

Nation building and resource management: The politics of ‘nature’ in Timor Leste [☆]

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Abstract

This paper examines the role of custom and tradition in the process of nation building and resource management in post-independence Timor Leste (East Timor). While customary land tenure is alluded to but not explicitly recognized under the Timorese Constitution, it is clearly stated that all natural resources are owned by the State. However, this paper argues that rather than waiting for the government to create land and resource management related laws, local people in Timor Leste are making and remaking their own laws, mobilizing their customary practices and, increasingly, ‘performing’ their traditions in public demonstrations of their extant capacities. In part, this process can be read as a way of enticing in outsiders, making them a party to the law making process, a witness to its legitimacy. Often critical to such processes, is the ability of local level leaders to draw in outsiders through their engagements with the idea of ‘nature’ – a concept which allows diverse interests to come together in conversation and build relationships despite what is often a dissonance in the meanings and priorities attributed to the concept (see Tsing, A.L., 2005. *Friction: An Ethnography of Global Connection*. Princeton University Press, Princeton and Oxford). The paper focuses on a view from the margins – Tutuala in the far east of the country – and ways in which this community is attempting to both resist and embrace the developmental hegemony of a centrist state. This, it is argued, is a case which demonstrates the power of the local (both ritually and politically) to shape and intervene in the national development process and the associated discourses of nature preservation.

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1. Introduction

In post-independence Timor Leste people are seeking to rebuild the local and regional social and economic ties which were repressed under the violent twenty-five year

Indonesian military occupation of their country.¹ In the districts, sub-districts and villages across the country people are embracing a dynamic process of cultural revival grounded in the norms and principles of local customs and traditions. This paper explores what this cultural

[☆] In this paper language translations for key Timorese concepts are provided in the national language of Tetum or less frequently in the local language of Fataluku (in which case they are identified as such in the text or by the placement of an F: prior to the English translation).

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¹ The occupation of the country by Indonesia from 1975 was characterized by intensive military control and surveillance of local populations and opposing guerrilla warfare by Timorese forces (CAVR, 2006). The occupation included as well large numbers of civil servants and in some regions the implantation of transmigrants from elsewhere in the Indonesian archipelago and the construction of new settlements. The Timorese suffered abuses of human rights, and the widespread loss of life (c200,000 individuals, CAVR, 2006) and property. Prior to Indonesian rule, Timor Leste was an effective colony of Portugal for more than 400 years. For an account of the Portuguese colonial period and the occupation of Timor Leste by Indonesia, see Dunn (2003).

revival might mean in the context of nation building and resource management. Our central thesis is that while these processes might emanate from the local, they are as much about people seeking a voice in national and regional politics and planning. We describe in detail the activities of one community in the far east of the country and the ways in which they are seeking to combine such a reinvigoration of their customs and traditions with an increased social and political visibility for their lifeways at the national level. We show how they have done this, in part, by ‘performing’ these traditions for the nation, not through a calculated strategic essentialism, but we will argue, through their own political reading of the power of these customs and traditions to reformulate ‘outside’ concepts and in this process engage others in the fabric of their own lifeworlds.

Exploring the dilemma of marginality, this paper turns attention away from “political centres” to “political peripheries” (Tsing, 1993, p. 27). We do this, however, while also acknowledging that the Timorese government itself has only recently made the transition from a struggle for independence on the periphery of Indonesian rule to centre stage in the building of its own nation state. Achieving nationhood under the banner of what Benedict Anderson (2003) has termed ‘aggregated nativeness’, Timor Leste’s nationalist agenda is now engaged in the search for futures. Yet, in the struggle to rebuild Timor Leste’s economy, infrastructure and institutions, the issue of power-sharing and centralisation is increasingly contentious (Philpott, 2006; Kehi, 2005).² With most land and resource management laws as yet unformed, critical issues for debate include the extent to which the national development agenda is allowing spaces for the active involvement of indigenous Timorese traditions, practices and priorities in the governance and economic development of the nation.³

Chopra (2002) and Philpott (2006) have both argued that the governance of the nation state in Timor Leste has been informed by the lasting legacy of the United Nations Transitional Administration (UNTAET) era from 1999 to 2002, when the United Nations (UN) administration mandated with temporary sovereignty over the territory took a ground zero approach to rebuilding the administrative and governance structures of the new nation. While for the Timorese it was a significant moment of new nation-hood, for the UN it was a significant opportunity to build a state from the ground up. It was an

approach that the then Timorese leadership and its government-in-waiting criticized as being exclusive and neo-colonial. Yet, undeniably it was a strongly centralised approach that also characterized the inaugural Timorese national Government⁴ and the development of an administrative system, where despite the rhetoric and promises of imminent decentralization, district and local government officials had no capacity or budget of their own to plan for development or implement programs.⁵

