

Arabunna land in the mid-1990s. The dispute over the pipeline led to violence, terrorism, imprisonment, and a death.

Jan Whyte and Ila Marks summarised the controversy in the July 1996 edition of *Chain Reaction*, pinpointing a method documented in the United States and Canada, as well as Australia, used by mining companies to sidestep proper consultation processes. The strategy involves mining companies attempting to incorporate small Aboriginal groups in specific areas under dispute and providing them with financial support. They are then regarded 'as the official represen-

tatives for that area and mining companies proceed to consult with them ... ignoring the correct legal processes ... [and other] parties who have legitimate interests'.

The same kind of co-optative and deceptive practices are likely to flourish under the 2006 amendments to the ALRA. At the least, there are now fewer checks upon this kind of abuse. Whether or not there is a direct link between the policies introduced under Howard's national emergency around child abuse and mining interests, one does not have to look far to find extensive evidence of this government taking self-determination out of

Indigenous hands. As actions in the Northern Territory continue to unfold, it is as well to keep in mind the Howard Government's history of collusion with uranium mining companies to override the wishes of Indigenous opponents of uranium mining.



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Making Modernity in Timor-Leste

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Graffiti on a wall of a burnt-out shop reads '*iha ne'e la simu firaku*'— we don't accept Easterners here — as a group of young men sit near the end of a side road made up of burnt-out buildings and car bodies. The young men identify themselves as Loromonu, coming from the West of Timor-Leste. They are watching the other end of the street intently, and begin to produce sling-shots to shoot rocks over the houses. Within a minute there is a group of Lorosa'e, or Easterners, at the other end of the street, and the two groups begin rock-throwing in earnest. More serious weapons are produced and we are told to run.

This was daily life in Dili, capital of Timor-Leste, midway through 2006. A walk-out earlier in the year by nearly 600 soldiers — known as the petitioners — triggered dramatic fighting in a factionalised security force, which in turn gave way to large-scale violence in the capital between Easterners and Westerners, crossed with different gangs. In recent months the violence has become more-or-less regularised and contained, and the recently held presidential and parliamentary elections were seen by many commentators as a way to correct what was hoped

had been an aberration in the post-independence history of Timor-Leste.

The focus given to the elections by non-Timorese, both in terms of resources and also analysis, was staggering. Teams of observers and innumerable journalists and commentators joined seemingly hundreds of UN staff members in a massive exercise of eye-witnessing and interpretation. Across email lists and in the op-ed pages of Australian dailies, commentators of different political persuasions battled it out trying to save one party in Timor-Leste from another, or taking the rather glib line that 'democracy would be the winner'.

It is not hard to see why international commentators saw the elections as important. In an immediate sense they gave a clear idea of the political terrain, notably which personalities had survived the crisis and to what degree voter loyalties had changed. More generally, the elections provided a process of re-legitimation for the state as a whole in the wake of the crisis and, given that they were the first full and free parliamentary elections, they provided the clearest symbolic-political testimony of national self-determination.

In this discourse, and even in the

many disagreements, the state was represented as the only legitimate way to understand Timor-Leste society as a whole.

While elections may draw more attention than most other political events, in Timor-Leste the state is rarely far from the centre of policy analysis or commentary. For example, many international donors have focused their energies over the last five years on strengthening state institutions in the new republic, with renewed efforts being made in the wake of the 2006 crisis. Many of the key documents produced on the 2006 crisis treated the state as the central focus of society as whole. For example, a major UN report argued that the crisis 'can be explained largely by the frailty of State Institutions and the weakness of the rule of law'.

In the various commentaries the state is treated as either the source of the violence or as the panacea for the republic's problems. Such a focus and emphasis only occurs when commentators transfer onto Timor-Leste their own sense of what is socially legitimate. In a sense, what they are looking for is a point of socio-cultural equivalence that will allow Timor-Leste to become 'legible': open to interpretation

and judgement. By contrast, non-state or non-institutional social activities are held largely to be beyond the scope of political consideration.

A problem with this approach is the emphasis on the state is disproportionate to its role in East Timorese society. In fact, when travelling out of Dili the state often seems to barely touch down within communities at all. In a short article written for *Arena Magazine* in 1994, Benedict Anderson argued that Indonesia's attempt to absorb East Timor had failed partly because a sense of East Timorese commonality had been produced through the 'gaze' of the Indonesian state. Indonesian power was, according to Anderson, 'infinitely more penetrating, infinitely more widespread, than Portuguese colonial power ever was'. To think comparably in the present period, both the socio-material destruction of 1999 and the subsequent centralisation of political power in Dili means that the new state has not been able to replicate anything like the gaze of its Indonesian predecessor, even in a benevolent form.

