriage certificate. In many cases, women may have left these behind when they left the home or they are in the possession of their husbands. Gaining possession of such documentation can prove particularly difficult for women following separation.

In one case, where a woman was trying to transfer her children to a new school, her husband tore up the children's school reports. The husband then reportedly lied to the principal of the school asking him not to allow the children to get new copies of their reports so that they could register in their new school. The director refused to give the reports to the mother, and it was only after she got a declaration from the police asking for the reports that they were given to her. Later when she tried to register the children at the new school, the new director would not accept the reports; in this case she had to speak to the district director of education before her children were allowed to attend the school.<sup>72</sup>

## CONCLUSION

Part Three of this report has in many respects extended the analysis put forward in Part Two relating to the economic dimensions of domestic violence. In Part Two the focus was on the married economy, and in particular on income, expenditure, and the access and control of material resources. It was found that the dynamics of the gendered economy mean that it is difficult for women to leave marriages, including where there is abuse, as their economic skill sets and resources are bound overwhelmingly to the domestic domain. It is, in a practical sense, very difficult for them to simply 'up and leave.'

Part Three then has drawn this out further, and attempted to discuss marriage and separation in terms of how women make decisions. This included a discussion of *barlake*, which in this report was placed within a cultural context in part to contrast (and mitigate against) tendencies to reduce it solely to an economic act. While having a material basis to it, and being part of a customary economy, the process of *barlake* extends out far beyond that and as per this research, was not seen as relating directly to domestic violence.

The closest point of connection is that it can be used as part of a discourse of abuse, and as a justification within a larger architecture of control. Other aspects of marriage, including customary acts such as the eating in a man's *uma lulik*, were also seen to have an effect on women's decision-making, as on occasion did marriage in a church. Other matters covered here included the impact of children (the age and number of children both being factors in women's decision-making) as well as the importance of family support, which was shown as having potential economic as well as social impacts for women weighing the choice of separation.

In Part Three, we have also tried to challenge some assumptions, including the notion that women who are victims of violence will be financially worse off after separating from an abusive partner. Whilst women who separate may remain highly vulnerable economically, the creativity and determination shown by the women in this study in identifying and engaging in a wide variety of income-generating activities should not be overlooked. This ingenuity and resourcefulness can play an important part in preventing a women's economic situation from deteriorating post-separation. As this report finds its way into practice, these findings will be key. In the context of suspended sentences and perceptions that men found guilty of domestic violence should not be imprisoned if their wives are (or are assumed to be) economically dependent upon them, the voices of women should form a central part of the discussion. Women's economic resilience post-separation is in need of further research, but this report is an important start in exploring the avenues by which women can manoeuvre themselves out of violent situations which are often bound by acute fragility and inequity.



# ANNEX ONE: METHODOLOGY

## METHODOLOGY

The aim of this study was to collect data that enabled an analysis of different economic dimensions of domestic violence as per the views of women. The general approach to data collection was qualitative in that the project was interested in the reasons underpinning choices made by women in the context of violence, as well as the subjective perceptions of research participants in relationship to cultural-political (access to justice, *barlake*) and socio-economic (livelihoods, services) processes and the provision of services. Experiences, opinions and values were key values in data collection. The more quantitative data that has been collected (including the secondary data from national surveys, as well as the participatory rural appraisal methods as part of the field work), have in this report tended to be drawn back through analysis into the qualitative framework of the report as a whole.

## RESEARCH LOCATIONS

Research was carried out across three districts—Baucau, Covalima and Dili—allowing analysis of multiple contexts across urban *suku* in Dili, more urbanised *suku* in largely rural districts, and rural *suku*. These sites were selected for a range of reasons (specified in a list of possible sites by the Terms of Reference for this project), including the requirement of having a comparison between *kaben tama* (the male marrying in) and *kaben sai* (the female leaving the household) areas.



Within these three districts, two *suku* were chosen in each district. In Baucau this included *suku* Ostiko and *suku* Buruma, in Dili *suku* Bairro Pite and *suku* Caicoli, and in Covalima *suku* Ogues and *suku* Debos. In both Baucau and Covalima an attempt was made to ensure at least one urban or central *suku* and one rural or isolated *suku*. In Dili, the areas of *suku* Bairro Pite where research was carried out had been longer settled than the areas of Caicoli, which have been more recently settled.

DISTRICT, SUKU, AND ALDEIA PROFILES		
DISTRICT	SUKU'	ALDEIA
Baucau	Buruma Population: 15,664.	Suliwa
		Tasi
	Ostiko Population: 1,240	Ostiko
		Bahamori
Dili	Caicoli Population: 4,323	Divinio 12
		Sakoko
	Bairro Pite Population: 27,875.	Rio de Janeiro
		TAT
Covalima	Debos Population: 11,444	Asumaten
		Lakonak
	Ogues Population: 1596	Baulela
		Orun

Access to communities was secured through discussions with first District Administrators and then *xefe-suku* who in all cases were highly supportive of the research and allowed full access to the team. In consultation with *sefe-suku*, two *aldeia* were selected in each *suku* and FGDs and participatory rural appraisals were organised in each of these *aldeia* with key logistical support provided by the *xefe-aldeia*.

In this research good communication with local community leaders was essential. A team member travelled to each of the district sites before the rest of the research team and worked with local leaders in the identification of participants. A range of married women were selected to participate in each focus group (eight women attended each focus group discussion) and participatory rural appraisals (ten women attended each participatory rural appraisal). For a total of 257 participants, individual invitations with the name of each women were prepared and distributed by the team which ensured high levels of participation. In both Baucau and Covalima there was almost 100 per cent turnout at group discussions, with only one *aldeia* in Dili proving to be more problematic.

## RESEARCH METHODS

There were three main groups of research methods that were used during the field work phase of this project.

### Semi-structured Interviews

Semi-structured interviews were completed with a wide-range of people both in the community and also in service provision in four broad categories:

1. Women who have experienced domestic violence;
2. Service providers, law enforcement and policy makers who work on the issue;

3. Women and men in a community (speaking at a general level about domestic violence); and,
4. Leaders from within participant communities.

This meant a very wide cross section of people were interviewed, including; *xefe-suku* and *xefe-aldeia*, *adat-na'in*, members of the clergy such as priests and nuns, police and service providers.

In terms of engaging people for interviews, this project followed the convention of previous reports into domestic violence in Timor-Leste by undertaking purposive sampling. As opposed to other sampling techniques, (i.e. stratified, random), purposive sampling was utilised so as to identify groups within society with specific information and experience pertaining to the economic dimensions of domestic violence in Timor-Leste. The identification of suitable research participants occurred through a combination of a 'strategic identification' approach (a preliminary stakeholder analysis was drawn up for this purpose) and complemented by 'snowball' sampling. For interviews with domestic violence victims, the process entailed cooperating with a number of key partner organisations in order to identify potential respondents and to ensure that women were not put at risk.

In the course of this research, 22 interviews were carried out with victims of domestic violence, with four not used in this analysis.<sup>2</sup> Of the remaining 18 interviews, five were in Baucau, eight in Dili and five in Covalima.

## Risk Assessment

Field work on this topic is of course immensely challenging. There are high levels of domestic violence, low levels of access to services and justice, as well as an economic context where the vast majority of women work at the intersection of two spheres that can be challenging to measure; the domestic domain *and* within communities that rely overwhelmingly on subsistence agricultural production. Research then entails a level of risk to the research participant; the possibility of re-traumatisation, the risk of further violence and social stigmatisation, risk of vicarious traumatisation of interviewers, as well as having potential ramifications for other vulnerable parties (such as children). There is the further research dilemma in that domestic violence tends to be seen as an issue 'inside the family,' and hence questions on the topic can see a withdrawal of support for the research, or answers that are either ambiguous or rhetorical to the extent that are of little research value.

As part of this research project a detailed risk analysis and risk prevention strategy was developed. The World Health Organization has identified eight safety and ethical recommendations which must be followed in doing research related to sexual violence against women in emergencies, which were adapted here for researching women who had experienced domestic violence in an East Timorese context.<sup>3</sup> In terms of field work, the following represents the process of identification and engagement with women who had experienced domestic violence. Victims were identified through service providers after detailed discussions with service providers about the management of risk and the types of respondents needed for the research. In general, victims were never identified through other means although in the course of community level research one participant identified herself to the team and asked to be interviewed, in this case the process was clearly explained to her and a safe place to carry out the interview was identified.

- Interviewers were given basic training in dealing with trauma, but worked closely with service providers in the choosing of respondents and in discussions with women about their needs.
- All team members signed confidentiality agreements and significant efforts were taken to ensure that women could not be identified through the data and stories that have been reported back in this report.

- Peer counselling was given to all team members and transcribers throughout and at the end of the research process. It should be noted that very little counselling is available to service providers on an ongoing basis and in many situations our team felt that this was a severe difficulty for the brave men and women working in this field.