The influence of a highly centralized style of governance on the implementation of national development plans and the creation of new systems of land administration and resource management cannot be underestimated. Within such statist approaches to land and resource management, there is little room for the recognition of locally specific governance regimes and aspirations. Yet in a tiny half island nation where the majority of the land and resources are presently held under complex systems of customary ownership, systems often referred to in Tetum as *fiar-malu* (trusting/believing/having faith in one another), the misrecognition of extant governance capacity and systems of management is both a waste of human resources and ill-informed approach to human development creating mistrust and disbelief between the institutions of government and its citizens. Yet for now at least, the reach of the modern bureaucratic state in Timor Leste is far from complete and within this bureaucratic vacuum people are getting on with life, making and upholding their own laws and building alliances with others in order to manage, and hopefully benefit from, change and uncertainty. This paper, which centres on a sea worm harvest which occurred in the far east of the country in early 2006, is an account of one such process.

The meta-narrative of the paper involves an examination of national and international interest in the preservation and protection of the ‘natural’ and ‘cultural’ heritage values of this particular part of Timor, and analyses this in the context of efforts made by local peoples to encourage the understanding of the area as a lived social landscape where ‘culture’ and ‘nature’ are overtly integrated into local lifeworlds. The paper explores the ideological tensions at work between these differential ‘cultures of nature’ and examines the consequences of the public interplay between them.

2. A view from the margins

On 19 March 2006 in the vicinity of Tutuala (see Fig. 1), a subdistrict of Lautem in the far east of Timor Leste, local community members began the ritual ceremonies required to usher in the annual mass harvest of a much anticipated

² This has only been more starkly highlighted by the 2006 political and security crisis which at the time of writing has resulted in the reinstatement of an international peacekeeping force in the country. This crisis is, however, beyond the scope of this paper.

³ The value of these customs and traditions are enshrined in the Timorese Constitution. Section 2.4 of the Constitution provides that ‘The State shall recognise customary laws of Timor Leste, subject to the Constitution and to any legislation dealing specifically with customary law’. Section 6 (g) of the Timorese Constitution guarantees ‘To assert and value the personality and the cultural heritage of the Timor Lesteese people’.

⁴ National parliamentary elections were held on the 30 June 2007 resulting in a change of Government.

⁵ Decentralisation is also enshrined in the Timorese Constitution. Section 5.1 states that ‘On matters of territorial organisation, the State shall respect the principle of decentralisation of public administration’.

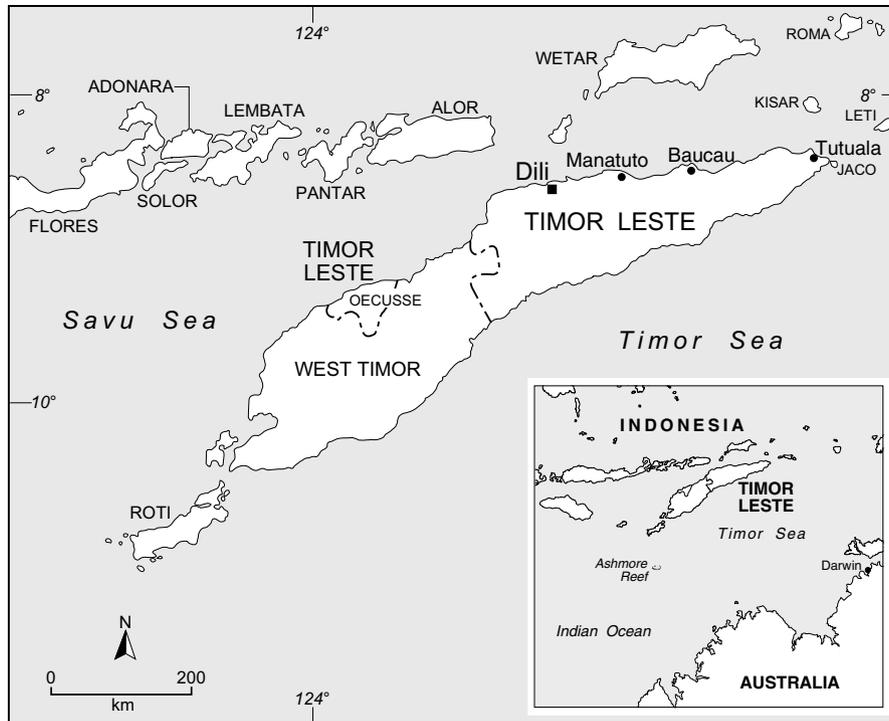


Fig. 1. Tutuala and surrounds.