Despite the urbanised appearance of much of Dili, the country as a whole remains overwhelmingly agricultural-subsistence. The mode of communication remains predominantly oral; forms of social hierarchy are genealogically and patriarchally framed; and the world is understood and regulated by *adat* (customs) and *lulik* (belief in sacred objects, often fusing the human with the natural world), with Roman Catholicism layered over the top. Typically, connection to particular land is incredibly strong, even within a relatively mobile urban elite who tend to still hold their identities in close proximity to either their mothers' or fathers' land (depending on ethnolinguistic grouping).

In these communities, tribal-traditional social forms tend to regulate the world in a way that the state has yet to come even close to achieving. Friends of mine will not enter or walk near their *uma lulik* because of a division in the family, believing that if they do they will die. Sickness will be caused by others casting spells, especially *buans* (witches), and may only be cured by drinking magic waters, not modern medicines from health clinics. People will turn into cats and bring bad luck, people will be struck by lightning for handling *lulik* items, and others will fall dead for lying during *adat* ceremonies. The reading of animal entrails or eggs can give information about the human world, and these are often used by *adat nain*, or *matan dook* (what we might call a wizard or soothsayer), who can be

trusted with the future more than the state media. Police are largely irrelevant when criminals can render themselves invisible.

These are not examples from some anthropological study, but just a sample from everyday life. And moreover, such beliefs are not just limited to rural communities, but weave their way through the lives of urbanised university students, the professionally employed, and at times into the national media. For instance, late last year the top story on the evening news was that the sea off the coast of Tasi Tolu had turned red and a disfigured pig had

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been born in Dili. While for me they were perhaps evidence of an algae outbreak and genetic disorder, many East Timorese took them to be interrelated signs of impending disaster connected to the crisis. (Such beliefs are so regularly expressed that I did not even think twice when a friend sent me a text message recently to say she would be late because she was visiting a *matan dook* to find out who stole her computer.)

One of the difficulties faced in trying to alter the patterns of discourse so that tribal-traditional belief sets are taken more seriously are the views of the political and cultural elites. For example, Fretilin's slogan for the parliamentary elections was '*vota Fretilin atu hametin estadu*' — vote Fretilin to strengthen the state. But it is not only Fretilin's founders who more than 30 years ago wished to see the state fully realised as part of a wholesale transformation of Timor-Leste. In recent decades, those educated under the Indonesian regime and those who have entered the circuits of power in Dili today — highly literate, educated, trained, workshopped, capacity-built, networked, multi-lingual — have formed a new elite (and here I mean a kind of post-conflict global-south version of C. W. Mills' power elite) whose modernist views tend to overlap significantly with those of the international commentariat. These are the people whose views tend to be accepted as a sensible interpretation of the country as a whole, and yet it is possible that they only represent a small portion of the population.

The other difficulty in trying to bring the tribal-traditional in Timor-Leste into discussion is that it runs the risk of resonating with the deep-seated colonial mindset that holds that people with views like these are savages and undeserving of independence. Look to the self-assured prejudice of the Jakarta lobby if you need examples of that. Or to the ever ready-to-pounce brigades of the politically correct that are likely to regard such discussion as a backhanded way of suggesting that the people are backward or uncivilised. Both views are oddly linked by a perception that non-modern forms of living are

negative: either they need to be overcome or, alternatively, denied as colonial misrepresentation.

Attempts to bring different belief sets into discussion are important, not only to correct the emphasis given to the state, but also to see how the state might be experienced differently were such a discussion to be taken seriously. Discourses on citizenship, democracy, justice and equity seem to sit oddly with the day-to-day realities of Timor-Leste. Just to give one example, a friend of mine was banned from her high school for a year by the principal on a technical point, a move made as part of a broader political struggle in that community. Taking her case to both the Ministry of Education and to the Human Rights Advisor to the Prime Minister was pointless. Meanwhile, her family resolved the problem to a degree by transferring her to a school in a neighbouring district in which her uncle taught, using familial connections to overcome the bureaucratic demands for a transfer of letters and the other necessary procedures.

The case of a sixteen year-old student may seem an extraordinarily minor narrative when played out against the violence of 2006, but it is used here as one example of how many people seem to experience the state. The only way to make the state apparatus work — be it in relation to policing, access to services or infrastructure — is to find a way through the systems of patronage or overlapping forms of familial and ethnic-linguistic connection.