In carrying out this research project the vast majority of respondents were very eager to tell their stories. Many women saw this as a chance to tell their side of the story to the state and other actors, others saw it as an opportunity to prevent violence from happening to other women by sharing their stories and advice.

## Focus Group Discussions

Within each of the six *suku* that were researched as part of this study, a series of focus group discussions were undertaken in two *aldeia* with eight women each. These included hypothetical scenarios of domestic violence being presented to women's groups so as to gain an understanding of what might have been common responses should such a set of circumstances occurred in the community. This was designed to allow groups of women to discuss a very sensitive issue in a public way, and to test out common assumptions about how a woman might be treated depending on her familial circumstances and levels of dependency.

In rural areas focus group discussions participants were given two hypothetical case studies and asked to discuss what might happen if these cases were to happen in their own *suku*.

### Case 1: Maria and Paulo

Maria and her husband Paulo have been married for three years. They were married in the church. They have two children, aged two and six months. Paulo began to physically abuse Maria when she was pregnant with their first child. The abuse has become worse over time and they fight because he spends all the cash that the family has on gambling and Maria must borrow money from her family to buy milk for the baby. After Paulo recent threatened Maria with a machete, she went to stay with her parents.

### Case 2: Mena and Nuno

Mena and Nuno have been married for 20 years. They were married in the church and according to *lisan*. They have two children, ages 15 and 13. Mena has a small restaurant and Nuno does not work. Nuno began to beat Mena when another woman who he was having a relationship with got pregnant.

### Case 3: Flora and Jose

In urban areas, a third case was added that was more specifically tailored to the urban context, as follows:

Flora and Jose have been married for four years. They both grew up in and still live in Dili. They were married in the Church and now live in a small house beside Jose's family. They have two children, ages three years and six months. Flora used to work in an NGO but gave up the work while the children were small to look after them. Jose works as a supervisor with a company that repairs the roads. Recently his projects have been going well and they have some money. Jose has begun cockfighting and gambling and going out with his friends a lot. Sometimes he spends all of the money and Flora borrows money from his family to sustain the household. Once they argues badly about this and Jose locked Flora outside the house and would not let her come back inside. Flora took the children and went to live in her parents' house.

This type of research methodology was a new approach to discussing the highly sensitive issues of domestic violence with a broad group of women at the community level. The methodology was effective in that women identified clearly with the cases being



discussed with many women responding straight away with statements such as 'If I was Mena' or 'If Flora was my daughter...'. In order to make sure that participants understood the cases facilitators used drawings and visual tools as opposed to written cases and also orally explained the cases a number of times. The flexibility of the cases also allowed the facilitators to add in other variables as the discussion progressed in order to discuss and clarify key points with participants.

## Participatory Rural Appraisal Techniques

The participatory rural appraisal methods were selected in terms of highlighting the differentials between men and women in relation to control, use and access of resources, especially to garner ready case examples of levels of dependency and inequity. For this research, the emphasis in participatory rural appraisals and FGDs were women's views, and thus for this aspect of the research there is not a point of comparison between the views according to sex. Three different types of Participatory Rural Appraisal Techniques including:

- **Participatory Rural Appraisal 1 – Mapping of Main Income Sources and Expenditure of Men and Women**

This method asked women to list and rank (as a group) their sources of income and those of their husbands. Lists of expenditure and income were generated by a group brainstorming exercise where all women made suggestions and the facilitator wrote all of the ideas on flip chart paper. In the ranking process each woman was given a stone or bottle cap. Each item was written on a separate piece of paper and placed in a circle on the floor. The facilitators were careful to read out the list pointing to each item in turn to help women who could not read. Women then placed their stones on the item that they spent the most money on. This item was then taken from the floor and pinned up on the wall and the process began again until no items remained on the floor. During this exercise it was very important to have extra facilitator as some women found reading difficult and it was helpful for them to assist in this regard.

- **Participatory Rural Appraisal 2 – Access and Control of Resources Profile**

This method asked women to list the various types of resources that their household relied upon and then asked a series of questions about who had access and control of these various resources. For this method two pictures, one of a man and one of a woman, were placed on the floor. Women were given 10 stones and asked to divide the stones amongst the picture to show who had more access and then control over each item. One woman would carry out the exercise and women would then discuss her division of the stones and make changes according to their opinions. Once consensus was reached the decision was recorder on the asset access and control matrix.

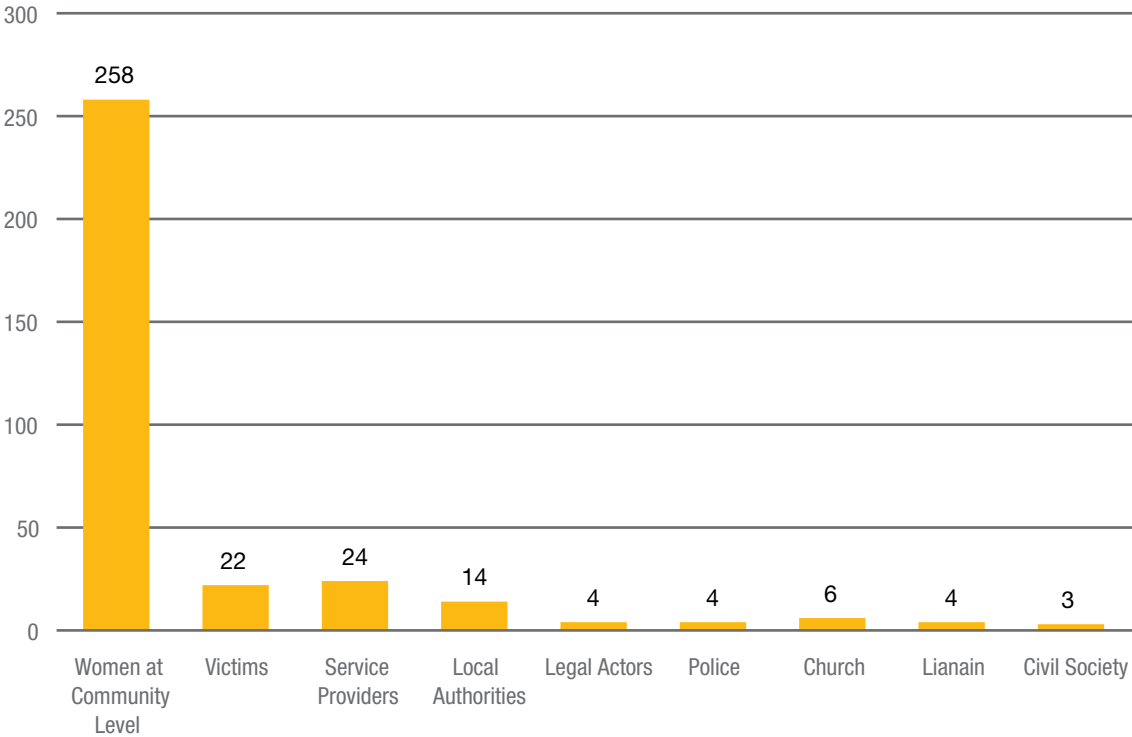
- **Participatory Rural Appraisal 3 – Mobility Map**

This method asked women to mark their house on a map of the community and to identify the various places that they went everyday, regularly and occasionally within the community. Finally women were asked to mark and discuss the places that they were allowed to go alone and without asking for permission, the places where they could go alone but must ask permission and the places where they could not go alone and must ask permission before going. This method attempted to build a picture of women's sphere of mobility and the levels of control that they operated within. It also sought to identify the types of locations where women were likely to access information and services.

# OVERVIEW OF RESPONDENTS

A total of 339 respondents were involved in this field work including: 12 focus group discussions that were carried out with a total of 114 women at the *aldeia* level; 18 participatory rural appraisal sessions that were conducted with a total of 143 women at the *aldeia* level; 51 general semi-structured interviews that were carried out with a total of 60 respondents; and, 22 interviews that were carried out with women who have experienced domestic violence.

In comparison to many other research projects on this topic this field data has managed to capture a large amount of data on the perceptions of rural and urban women in communities on issues of the married economy, domestic violence etc. This report only represents a fraction, and one iteration of the data which was collected during this process and it is hoped that many more articles and reports can be written using this data.