culinary delicacy—sea worms, or *mechi boot* in the local language of Fataluku. An array of outsiders—government officials, national media and NGOs—were invited to attend, participate in and most importantly, witness the event.⁶ Here we explore some of the reasons for this public staging of the 2006 *mechi* harvest and examine some of the implications for the national development process of such renewed local and, to an extent, national-level interest and participation in this customary resource management practice. We also argue that such engagements are nothing new—these are processes and practices which ‘politically’ marginalized peoples in the region have long employed to respond to and influence the various regimes of governance they have encountered. Processes in which tradition and custom are always responding to and embracing something more than the local and are embedded in a long history of regional and more recently nation-state level influences and dialogues (see Tsing, 1993; see also Zerner, 1994).

⁶ In her research into the role of customary resource practices in the Oecusse district, Yoder (2005, np) identified the correlation between political histories and environmental histories, ‘particularly regarding the changing position of customary authorities and the decline or resurgence in accompanying practice of forest prohibitions’. She found a fluctuating interrelationship between custom, codification and collaboration, where matters of political authority and the interaction between different types of authority were the subject of mutual influence. Her research identified a process whereby local communities engaging in resource management activities were actively seeking the involvement of government officials, and vice versa, in order to extract maximum utility from each other in an ongoing legitimization process.

The 2006 *mechi* harvest at Valu Beach in Lautem was a two day event which drew together local peoples, their ritual and political leaders and institutions with representatives from national and international civil society and regional and national governments. The Tutuala region is famed for its pristine forests and rich terrestrial and marine biodiversity, although much of the forest is secondary regrowth in a now depopulated area once rich in fields and settlements (McWilliam, 2006). This area has been set aside by the national government as the site for the Parque Nacional Nino Conis Santana (PNNCS) (the Conis Santana National Park), Timor Leste’s first national park. Through the public staging of the annual *mechi* harvest, local community leaders sought to engage their guests in conversations about ‘nature’ and its protection, recognizing the use-value of the concept of nature. Here the concept of nature acts as bridge, an ‘engaged universal’ (Tsing, 2005), which allows local leaders to converse with both other Timorese people and the international community over local environmental protection challenges. At the same time it allows them the conceptual space to draw these others into the framework of their own local jurisdiction and authority, a framework which itself elides such a nature/culture separation.

This paper is based on an analysis of policy documents and secondary literature, fieldwork and interviews which the authors carried out in the Tutuala region specifically and Timor Leste more broadly. Both authors were present in Tutuala during the two day *mechi* festivities in 2006 and conducted participant observation in relation to the range of activities described in this paper. Carvalho

has a longstanding research relationship with Tutuala community and has participated in three *mechi* harvests in this locality. His research, founded on a participatory action research model, has been conducted under the auspices of the Dili-based Haburas Foundation (see below) of which he is the Director.⁷ Since 2003, he and other Haburas Foundation staff have engaged in participatory action research with local peoples documenting local cultural traditions and rituals specifically in relation to environmental management. Since 2000, Palmer has conducted five months of fieldwork in a number of locations across Timor Leste investigating local socio-economic and resource management arrangements in the context of new nation-building.

Established in 1998, the Haburas Foundation is the oldest and most active national environmental group in Timor Leste. With an emphasis on respecting and engaging with local cultural traditions, Haburas carries out initiatives in sectors such as forest management, coastal area protection, ethical tourism, energy management and environmental education. Since 2003, Haburas Foundation staff (some of whom are Tutuala and Lautem locals) have been actively engaged with local leaders and a range of different *ratu* (F: clan)⁸ in Tutuala facilitating negotiations and assisting the community with their plans to establish a sustainable ethical and community based tourism industry in the area (Carvalho, 2007). In this context, public events such as the 2006 *mechi* harvest can also be understood as an assertion of estate owners' primary right to host, manage and benefit from tourism development in the area. A week prior to the anticipated *mechi* harvest date, Haburas Foundation staff actively assisted the Tutuala *chefe de suco* (village head) to send out invitations to attend the harvest events to key national bureaucrats, NGOs and media. On the morning prior to the harvest, keen to expose the natural beauty of the area to the national television cameras, fishing boats were hired and two *lianain* (ritual leaders) were given the responsibility of accompanying the media on a tour of the coastal region. Such local preparations for the harvest festivities, including the evening harvest feast (see below), intertwined ritual and tradition with careful public relations planning. Unfortunately, as will be dis-

cussed later, the invited senior representative of government chose not to participate in the formal harvest festivities.