Thinking along these lines can help

in understanding key aspects of the crisis. For example, the initial breakdown in the military in early 2006 was based on claims of discrimination and a lack of satisfaction amongst the petitioners who are stationed far from home. In such instances people — in this case soldiers — have been 'lifted out' of their local communities and into a modern institution formed ostensibly around formal hierarchies, clear ranks and merit-based structures. The new system of authority, however, has not entirely unseated a previous form of authority (in this case one formed by resistance fighters during the war for independence that was tied significantly to birthplace). In circumstances where the two systems live in fluid relation to one another — rather than one dominating the other — it is extremely difficult to locate a systematic and peaceful conflict resolution mechanism when problems arise. Hence stand-offs, walk-outs and violence become distinct possibilities. But not taking other authority forms more seriously than the simple application of the labels 'nepotism' and 'corruption'

allows, one falls into the 'violence-was-inevitable' slipstream.

Taking the tribal-traditional more seriously, it may be possible to shift common perceptions of the violence in Dili, for instance, away from the idea of 'state frailty' or other notable points of blame like urban drift, poverty and unemployment. If such things necessarily lead to violence then the whole world would be on fire. Yet when the analysis draws in a comprehension of the ways in which the tribal-traditional systems play an important regulatory role in Timor-Leste, it becomes possible to understand other social processes — such as urban drift — in terms of their political consequences. In this context, the movement of people from agricultural communities in Timor-Leste, where they are far more likely to be held in place by land ownership, *adat* and genealogical-familial structures, breaks down in the urbanised space of the capital or in the institutional domains of the state itself. The state has not been able to fill the void with a new form of authority with which people are ready to identify. It is in this

context that violence becomes a distinct possibility.

Despite its impact on formal political processes such as the state, tribal-traditional forms of life seem to be overwhelmingly left to the occasional anthropologist for examination or used as a subject for idle chatter and amusement in Dili's cafes. This can be understood as either a continuation of or an attempt to overcome colonial prejudices but, either way, too often such life-worlds are written out of a political discourse that attempts to comprehend the kind of nation that Timor-Leste is becoming, in turn reducing the opportunities for understanding.

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The Humourless State

ALECIA SIMMONDS

It was a Saturday night when Annie Britton, famed member of the *demi-monde*, 'decorated her person with military accoutrements' and strolled down Bourke Street in Melbourne. To be precise, it was 10.30 at night on 25 January 1876 when Annie stepped on to the pavement from her 'house of ill-fame', dressed in little more than an officer's sword, belt and cocked hat. She also had, according to *The Argus*, 'an umbrella on her shoulder and a cigar in her mouth'.

It was summer and Bourke Street was a feverish mangle-mangle of revellers, businessmen, prostitutes and drunks, all of whom jostled to catch a glimpse of Annie. Constable Thompson, a diligent officer with a keen sense of propriety, was among them. As he later told the Court, the crowd that had gathered around Annie 'increased as she proceeded and was so

great that I could not reach her till she had got down as far as the Wax Works'. 'Annie Britton!' he finally called after her, 'Where did you get your sword?' 'Ask Captain Gillibee!' she retorted. 'And where is Captain Gillibee?' jeered the crowd. Eyes twinkling, sucking impetuously on her cigar, Annie replied: 'He is up at my place'.

Constable Thompson was not amused. He promptly arrested Annie and was surprised to find her completely sober. She appeared to be acting, he later reported, 'in a spirit of bravado'. As *The Argus* claimed at the time, Annie 'paid dearly for her freak'. While Captain Gillibee suffered the ignominy of a dishonourable discharge, Annie was sentenced to one month's imprisonment with hard labour.

Over a century later, the State remains po-faced when confronted with the likes of Annie. Women cross-

dressing as masculine figures of authority are met by dour and censorious police whose folded arms and furrowed brows are enshrined in legislation. In Sydney two women, Sarah Harrison, 27, and Anika Vinson, 24, appeared at the Downing Centre in late July facing charges related to impersonating police officers, an offence that carries a maximum penalty of seven years' imprisonment. The women were arrested after sashaying their way through a Dick Cheney protest in late February dressed in blue mechanic's overalls and fake handlebar moustaches, caps sparkling with glittery checked disco ribbon, and holding cardboard guns and bright purple fluffy handcuffs. As part of the 'Tranny Cops Dance Troupe', they were deploying what they describe as a combination of 'sick dance moves, lyrical bombs and rap' to create 'an instance where it is safe to