**Breakdown of Respondent Types Involved in Research**



ANNEX TWO:  
**LIST OF FIELDWORK ACTIVITIES  
IN BAUCAU, COVALIMA, AND DILI**



LIST OF FGD ACTIVITIES										
DATE	ACTIVITY	PEOPLE	STAKEHOLDER TYPE	NAME	ORGANISATION/TITLE	DISTRICT	SUKU	ALDEIA		
1	21 January 2014	10	Women community members			Baucau	Buruma	Suliwa		
2	25 January 2014	9	Women community members			Baucau	Buruma	Tasi		
3	27 January 2014	10	Women community members			Baucau	Ostiko	Ostiko		
4	31 January 2014	10	Women community members			Baucau	Ostiko	Bahamori		
5	08 February 2014	10	Women community members			Dili	Caicoli	Sakoko		
6	13 February 2014	10	Women community members			Dili	Caicoli	Divinio 12		
7	20 February 2014	10	Women community members			Dili	Bairro Pite	TAT		
8	15 February 2014	5	Women community members			Dili	Bairro Pite	Rio de Janeiro		
9	25 March 2014	10	Women community members			Covalima	Ogues	Baulela		
10	01 March 2014	10	Women community members			Covalima	Ogues	Orun		
11	04 March 2014	10	Women community members			Covalima	Debos	Asumaten		
12	07 March 2014	10	Women community members			Covalima	Debos	Lakonak		
		<b>114</b>								

<b>LIST OF INTERVIEWS WITH WOMEN EXPERIENCING DOMESTIC VIOLENCE</b>											
	<b>DATE</b>	<b>ACTIVITY</b>	<b>PEOPLE</b>	<b>STAKEHOLDER TYPE</b>	<b>NAME</b>	<b>ORGANISATION/TITLE</b>	<b>DISTRICT</b>	<b>SUKU</b>	<b>ALDEIA</b>		
13	27 January 2014	Interview	1	Women experiencing domestic violence	Baucau - Victim 1		Baucau				
14	30 January 2014	Interview	1	Women experiencing domestic violence	Baucau - Victim 2		Baucau				
15	30 January 2014	Interview	1	Women experiencing domestic violence	Baucau - Victim 3		Baucau				
16	30 January 2014	Interview	1	Women experiencing domestic violence	Baucau - Victim 4		Baucau				
17	30 January 2014	Interview	1	Women experiencing domestic violence	Baucau - Victim 5		Baucau				
18	30 January 2014	Interview	1	Women experiencing domestic violence	Baucau - Victim 6		Baucau				
19	04 March 2014	Interview	1	Women experiencing domestic violence	Covalima - Victim 1		Covalima				
20	05 March 2014	Interview	1	Women experiencing domestic violence	Covalima - Victim 2		Covalima				
21	05 March 2014	Interview	1	Women experiencing domestic violence	Covalima - Victim 3		Covalima				
22	05 March 2014	Interview	1	Women experiencing domestic violence	Covalima - Victim 4		Covalima				
23	05 March 2014	Interview	1	Women experiencing domestic violence	Covalima - Victim 5		Covalima				
24	07 March 2014	Interview	1	Women experiencing domestic violence	Covalima - Victim 6		Covalima				
25	17 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 1		Dili				

<b>LIST OF INTERVIEWS WITH WOMEN EXPERIENCING DOMESTIC VIOLENCE</b>									
	<b>DATE</b>	<b>ACTIVITY</b>	<b>PEOPLE</b>	<b>STAKEHOLDER TYPE</b>	<b>NAME</b>	<b>ORGANISATION/TITLE</b>	<b>DISTRICT</b>	<b>SUKU</b>	<b>ALDEIA</b>
26	18 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 10		Dili		
27	17 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 2		Dili		
28	17 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 3		Dili		
29	17 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 4		Dili		
30	17 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 5		Dili		
31	17 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 6		Dili		
32	18 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 7		Dili		
33	18 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 8		Dili		
34	18 March 2014	Interview	1	Women experiencing domestic violence	Dili - Victim 9		Dili		
			<b>22</b>						



### LIST OF INTERVIEWS

	DATE	ACTIVITY	PEOPLE	STAKEHOLDER TYPE	NAME	ORGANISATION/TITLE	DISTRICT	SUKU	ALDEIA
35	24 January 2014	FGD	2	Service Providers		Al Fela Baucau Legal team	Baucau	Baucau District	N/A
36	6 March 2014	Interview	1	Legal authority		District Court - Covalima	Covalima		
37	28 February 2014	Interview	1	Local Authority		Xefe-suku Debos	Covalima	Debos	
38		Interview	1	Service Provider		Director of Rede Feto	Dili		
39	23 January 2014	Interview	1	Police		PNTL - VPU Commander	Baucau	Baucau District	N/A
40	21 January 2014	Interview	1	Local authority		Xefe-suku Buruma	Baucau	Buruma	N/A
41	21 January 2014	Interview	1	Church		Justice and Peace Commission Focal Point	Baucau	Baucau District	N/A
42	22 January 2014	Interview	1	Church		Buacau Via Nova Parish Priest	Baucau	Baucau District	N/A
43	22 January 2014	Interview	1	Local authority		Xefe-aldeia Suliwa, suku Buruma	Baucau	Buruma	Suliwa
44	23 January 2014	Interview	1	Legal		Baucau Court - Administrative Judge	Baucau	Baucau District	N/A
45	23 January 2014	Interview	1	Service Provider		Abila Foundation Baucau Rep	Baucau	Baucau District	N/A
46	23 January 2014	Interview	1	Police		Adjunct Baucau Police Commander	Baucau	Baucau District	N/A
47	24 January 2014	Interview	1	Civil Society		FONGTIL DLO	Baucau	Baucau District	N/A
48	25 January 2014	Interview	1	Local authority		Xefe-Aldeia Tasi, suku Buruma	Baucau	Buruma	N/A
49	25 January 2014	Interview	1	Lia-na'in		Lia-na'in, suku Buruma	Baucau	Buruma	N/A
50	27 January 2014	Interview	1	Community Police		PNTL - Community Police Commander Baucau	Baucau	Baucau District	
51	06 March 2014	Interview	2	Civil Society		Coordinators of Marriage Encounter Covalima	Covalima		
52	05 March 2014	Interview	1	Church		Parish Priest Suai	Covalima		
53	25 February 2014	Interview	1	Local Authority		Xefe-aldeia Baulela, suku Ogues	Covalima		
54	28 February 2014	Interview	1	Local Authority		Xefe-aldeia Ourun, suku Ogues	Covalima	Ogues	
55	25 February 2014	Interview	1	Local Authority		Xefe-suku Ogues	Covalima	Ogues	
56	26 February 2014	Interview	1			Egos	Covalima		
57		Interview	1	Service Provider		Fokupers	Covalima		
58	06 March 2014	Interview	1	Community		Baucau woman married into Suai	Covalima		

**LIST OF INTERVIEWS**

	<b>DATE</b>	<b>ACTIVITY</b>	<b>PEOPLE</b>	<b>STAKEHOLDER TYPE</b>	<b>NAME</b>	<b>ORGANISATION/TITLE</b>	<b>DISTRICT</b>	<b>SUKU</b>	<b>ALDEIA</b>
59	27 February 2014	Interview	1	<i>Lia-na'in</i>		<i>Lia-na'in, suku Ogues</i>			
60	03 March 2014	Interview	1	Church		Canossa Nun			
61	28 February 2014	Interview	1	Service Provider		MSS - Child Protection Officer Covalima			
62	06 March 2014	Interview	1	PNTL		PNTL - VPU Commander Covalima			
63	27 February 2014	Interview	1	Service Provider		PRADET Coordinator - Dili			
64	06 March 2014	Interview	1	Legal authority		Ministeriu Publiku			
65	04 March 2014	Interview	3	Service Provider		Nun and Counselor at Salele			
66	31 January 2014	Interview	1	Local authority		<i>Xefe-aldeia</i> Ostiko	Baucau	Ostiko	
67	31 January 2014	Interview	1	Local authority		<i>Xefe-suku</i> Ostiko	Baucau	Ostiko	
68	27 January 2014	Interview	1	Service Provider		Chief of Internal Medicine and Paediatrics at Baucau Hospital	Baucau	Baucau District	
69	27 January 2014	Interview	1	Service Provider		Chief of the Baucau Hospital	Baucau	Baucau District	
70	17 February 2014	Interview	2	Service Provider		Uma Paz refuge in Baucau	Baucau	Baucau District	
71	17 February 2014	Interview	1	Service Provider		CFHD - Baucau	Baucau	Baucau District	
72	17 February 2014	Interview	1	<i>Lia-na'in</i>		<i>Lia-na'in, suku</i> Ostiko	Baucau	Ostiko	
73	11 February 2014	Interview	1	Priest		Priest and JPC Coordinator in Dili	Dili		
74	06 February 2014	Interview	1	Service Provider		Director PRADET	Dili		
75		Interview	1	Church		Nun	Dili		
76		Interview	1	Service Provider		MSS Dili	Dili		
77	10 February 2014	Interview	1	Local Authority		<i>Xefe-suku</i> Caicoli	Dili	Caicoli	
78	11 February 2014	Interview	2	Local Authority		<i>Xefe-aldeia</i> Divinio 12 and <i>Xefe-aldeia</i> Sakoko	Dili	Caicoli	
79	11 February 2014	Interview	1	Local Authority		<i>Lia-na'in</i> Caicoli	Dili	Caicoli	
80	17 February 2014	Interview	1	Local Authority		<i>Xefe-suku</i> Bairro Pite	Dili	Bairro Pite	