3. The significance of *Mechi*

What is significant about this story is the fact that it is not an unfamiliar one in post-independence Timor Leste: Across the half island nation there is a resurgence of traditional laws and customs relating to resource use, and local people in the districts are reveling in their freedom to re-institute many practices which were repressed during two and a half decades of violent Indonesian rule (Carvalho and Haburas Foundation, in preparation; D'Andrea et al., 2003; Yoder, 2005; McWilliam, 2003; Palmer, 2007a). One of these increasingly revitalized traditions is the practice of *tara bandu* which involves the imposition of ritual prohibitions on an area. The *mechi* harvest is another example of customary resource management practices with elders acting to sanction the harvest. While not technically banned during the Indonesian occupation, such practices were effectively suppressed due the restrictive movement and congregation rules enforced by the Indonesian military and the consequences, potentially fatal, of congregating in large numbers to conduct ceremonies. This fear was intensified in the case of the *mechi* harvest by the fact that the harvest of the sea worms must take place at night. Since independence however, *tara bandu* and other such practices have reappeared in many communities across the country. With the support of elements of Timorese civil society, many communities have also begun to make use of the 'power of spectacle', staging these events as public performances to be captured on film and radio by a burgeoning media interest in Timorese cultural traditions. In 2006, a weekly program on Timorese national television was devoted to stories about Timorese culture and many of these customary resource management events were broadcast during this segment each Saturday. In March 2006, the *mechi* harvest event was also broadcast.

Yet while much focus has been placed to date on land based resource management practices (D'Andrea et al., 2003; McWilliam, 2003; Yoder, 2005), customary practices in relation to the coast and seas have attracted relatively little attention (see McWilliam, 2002). While national land laws remain unformed and contested (Fitzpatrick and McWilliam, 2005), there is less debate about the rights of local communities in relation to marine environments. Under the Constitution the government asserts exclusive ownership of the sea and its resources, along with the coastal shallows and beaches.⁹ While the national language Tetum recognizes a category known as *tasinain* — the owners of the sea — in official circles there appears to be little attention paid as to what this might actually mean (McWilliam, 2002). Meanwhile many coastal communities can

⁷ In his capacity as Haburas director, Carvalho was recognized in 2004 with a Goldman Prize for his commitment to environmental protection in the newest country in the world.

⁸ The Tutuala community has more than 10 *ratu*. The major and most influential *ratu* are Maleki *ratu*, Cailuro *ratu*, Zenlai *ratu*, Masipan *ratu* and Tutuala *ratu*. Within its environmental brief, Haburas has identified the centrality of people in all discussions about environmental issues. In contradistinction to other NGOs active in the Timor Leste context, Haburas also advocates, where appropriate, the recognition of the customary governance structures particularly in the area of resource management. In Tutuala, Haburas works through the *ratu* or clan based structures in all its local project work. The approach of working with clan based groups has generated much criticism from other Timorese NGOs for what they perceive as Haburas' promotion of a feudal system. Such criticism stems perhaps more from these groups Marxist or Liberal democratic ideologies than it does from any evidence that the existing systems of customary landholdings and governance are in fact feudal.

⁹ See Section 139.

demonstrate or recount either extant or past examples of customary marine management practices and identify those who are responsible for the ritual management of these areas. The *mechi* harvests carried out by several communities in the Lautem district are one example, as is the *meti balisaun* (shrimp) and *boek* (prawn) harvest carried out in the Manatuto district each year, and the spawning of small sardine like fish in Com each August during an event known in Fataluku as *Api moko lere* (McWilliam, pers. comm. 2006).¹⁰ The proposed national park in the Tutuala region will also include a marine park around the nearby island of Jaco and mainland coastal areas. In this regard too, the local community's demonstration of their capacity to manage these regions through for example the *mechi* harvest and rituals is also hoped to send an important message to national decision makers.