### LIST OF INTERVIEWS

	DATE	ACTIVITY	PEOPLE	STAKEHOLDER TYPE	NAME	ORGANISATION/TITLE	DISTRICT	SUKU	ALDEIA
81	17 February 2014	Interview	1	Local Authority		<i>Xefe-aldeia</i>	Dili	Bairro Pite	TAT
82	17 February 2014	Interview	1	Local Authority		<i>Ansaun</i> Bairro Pite	Dili	Bairro Pite	
83	10 March 2014	Interview	1	Legal Actor		Prosecutor	Dili		
84		Interview	1	Service Provider		JSMP	Dili		
85		Interview	3	Service Provider		PRADET	Dili		
86		Interview	1	Service Provider		MSS OPL Baucau	Baucau	Baucau District	
			<b>60</b>						

LIST OF PRA ACTIVITIES									
DATE	ACTIVITY	PEOPLE	STAKEHOLDER TYPE	NAME	ORGANISATION/TITLE	DISTRICT	SUKU	ALDEIA	
87	22 January 2014	PRA 1	8	Women community members		Baucau	Buruma	Suliwa	
88	24 January 2014	PRA 1	8	Women community members	Community Members	Baucau	Buruma	Tasi	
89	28 January 2014	PRA 1	8	Women community members	Community Members	Baucau	Ostiko	Bahamori	
90	10 February 2014	PRA 1	8	Women community members		Dili	Caicoli	Sakoko	
91	12 February 2014	PRA 1	8	Women community members		Dili	Caicoli	Divinio 12	
92	17 February 2014	PRA 1	8	Women community members		Dili	Bairro Pite	TAT	
93	19 February 2014	PRA 1	8	Women community members		Dili	Bairro Pite	Rio de Janeiro	
94	27 February 2014	PRA 1	8	Women community members		Covalima	Ogues	Baulela	
95	28 February 2014	PRA 1	8	Women community members		Covalima	Ogues	Orun	
96	03 March 2014	PRA 1	8	Women community members		Covalima	Debos	Asumaten	
97	06 March 2014	PRA 1	8	Women community members		Covalima	Debos	Lakonak	
98	30 January 2014	PRA 1	8	Women community members		Baucau	Ostiko	Ostiko	
99	11 February 2014	PRA 2 + 3	8	Women community members		Dili	Caicoli	Divinio 12	
100	18 February 2014	PRA 2 + 3	8	Women community members		Dili	Bairro Pite	TAT	
101	26 February 2014	PRA 2 + 3	8	Women community members		Covalima	Ogues	Orun	
102	05 March 2014	PRA 2 + 3	8	Women community members		Covalima	Debos	Asumaten	
103	23 January 2014	PRA 2 + 3	7	Women community members	Community members	Baucau	Buruma	Suliwa	
104	29 January 2014	PRA 2 + 3	8	Women community members		Baucau	Ostiko	Ostiko	
			<b>143</b>						
			<b>339</b>						



ANNEX THREE:

**CHRONOLOGY OF DOMESTIC VIOLENCE  
POLICY IN TIMOR-LESTE**

## CHRONOLOGY OF DOMESTIC VIOLENCE POLICY IN TIMOR-LESTE

<b>1997</b>	<ul style="list-style-type: none"> <li>• Formation of FOKUPERS and start of first efforts to provide more organised shelter to women facing abuse</li> </ul>
<b>1999</b>	<ul style="list-style-type: none"> <li>• Women's organisations raise issues of violence against women in post-Referendum violence investigation and reporting</li> <li>• The UN Special Rapporteur on Violence Against Women visits Timor-Leste</li> </ul>
<b>2000</b>	<ul style="list-style-type: none"> <li>• First National Women's Congress and formation of national women's umbrella organisation Rede Feto</li> <li>• A Platform for Action was developed, with violence against women being one of the priority issues</li> </ul>
<b>2001</b>	<ul style="list-style-type: none"> <li>• Discussions regarding a law on domestic violence begin, bringing together East Timorese legal actors</li> <li>• Vulnerable Person's Unit established within the National Police. UN Police and UN Agencies provide initial support and training</li> </ul>
<b>2002</b>	<ul style="list-style-type: none"> <li>• First Fatin Hakmatek opens in Dili National Hospital. Work begins to develop a Forensic Protocol for documentation of injuries</li> </ul>
<b>2003</b>	<ul style="list-style-type: none"> <li>• Timor-Leste ratifies the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Optional Protocol</li> </ul>
<b>2004</b>	<ul style="list-style-type: none"> <li>• Initial draft of the Law on Domestic Violence is delayed by the Council of Ministers, partly because it needed to be in line with/wait for the adoption of a new Criminal Code and was then rejected in 2005 by the Council of Ministers</li> <li>• Second National Women's Congress</li> <li>• Women's Justice Unit formed in the Judicial System Monitoring Program</li> </ul>
<b>2005</b>	<ul style="list-style-type: none"> <li>• Referral Networks begin at national level and in some districts. These were coordinated by NGOs</li> </ul>
<b>2008</b>	<ul style="list-style-type: none"> <li>• Civil society and government begins to gather information for Timor-Leste's first report on its CEDAW implementation</li> <li>• Third National Women's Congress</li> </ul>
<b>2009</b>	<ul style="list-style-type: none"> <li>• Australian Aid begins providing more significant support and funding to service providers through the Justice System Support Facility</li> <li>• Timor-Leste reports to CEDAW. Recommendations from the Committee include several key points on domestic violence and violence and harassment in schools.</li> </ul>
<b>2009</b>	<ul style="list-style-type: none"> <li>• New Penal Code is passed criminalising domestic violence</li> <li>• Law on local governance mandates <i>xefe-suku</i> to take action on crimes of violence against women</li> </ul>
<b>2010</b>	<ul style="list-style-type: none"> <li>• Law on Domestic Violence is passed. Key aspects of the law include clarification of domestic relationships and identification of mandated support for people experiencing violence</li> </ul>

<b>2011</b>	<ul style="list-style-type: none"> <li>• National Strategic Development Plan (2011–2030) identifies “zero tolerance” for violence against women</li> </ul>
<b>2012</b>	<ul style="list-style-type: none"> <li>• National Action Plan on Gender-Based Violence adopted by the Council of Ministers</li> <li>• Fatin Hakmatek facilities expanded to other districts (Oecussi, Suai)</li> <li>• Ministry of Social Solidarity takes on role of coordinating Rede Referral networks</li> <li>• Several SOPs issued by MSS (operation of shelters; operation of referral networks; case management)</li> <li>• New initiatives on gender mainstreaming through government, Gender Responsive Budgeting and Gender Working Groups across ministries</li> </ul>
<b>2013</b>	<ul style="list-style-type: none"> <li>• Fatin Hakmatek is expanded to Maliana</li> <li>• Fourth National Women’s Congress</li> <li>• Devoted legal aid organisation for women and children formed, growing out of JSMP’s assistance to victims (ALFeLa)</li> </ul>
<b>2014</b>	<ul style="list-style-type: none"> <li>• The <i>Nabilan</i> (Ending Violence Against Women) Program funded by DFAT commences</li> </ul>
<b>2015</b>	<ul style="list-style-type: none"> <li>• New government structure changes the Secretary of State for the Promotion of Equality (SEPI) to the Secretary of State for the Support and Socio-Economical Promotion of Women (SEAPSEM)</li> <li>• Civil society submits CEDAW shadow report</li> </ul>

# NOTES

## INTRODUCTION

- 1 The Asia Foundation, *'Ami Sei Vítima Beibeik': Looking to the Needs of Domestic Violence Victims*, 2012, p. 26.
- 2 Judicial System Monitoring Programme, *Incest in Timor-Leste: An Unrecognized Crime*, August 2012, Dili, p. 2.
- 3 Respondent interview.

## PART ONE: DOMESTIC VIOLENCE IN TIMOR-LESTE

- 1 Gender-based violence can also affect both boys and men especially when they transgress traditional gender roles. In addition to gender-based violence and domestic violence, other common terms include 'intimate partner violence' and 'sexual and gender-based violence'. In Tetum, the phrase '*violénsia kontra fetu*' (meaning 'violence against women') is commonly used, as is '*violénsia doméstika*' ('domestic violence').
- 2 United Nations General Assembly, *Declaration on the Elimination of Violence Against Women*, UNGAS, New York, 20 December 1993, A/RES/48/104.
- 3 Democratic Republic of Timor-Leste, *Law Against Domestic Violence*, RDTL, Dili, July 2010, No. 7/2010, Article 2(1).
- 4 *Ibid.*, Article 3.
- 5 *Ibid.*, Article 2.
- 6 Taft, A. and Watson, L, *Violence Against Women in Timor-Leste: Secondary Analysis of the 2009-10 Demographic Health Survey*, Mother and Child Health Research, La Trobe University, July 2013, p.2.
- 7 *Ibid.*, p.23.
- 8 Johnson, M. and Ferraro, K., 'Research on Domestic Violence in the 1990s: Making Distinctions,' *Journal of Marriage and the Family*, 62, November 2000, p. 948.
- 9 *Ibid.*, p. 949.
- 10 *Ibid.*, p. 949.
- 11 *Ibid.*, p. 949.
- 12 While the distinction between 'combined violence' and 'severe violence' is helpful, these categories are not synonymous with Johnson and Ferraro's typologies. For instance, common couple violence may constitute severe violence and 'intimate terrorism' (or what we call 'severe controlling abuse') may technically include no physical violence whatsoever. The latter in particular does not apply to the cases discussed in this report however, and these categories of 'combined violence' and 'severe controlling abuse' were utilised at different points across the report.
- 13 The Asia Foundation, *'Ami Sei Vítima Beibeik'*, *op.cit.*, pp. 8-9.
- 14 *Ibid.*, p. 9.
- 15 Agarwal, B. 'Bargaining' and Gender Relations: Within and Beyond the Household', *Feminist Economics*, 3:1, 1997, p. 4.
- 16 *Ibid.*, p. 8.
- 17 Taft and Watson, *Violence Against Women in Timor-Leste*, *op. cit.*, p. 3.
- 18 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, Dili, 2010, p. 229.
- 19 Taft and Watson, *Violence Against Women in Timor-Leste*, *op. cit.*, p. 3.
- 20 While taking different times spans of either a year or lifetime, other countries in the region reported in their DHS studies include: Cambodia 10 per cent exposure in last 12 months; Solomon Islands 41 per cent exposure in last 12 months; Indonesia 3 per cent lifetime exposure; Papua New Guinea 58–65 per cent lifetime exposure to intimate partner violence. Cited in Government of Australia, Department of Foreign Affairs and Trade, *Investment Design: Timor-Leste Ending Violence Against Women Program (Annex 2)*, Canberra, 2013, p. 8.
- 21 There is however considerable variation between districts in this data, with one district (Manufahi) reporting a prevalence of 65 per cent for violence in the past 12 months, and Ainaro reporting only 8 per cent. Of ever-married women who had experienced violence, 80 per cent of these women had experienced violence from a current or previous intimate partner.
- 22 Taft and Watson, *Violence Against Women in Timor-Leste*, *op. cit.*, p. 230. These statistics demonstrate that some women are subject to violence from more than one person, as in a husband and/or a mother/step mother and/or father/step father.
- 23 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, *op. cit.*, p. 230.
- 24 World Health Organization, *Multi-country Study on Women's Health and Domestic Violence against Women: Summary Report*, WHO, Geneva, 2005, p. 7.
- 25 World Health Organization, *Violence against Women: Intimate Partner and Sexual Violence against Women Fact sheet No. 239*, WHO, Geneva, Updated November 2014, available at <http://www.who.int/mediacentre/factsheets/fs239/en/>
- 26 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, *op. cit.*, p. 246.
- 27 *Ibid.*, p. 245.
- 28 Taft and Watson, *Violence Against Women in Timor-Leste*, *op. cit.*, p. 24.
- 29 *Ibid.*, pp. 24–25.
- 30 These figures are from Table 6.2 on page 24 of Hynes, Michelle Ward, Jeanne Robertson, Kathryn and Koss, Mary, *A Determination of the Prevalence of Gender-Based Violence Among Conflict-Affected Populations in East Timor*, The Reproductive Health for Refugees Consortium and International Rescue Committee, July 2003. For other statistics from the same period see the Judicial System Monitoring Programme's (JSMP) report, *Women in the Formal Justice Sector*, Dili, 2004, where it is identified that a large portion (55 per cent) of the criminal cases heard by the Dili District Court during JSMP's observation period involved women, of which 78 per cent were related to sexual assault. In a different document, a summary of statistics is given by Annika Kovar who, citing Harris Rimmer,

- shows that police reporting indicates that domestic violence was the most commonly reported crime across all districts between 2000 and 2009. Kovar also uses a UNHCR and UNMIT document to show that in 2009 there were 679 cases of gender-based violence reported to the police, of which 462 cases were categorised as domestic violence. See Kovar, Annika, *Customary Law and Domestic Violence in Timor-Leste*, Justice System Programme, UNDP Timor-Leste, 2011.
- 31 Judicial System Monitoring Programme, *Law Against Domestic Violence: Obstacles to implementation three years on*, East Timor Justice Sector Support Facility, Dili, 2013, p. 51.
  - 32 *Ibid.*
  - 33 Plan Timor-Leste, *Timor-Leste Country Strategic Plan (CSP/II)*, Plan Timor-Leste, Dili, 2013, p. 12.
  - 34 Data provided via Timor-Leste Police Development Programme, accessed by Kathryn Robertson.
  - 35 Ministry of Social Solidarity, Department of Social Reinsertion, provided to Kathryn Robertson.
  - 36 *Ibid.*
  - 37 The Asia Foundation, *Law and Justice Survey 2013*, Dili, November 2013, p. 20.
  - 38 *Ibid.*, p. 26.
  - 39 *Ibid.*, p. 28. There is some accounting for this difference in the Law and Justice Survey, and it is suggested here that asking questions on domestic violence in the context of law and order, or security, could have affected reportage rates.
  - 40 *Ibid.*, p. 25.
  - 41 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, Dili, 2010 p. 213.
  - 42 Victim 1, Dili
  - 43 The Asia Foundation, 'Ami Sei Vitima Beibeik': *Looking to the Needs of Domestic Violence Victims*, *op. cit.*, p. 3.
  - 44 The Asia Foundation, *Law and Justice Survey*, *op. cit.*, p. 54.
  - 45 *Ibid.*, p. 54.
  - 46 *Ibid.*, p. 55.
  - 47 *Ibid.*, p. 55.
  - 48 Ellsberg, Mary *et al.*, 'Intimate Partner violence and Women's Physical and Mental Health in the WHO Multi-Country Study on Women's Health and Domestic Violence: An Observational Study,' *Lancet*, 2008: 371: pp. 1165–72.
  - 49 Commission on the Status of Women, *Concluding Observations*, E/2013/27 E/CN.6/2013/11, CSW, New York, 2013. See also Oxfam, *Close the Gap: How to Eliminate Violence Against Women Beyond 2015*, Oxfam, London, 2014 and United Nations Experts Group Meeting, *Report of the Expert Group Meeting on Prevention of Violence against Women and Girls*, EGM/PP/2012/, UN Women, Bangkok, 2012.
  - 50 Taft and Watson, *Violence Against Women in Timor-Leste*, *op. cit.*, p. 4.
  - 51 World Health Organization, *Violence against Women: Intimate Partner and Sexual Violence against Women Fact sheet No. 239*, *op. cit.*, available at <http://www.who.int/mediacentre/factsheets/fs239/en/>
  - 52 Taft and Watson, *Violence Against Women in Timor-Leste*, *op. cit.*, p. 5.
  - 53 Plan Timor-Leste, *Timor-Leste Country Strategic Plan (CSP/II)*, Dili, 2013, p. 12.
  - 54 Child Frontiers and UNICEF, *Mapping and Assessment of the Child Protection System in Timor-Leste*, Child Frontiers, Hong Kong, March 2011, p. 29.
  - 55 Creative Associates International Inc., *School Dropout Prevention Pilot Program, Timor-Leste Situational Analysis: A Summary*, USAID, Washington D.C., February 2013, p. 8.
  - 56 Department for International Development (DFID), *Guidance Note 1: A Theory of Change for Tackling Violence against Women and Girls*, DFID CHASE Guidance Note Series, London, June 2012.
  - 57 World Health Organization, *Violence against Women-Intimate Partner and Sexual Violence against Women, Fact sheet No. 239*, *op. cit.*, <http://www.who.int/mediacentre/factsheets/fs239/en/>
  - 58 *Ibid.*
  - 59 *Ibid.*
  - 60 United Nations General Assembly, *In-depth Study on all Forms of Violence against Women*, General Assembly, New York, 2006, A/61/122/Add.1. See also the United Nations General Assembly, *Declaration on the Elimination of Violence Against Women*, General Assembly, New York, 1993, A/RES/48/104.
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  - 63 Hynes *et al.*, *A Determination of the Prevalence of Gender Based Violence*, *op. cit.*, p. 25.
  - 64 Alves, M, Sequeira, I, Abrantes, L, and Reis, F., *Baseline Study on Sexual and Gender-Based Violence in Bobonaro and Covalima*, Asia Pacific Support Collective, Dili, 2009.
  - 65 *Ibid.*, p. 2.
  - 66 *Ibid.*, p. 3.
  - 67 *Ibid.*, pp. 2-4.
  - 68 UNDP, *Breaking the Cycle of Domestic Violence in Timor-Leste: Access to Justice Options, Barriers, and Decision-Making in the Context of Legal Pluralism*, September 2013, p. 18.
  - 69 Khan, N and Hyati, S., *Bride-Price and Domestic Violence in Timor-Leste: A Comparative Study of Married-In and Married-Out Cultures in Four Districts*, September 2012, p. 36.
  - 70 UN Secretary General, *Ending Violence Against Women: From Words to Action*, United Nations, New York, 2006, p. ii.
  - 71 National Statistics Directorate and United Nations Population Fund, *Population and Housing Census of Timor-Leste, 2010, Volume Two: Population Distribution by Administrative Areas*, Government of Timor-Leste, Dili, 2011, p. xxi.



- 72 Food and Agriculture Organization of the United Nations, *Guidance Note: Gender-Based Violence and Livelihoods Interventions: Focus on populations of humanitarian concern in the context of HIV*, p. 19, available at: <[http://www.fao.org/fileadmin/templates/dimitra/pdf/guidance\\_note\\_gbv\\_livelihoods.pdf](http://www.fao.org/fileadmin/templates/dimitra/pdf/guidance_note_gbv_livelihoods.pdf)> last accessed 2 May 2014.
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- 74 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, *op. cit.*, p. 229.
- 75 *Ibid.*, p. 230.
- 76 STRIVE, *What Works to Prevent Partner Violence: An Evidence Overview*, STRIVE Research Consortium, London, 2011, p. 56.
- 77 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, *op. cit.*, p. 231.
- 78 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10*, *op. cit.*, p. 238.
- 79 *Ibid.*, p. 245.
- 80 World Bank 2010, *Trust, Authority, and Decision Making: Findings from the Extended Timor-Leste Survey of Living Standards*, The International Bank for Reconstruction available at: <http://documents.worldbank.org/curated/en/2010/06/12605553/trust-authority-decision-making-findings-extended-timor-leste-survey-living-standards> last accessed: 5 November 2013, p. 5.
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- 82 *Ibid.*, p. 246.
- 83 *Ibid.*, p. 248.
- 84 Heise, Lori and Garcia-Moreno, Claudia, 'Violence by Intimate Partners', in Krug, Etienne G., Dahlberg, Linda, Mercy, James, Zwi, Anthony and Lozano, Rafael (Eds), Etienne et al., Eds. *World Report on Violence and Health*, WHO, Geneva, 2002, p. 99. 89-121, as cited in Bott et al, p. 99.
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- 88 *Ibid.*, p. 59 – 60.

## PART TWO: THE MARRIED ECONOMY IN TIMOR-LESTE

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- 3 Geohive global population statistic website <[www.geohive.com/earth/pop\\_urban.aspx](http://www.geohive.com/earth/pop_urban.aspx)>, accessed 29 April 2014.
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- 8 UNICEF, *The state of the world's Children 2011*, The United Nations Children's Fund, New York, 2011, p. 94, available at: <[www.unicef.org/infobycountry/files/SOWC\\_2011.pdf](http://www.unicef.org/infobycountry/files/SOWC_2011.pdf)>, accessed 29 April 2014.
- 9 *Ibid.*, p. 11.
- 10 World Food Programme, 2006, *op. cit.*, pp. 66-68.
- 11 The World Bank bases its prediction on an econometric model derived from Timor-Leste Survey of Living Standards (TLSLS) 2007 data which is then applied to data derived from the 2009-10 Demographic and Health Survey. See *2009 Update of Poverty Incidence in Timor-Leste using the Survey-to-Survey Imputation Method*, World Bank, Dili, 2010.
- 12 Timor-Leste Ministry of Finance 2011, *Timor-Leste Household Income and Expenditure Survey*, Government of Timor-Leste, Dili, 2011, p. 22.
- 13 *Ibid.*, p. 32.
- 14 National Statistics Directorate and the Secretary of State for Vocational Training and Employment, *Timor-Leste Labour Force Survey 2010*, International Labour Organization, Government of Timor-Leste, Dili, 2010, p. 42.
- 15 United Nations Development Programme (UNDP), *Timor-Leste Human Development Report 2011*, *op. cit.*, p. 51.
- 16 *Ibid.*, p. 51. "The economically inactive population comprises all those who are neither employed or unemployed, due to conditions such as attending educational institutions, being retired from employment, being engaged in family or household work."
- 17 United Nations General Assembly, Sixty-eighth Session, Item 69 (c) of the provisional agenda, *Promotion and Protection of Human Rights: Human Rights Situations and Reports of Special Rapporteurs and Representatives: Extreme Poverty and Human Rights*, Note by the Secretary-General, A/68/293, 9 August 2013.
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- 20 Focus group discussion, *suku Bairro Pite, aldeia Rio de Janeiro*, Dili.
- 21 National Statistics Directorate, *Population and Housing Census of Timor-Leste, 2010, Volume 2*, *op. cit.*, p. xxiii.
- 22 UNDP, *Timor-Leste Human Development Report 2011*, *op. cit.*, p. 32.
- 23 *Ibid.*, p. 32. Depending on which figure is accepted, this rate of work is comparable to either India (36 per cent) and Nigeria (40 per cent) or the Philippines (50 per cent), and South Africa (51 per cent).



- 24 *Ibid.*, p. 37. See also Asia Development Bank, *Gender and Nation Building in Timor-Leste: Country Gender Assessment*, The Asian Development Bank, The Philippines, 2005, p. 25.
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- 26 World Bank, *Timor-Leste: Expanding Near-Term Agricultural Exports, Volume One: Main Report*, The International Bank for Reconstruction and Development/The World Bank, 2011, p. 35.
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- 28 Focus group discussion, *suku* Caicoli, Dili.
- 29 Focus group discussion, *suku* Ogues, Covalima.
- 30 Focus group discussion, *suku* Ogues, Covalima.
- 31 World Bank, *Gender in Agriculture Sourcebook*, The International Bank for Reconstruction and Development, Washington DC, 2009, p. 2.
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- 33 Focus group discussion, *suku* Ogues, Covalima.
- 34 Participatory rural appraisal discussion, *aldeia* Sakoko, *suku* Caicoli.
- 35 Focus group discussion, *aldeia* Rio de Janeiro, *suku* Bairro Pite, Dili.
- 36 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10, op. cit.*, p. 42.
- 37 *Ibid.*, p. 43; World Bank, *Timor-Leste: Expanding Near-Term Agricultural Exports, Volume One, op. cit.*, p. 35.
- 38 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10, op. cit.*, p. 41.
- 39 *Ibid.*, p. 204.
- 40 International Labour Organization, Government of Timor-Leste, National Statistics Directorate and the Secretary of State for Vocational Training and Employment, *Timor-Leste Labour Force Survey 2010*, Dili, 2010, p. 42. 'Vulnerable Employment' is defined in this Survey on p. 14 as "People in vulnerable employment are defined as those whose status in employment is given as being own-account worker or contributing family member, while the vulnerable employment rate is obtained by calculating this sum as a proportion of total employment. It is a newly defined measure of persons who are employed under relatively precarious circumstances as indicated by status in employment.
- 41 UNDP, Timor-Leste Human Development Report 2011, *op. cit.*, p. 20.
- 42 International Labour Organization, Government of Timor-Leste, National Statistics Directorate and the Secretary of State for Vocational Training and Employment, *Timor-Leste Labour Force Survey 2010, op. cit.*, p. 42.
- 43 *Ibid.*
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- 45 Focus group discussion, *suku* Caicoli, Dili.
- 46 CARE Timor-Leste, *Gender and Power Analysis for the Mudansa Klimatika iha Ambiente Seguru (MAKA'AS Project)*, Care, Dec 2012, p.6
- 47 Golla, A., Malhotra, A., Nanda, P., Mehra, R., *Understanding and Measuring Women's Economic Empowerment*, International Center for Research on Women, Washington, 2013, p. 3
- 48 *Ibid.*, p. 4.
- 49 Timor-Leste Ministry of Finance, *Timor-Leste Household Income and Expenditure Survey 2011, op. cit.*, p. 32.
- 50 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10, op. cit.*, p. 206.
- 51 *Ibid.*, p. 43.
- 52 Bettencourt, Elisa. *et al.*, *The Economic and Sociocultural Role of Livestock in the Wellbeing of Rural Communities of Timor-Leste*, CEFAGE-UE, Portugal, 2013, p. 11. Where the author argues "to treat the pigs and chickens is considered a women's work, on the opposite the guard of buffaloes and cows, which are male property, is considered a man's job."
- 53 Participatory rural appraisals 1, Suliwa, Buruma, Baucau, and focus group discussion Suliwa, Buruma, Baucau.
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- 55 National Statistics Directorate and the Secretary of State for Vocational Training and Employment, *Timor-Leste Labour Force Survey 2010, op. cit.*, p. 42.
- 56 Even with all these constraints considered, small business and micro enterprise remains a relatively profitable area for women. Almost 50 per cent of enterprises in the micro-enterprise segment of the informal economy are owned by women (UNDP *Timor-Leste Human Development Report 2011, op. cit.*, p. 96) and, for example, far higher proportions of women are employed for cash in this sector than in the agricultural sector (Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10, op. cit.* p. 43; World Bank, *Timor-Leste: Expanding Near-Term Agricultural Exports, Volume One: Main Report, op. cit.*, p. 35).
- 57 International Finance Corporation, *Timor-Leste: Gender and Investment Climate Reform Assessment*, Dili, 2010.
- 58 World Bank, *Gender in Agriculture Sourcebook, op. cit.*, p. 2.
- 59 World Bank, *Timor-Leste: Expanding Near-Term Agricultural Exports, Volume One, op. cit.*, p. 76.
- 60 Oxfam Australia, *A Gender Analysis of Permaculture in Timor-Leste*, Oxfam Australia, Dili, 2003, p. iii.
- 61 World Bank, *Timor-Leste: Expanding Near-Term Agricultural Exports, Volume One, op. cit.*, p. 76.
- 62 Webb, J. and Daze, A., *Livelihood Security in a Changing Climate, op.cit.*, p.16; European Union, *Food Security Baseline Survey Of Bobonara, Covalima, Liquiça, Lautem, Manatuto, Manufahi, And Oecusse Districts*, European Union NGO Food Security Program for Timor-Leste, Dili, 2008, p. 11.
- 63 National Statistics Directorate and United Nations Population Fund, *Population and Housing Census of Timor-Leste, 2010, Volume Two, op. cit.*, p. xxi.
- 64 National Statistics Directorate and United Nations Population Fund, *Total Urban and Rural Populations*, Dili, 2008, pp. 8-10.
- 65 UNFPA Website, <countryoffice.unfpa.org/timor-leste/2009/11/02/1482/timor-leste\_democratic\_republic\_of/>, accessed 29 April 2014.
- 66 World Food Programme, *Timor-Leste: Comprehensive Food Security and Vulnerability Analysis, op. cit.*, p. 11.
- 67 Timor-Leste Ministry of Finance, *Timor-Leste Household Income and Expenditure Survey, op. cit.* p. 78.
- 68 *Ibid.*, p. 22.
- 69 *Ibid.*, p. 32.

- 70** The National Statistics Directorate tracks an unexplained drop in the percentage of economically active women engaged in agriculture from 80 per cent in 2004 to 61 per cent by 2011. While this may partly be due to methodological issues (the 2011 census inexplicably shows more than 30,000 fewer women in employment than in 2004), it may also reflect changes in the East Timorese economy as a whole, with a growing number of women over this period shifting from agriculture to being employed in wholesale/retail trade, education and public administration. Alternatively, and reflecting on a potential generational change in terms of women and work, it may be that fewer younger women are involving themselves in agricultural production. See National Statistics Directorate and United Nations Population Fund, *Population and Housing Census of Timor-Leste, 2010, Volume Three: Social and Economic Characteristics*, Dili, 2011, pp. 202-274.
- 71** Agarwal, 'Bargaining' and Gender Relations, *op.cit.*, p. 7.
- 72** Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10 op. cit.*, p. 204.
- 73** *Ibid.*, p. 208. However, for married women under 24 years, the proportion of husband/partners who take responsibility for making decisions about spending family earnings without involving their wife more than doubles to 12.5 per cent. *Ibid.*, p. 204.
- 74** *Ibid.*, p. 207.
- 75** *Ibid.*, p. 207.
- 76** *Ibid.*, p. 210.
- 77** Focus group discussion, *suku* Caicoli, Dili.
- 78** Focus group discussion, *suku* Bairro Pite, Dili.
- 79** Focus group discussion, *suku* Bairro Pite, Dili.
- 80** Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-10 op.cit.*, p. 208.
- 81** Focus group discussion, *aldeia* Tasi, *suku* Buruma, Baucau.
- 82** Focus group discussion, *suku* Caicoli, Dili.
- 83** Focus group discussion, *suku* Bairro Pite, Dili.
- 84** Focus group discussion, *aldeia* Suliwa, *suku* Buruma, Baucau.
- 85** Victim 5, Covalima.
- 86** Victim 4, Baucau.
- 87** Victim 1, Baucau.
- 88** Johnson, M. and Ferraro, K., 'Research on Domestic Violence in the 1990s: Making Distinctions', *op. cit.*, p. 949.
- 89** Victim 4, Baucau.
- 90** Victim 4, Dili.
- 91** *Lia mate* refers to ceremonies and cultural practices pertaining to death, such as the burial of the dead where contributions in the form of livestock, food and/or money are often made, *ai-funan midar* and *ai-funan moruk* (sweet and bitter flowers), and *koremotan*, signaling the end of the mourning period. *Lia moris* can refer to the cultural ceremonies and rites particularly around marriage including the negotiation of *barlake*.
- 92** Researchers noted that in some *suku* women were reluctant to put this down as they felt it did not apply to all women in the group and some participants found it difficult to talk about and/or thought that it was too sensitive an issue to list.
- 93** Participatory rural appraisals: 1 Suliwa; 1 Tasi; 1 Orun; 1 TAT; 1 Rio de Janeiro.
- 94** Focus group discussion, Suliwa, Buruma, Baucau.
- 95** Interview, Parish Priest, (Location suppressed).
- 96** Focus group discussion, *aldeia* Suliwa, *suku* Buruma, Baucau.
- 97** Focus group discussion, *suku* Caicoli, Dili.
- 98** Focus group discussion, *suku* Caicoli, Dili.
- 99** The smaller sample size does mean that there are likely to be quirks in the data, and of course these may well reduce in a broader study as future studies could focus on the most commonly grown crops, etc. Nevertheless, we have tried wherever possible to stay true to the views as they were expressed by women in focus group discussions, even where its intricacies may not hold in larger samples.
- 100** In these instances, this may be the woman indicating that the land is her family's, seeing her ownership in a familial rather than individual context.
- 101** World Bank 2009, *Gender in Agriculture Sourcebook*, *op. cit.*, p. 126.
- 102** International Finance Corporation, *Timor-Leste: Gender and Investment Climate Reform Assessment*, Washington DC, 2010, p. 49.
- 103** World Bank, *Gender in Agriculture Sourcebook*, *op. cit.*, p. 2.
- 104** *Ibid.*, p. 127.
- 105** International Finance Corporation, *Timor-Leste: Gender and Investment Climate Reform Assessment*, *op. cit.*, p. 51.
- 106** Haburas Foundation, *Community Voices of the Land*, Haburas Foundation, Dili, 2010, pp.192-197.
- 107** International Finance Corporation, *Timor-Leste: Gender and Investment Climate Reform Assessment*, *op. cit.*, p. 51.
- 108** *Ibid.*, p. 51.
- 109** Recommendations to the Draft RDTL (Government of Timor-Leste) Civil Code Gender Land Working Group 2009 in IFC 2010, *op. cit.*, p.50.
- 110** Global experience indicates that often access to credit may be dependent on the size of landholdings, so a lack of access to land has significant flow on effects for access to other key productive assets and resources needed by women to build viable livelihoods. Furthermore, in Timor-Leste, poverty also appears to increase with small land size both in urban and rural areas, with smallholder farmers being among the poorest. IFC. 2010, *op. cit.*, p. 51; Trócaire, *Livelihoods Programme Baseline Survey*, Trocaire (Caritas Ireland), Dili, 2011, p. 37.
- 111** This is perhaps reflected in that fact that while 34 per cent of communities surveyed by the Matadalan ba Rai *Community Voices of the Land* research team saw women's lack of land rights as a problem, only five per cent of people within these communities rated this as a high priority issue (Haburas Foundation, *Community Voices of the Land*, *op. cit.*, pp.27-29). Furthermore, these legislative efforts to advance the cause of women's land rights are being accompanied (as they often are) by a push to open up the property market and facilitate investment. This makes land more easily bought and sold, but also makes land more alienable, an effect that poses a real threat to women who typically are less literate and have had less access to education. Field level interviewees reported to

the International Finance Corporation that women tend not to understand the value of their land and in turn can be taken advantage of, such as by entering into long-term leases at an under-value rate, International Finance Corporation, *Timor-Leste: Gender and Investment Climate Reform Assessment, op. cit.*, p. 53.

- 112 Focus group discussion, *suku* Ostiko, Bauca district.
- 113 Participant discussion in participatory rural appraisal 2, *aldeia* Asumaten, *suku* Debos, Covalima district.
- 114 The table shows different *suku* according to access and control of land and housing (hence *suku* are listed multiple times for each). The only exception is Orun where three categories were listed: *uma* (house), *to'os* (fields) and *rai* (land.)
- 115 Focus group discussion, *suku* Debos.
- 116 Participatory rural appraisal, *aldeia* Tasi, *suku* Buruma, Baucau.

### PART THREE: MARRIAGE AND SEPARATION

- 1 UNDP, *Breaking the Cycle of Domestic Violence in Timor-Leste, op.cit* p.26.
- 2 Niner, S. 'Hakat Klot, Narrow Steps', *International Feminist Journal of Politics*, 13:3, pp. 413-435.
- 3 Wigglesworth, A. *Becoming Citizens: Civil Society Activism and Social Change in Timor-Leste*, A thesis submitted for the degree of Doctor of Philosophy', School of Social Sciences, Victoria University, April 2010, p. 127.
- 4 Victim 4, Covalima.
- 5 Focus group discussion, *aldeia* Suliwa, *suku* Buruma, Baucau.
- 6 A dowry is instead paid by a woman's family to that of the man.
- 7 Hicks, D. 'Compatibility, Resilience and Adaptation: The Barlake of Timor-Leste', in Damian Grenfell (ed), 'Traversing Customary Community and Modern Nation-Formation in Timor-Leste', *Local-Global: Identity, Security, Community*, Volume Eleven, 2012. K. Silva, 'Foho Versus Dili: The Political Role of Place in East Timor National Imagination', *REALIS-Revista de Estudos AntiUtilitaristas e PosColoniais*, 1.2, 2011.
- 8 *Ibid.*, p. 127.
- 9 Niner writes, "Indigenous kinship and alliance systems are maintained through marriage. The flow of women and their fertility as wives in marital alliances is called 'Flow of Life' by anthropologists and resembles other systems in Eastern Indonesia (Fox 1980). Marriage is bound by the lore of barlake (simplified in Western translations to dowry or bride price), which is part of a wider, complex system of social action and ritual exchange aimed at creating social and spiritual harmony (Cristalis and Scott 2005: 22). These customs demonstrate the central importance of women and their fertility in indigenous society." Niner, 'Hakat Klot, Narrow Steps', *op. cit.*, p. 417. See also Niner, S., 'Barlake: An Exploration of Marriage Practices and Issues of Women's status in Timor-Leste', in Damian Grenfell (ed), 'Traversing Customary Community and Modern Nation-Formation in Timor-Leste', *Local-Global: Identity, Security, Community*, Volume Eleven, 2012, p. 144.
- 10 Khan and Hyati, *Bride-Price and Domestic Violence in Timor-Leste, op. cit.*, p. 23.
- 11 Niner, 'Barlake: An Exploration of Marriage Practices and Issues of Women's status in Timor-Leste', *op.cit.*, p. 144.
- 12 Hicks, 'Compatibility, Resilience and Adaptation', *op.cit.*, pp. 124-128.
- 13 *Ibid.*, p. 127.
- 14 Niner, 'Barlake: An Exploration of Marriage Practices and Issues of Women's status in Timor-Leste', *op.cit.*, p. 144.
- 15 Khan and Hyati, *Bride-Price and Domestic Violence in Timor-Leste, op. cit.*, p. 23.
- 16 *Ibid.*, p. 17. See also T. Hohe, 'Justice without judiciary in East Timor', *Conflict, Security & Development*, 3:3, 2003, and Silva, 'Foho Versus Dili', pp. 150-151.
- 17 Often spelled '*barlaque*' and also sometimes referred to as '*hafolin*.'
- 18 Interview, Victim 5, Dili.
- 19 Interview, Victim 4, Baucau.
- 20 Focus group discussion, *aldeia* Suliwa, *suku* Buruma, Baucau.
- 21 Interview Victim 4, Baucau.
- 22 Focus group discussion, *aldeia* Tasi, *suku* Buruma, Baucau district.
- 23 Focus group discussion, *aldeia* Tasi, *suku* Buruma, Baucau.
- 24 Focus group discussion, *aldeia* Tasi, *suku* Buruma, Baucau.
- 25 For example, one Belun report maintained, "These studies have noted that the practice of requesting a dowry as a 'bride-price', a dominant cultural practice observed by many ethnic groups within Timor-Leste, has the potential to create perceptions of ownership by a man over his wife. It is argued that such perceptions have been used as justifications for the perpetuation of inequality in gender roles, at times leading to gender-based violence." Belun, EWER Policy Brief No. 5, *Culture and its Impact on Social and Community Life*, 2011, p. 11.
- 26 IRC, *Traditional Justice and Gender-Based Violence, op.cit.*, p. 13.
- 27 *Ibid.*, p. 15.
- 28 USAID, *Gender Assessment for USAID/Timor-Leste Country Strategy Plan FY 2004-2009*, 2004, p. 4.
- 29 Kahn and Hyati, *Bride-Price and Domestic Violence in Timor-Leste, op. cit.*, p. 34.
- 30 UNDP, *Breaking the Cycle of Domestic Violence in Timor-Leste, op. cit.*, p. 20.
- 31 *Ibid.*
- 32 *Ibid.*
- 33 Hynes, 'A Determination of the Prevalence of Gender Based Violence Among Conflict-Affected Populations in East Timor', *op.cit.*, p. 25.
- 34 Alves et al, 'Baseline Study on Sexual and Gender-Based Violence in Bobonaro and Covalima', *op. cit.*, p.16.
- 35 Silva, K., 'Foho Versus Dili: The Political Role of Place in East Timor National Imagination', *REALIS-Revista de Estudos AntiUtilitaristas e PosColoniais*, 1.2. (2011) and K. Silva, 'Negotiating Tradition and Nation: Mediations and Mediators in the Making of Urban Timor-Leste', *The Asia Pacific Journal of Anthropology*, 14:5, 2013, 455-470.
- 36 Heise et al, 'Ending violence against women', *op. cit.*, pp. 1232-37.

- 37 Victim 5, Dili.
- 38 Victim 2, Baucau.
- 39 Victim 9, Dili.
- 40 Interview Victim 2, Baucau.
- 41 Victim 2, Dili.
- 42 World Health Organization, *Multi-country Study on Women's Health and Domestic Violence against Women: Summary*, p. 20.
- 43 Garcia-Moreno, Claudia, Jansen, Henrica A.F.M., Ellsberg, Mary, Heise, Lori, and Watts, Charlotte, *World Health Organization Multi-country Study on Women's Health and Domestic Violence against Women: Initial Results on Prevalence, Health Outcomes and Women's Responses*, 2005, p. 77.
- 44 *Ibid.*, p. 75.
- 45 *Ibid.* p. 79.
- 46 Focus group discussion, *aldeia* Sakoko, *suku* Caicoli, Dili.
- 47 Focus group discussion, *aldeia* Tasi, *suku* Buruma, Baucau.
- 48 Focus group discussion, *aldeia* Sakoko, *suku* Caicoli, Dili.
- 49 Participant in focus group discussion in *aldeia* Suliwa, *suku* Buruma, Baucau.
- 50 Victim 5, Covalima.
- 51 Two women found it very difficult to think about or use the language 'better' as they were in highly vulnerable situations.
- 52 The Asia Foundation, 'Ami Sei Vitima Beibeik', *op.cit.*, p. 4.
- 53 *Ibid.*, p. 26.
- 54 Judicial System Monitoring Programme, *Law Against Domestic Violence: Obstacles to Implementation Three Years On*, Dili, 2013.
- 55 UNDP, *Breaking the Cycle of Domestic Violence in Timor-Leste*, *op.cit.*, p. vii.
- 56 The Asia Foundation, 'Ami Sei Vitima Beibeik', *op.cit.*, p. 4.
- 57 UN Women, 'Progress of the World's Women: In Pursuit of Justice', 2011, as quoted in UNDP 'Breaking the Cycle of Domestic Violence in Timor-Leste', *op.cit.*, p.48.
- 58 Focus group discussion, *aldeia* Sakoko, *suku* Caicoli, Dili.
- 59 *Nahe biti*: Literally, 'stretching the mat,' a local Timorese equivalent of reconciliation which embraces the notion of meeting, discussion, and agreement in order to reach a consensus among opposing factions.
- 60 Focus group discussion, *suku* Caicoli, Dili.
- 61 Focus group discussion, *aldeia* Rio de Janeiro, *suku* Bairro Pite, Dili.
- 62 Focus group discussion, *suku* Caicoli, Dili.
- 63 UNDP, 'Breaking the Cycle of Domestic Violence in Timor-Leste', *op.cit.*, p. 24; Marriott, A., 'Justice in the Courts, Justice in the Community: Bridging Timor's Legal Divide' in Mearns, D. (ed): *Governance in Timor-Leste: Reconciling Local and National*. Darwin, Charles Darwin University Press, 2008.
- 64 Victim 2, Covalima.
- 65 Respondent interview.
- 66 Administrative Judge, Baucau.
- 67 Timor-Leste Ministry of Finance, *Timor-Leste Demographic and Health Survey 2009-2010*, *op.cit.*, p. 245.
- 68 Victim 6, Dili and Victim 5, Covalima.
- 69 Victim 4 Baucau.
- 70 Victim 5, Baucau.
- 71 Service Provider (details suppressed).
- 72 Victim 2, Baucau.

## ANNEX ONE: METHODOLOGY

- 1 The population figures for each suku are taken from the 2010 Census.
- 2 Two interviews involved violence not perpetrated by an intimate partner and so did not fit the typology for this piece of research. One interview was not recorded at the request of the respondent and the accuracy of note taking did not allow us to compare the same statistics across other respondents – some of this qualitative data was used but this case was not used in the more quantitative tables showing numbers of victims separated etc. One respondent was deemed to be too vulnerable by researchers to proceed with the interview.
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