Gathered twice a year in the last quarters of the moon in February (a smaller harvest known as *mechi kiik*) and in March (a mass harvest known as *mechi boot*), the harvested sea worms are combined raw with chili and lime to make a marinated salad delicacy. As the *mechi* worm is photosensitive the harvest takes place at night, with fire sticks used to scan the shallows and attract them. Feeding off algae, they are attracted to the area by a rich marine environment nourished by the bountiful wet season terrestrial runoff (Abilio Fonseca, pers. comm. 2007). Similar ritually significant mass sea worm harvests occur elsewhere in the region including in Lombok, Savu and Roti (McWilliam, 2002) and in West Sumba where they have been documented by Geinart-Martin (1992, 1996). *Mechi* (*Eunice viridis*) are blue/green (male) or pink/red/brown (female) in colour and approximately 12–15 cm long (Encyclopedia Britannica, 2007). Also referred to in the literature as *palolo*, the name by which they are commonly known in the South Pacific where they are also harvested en masse by local populations, *mechi* are in fact the posterior reproductive ends of larger more mature worms which remain in the crevices of the coral reefs (Caspers, 1984). Detaching from the mature worms, these posterior ends become a separate animal swimming to the surface and discharging sperm and eggs to enable fertilisation (Encyclopedia Britannica, 2007). Within hours of spawning these extremely delicate creatures will die.

As well as an exciting culinary occasion, the *mechi* harvest and associated ceremonies are also a time for affirming relations between people, the environment and each other. It is a time too for strengthening relations with beyond,

and guests from near and far have traditionally been invited to participate in the harvest and associated festivities. The local leader, the *liurai* (local king), or in the contemporary context the *chefe de suco* (village head), announces the harvest time each year in consultation with local elders and the specific ritual leaders (*lianain*) who will manage the ceremonies associated with the harvest. The harvest itself is both a demonstration and an affirmation of the authority of these local leaders and of their ability to build relations with significant others. It is also an important statement about the effective unity of two spheres of authority – the ritual and the political. While the ritual leaders lead the ceremony and renew their various *ratu* connections to the land/sea and ancestors, the role of the *liurai/chefe de suco* is to forge, build and renew political alliances with all of those present. Bringing together all of these meanings are the actual practices of harvesting, feasting, singing and dancing all of which act to strengthen, renew and create bonds between the hosts and their guests. The harvest period also regenerates and maintains bonds between the participating *ratu* and the local sea and spirit-scapes, with each clan conducting private as well as a collective community offerings.¹¹ These ritual offerings, '*fane*' (F: feeding the spirits), are reinforced by the ceremonial feast which follows the evening harvest. During this ritual dancing and feasting process, all harvest participants come together to share with the harvest hosts a meal of fish, corn meal, rice, beans, palm wine and betel nut, celebrating the harvest and cementing alliances between those present.

4. The harvest

At a similar time each year the *mechi boot* harvest takes place in the pristine coastal shallows of mainland Valu Beach and the adjacent island of Jaco (Totina in Fataluku). The site is significant for a number of reasons, perhaps most importantly it is the place where the *tasi mane* (the aggressive male south coast sea) and *tasi feto* (the calm female north coast sea) come together as one, mixing together the essences of what is otherwise one of Timor's most culturally and ecologically salient dualisms. Although the coastal zone here is sparsely populated, many local fishermen work the reefs, settling down each evening at their favored coastal campsites. It is an area these people know intimately, constituted by the named *ratu* estates and '*caluia mari*' (F: 'ancestor footfall/footprint') sites (McWilliam, 2006), located at different points along the coast creating inseparable connections between themselves, the environment and preceding generations of *railtasinain* (land/sea owners). These sites can only be visited in the company of appropriate *ratu* members.

¹⁰ Community-oriented harvests of sea creatures and sea grasses have been and continue to some extent to be carried out as well in major population centres such as the national capital Dili. The frequency and importance of these harvests has, however, declined somewhat in recent decades. One of the reasons given for the decline or cessation of these harvests is that '*ema la fo han*' – that people have ceased to carry out the ritual sacrifices which both allow the harvest to proceed and ensure its bountifulness. It could also be hypothesised that this decrease in ritual activity is both a response and a contributor to heightened levels of marine exploitation, pollution and coastal degradation in such areas.

¹¹ The latter are also carried out on the shores of Jaco Island prior to the start of the harvest activities.

Each year during the *mechi* harvest the shorelines around Valu Beach and Jaco Island are teeming with people who have trekked down from the villages, such as Tutuala, perched on the cliffs far above the coastal fringe. While the 2006 harvest of *mechi* replicated the countless harvests which preceded it, as noted above this time the event was different in the sense that it was also a national performance, an event stage managed for the benefit of national television cameras, assorted radio stations, government officials and representatives from the NGO sector. Co-ordinated by the Tutuala *chefe de suco* it was intended to showcase the local area and cement its leaders' authority to plan for and manage the region.

In the days preceding the harvest a large communal camping area had been cleared by the beach, and by the day of the harvest people had congregated there in small family or clan based camps. While some sat, talking and planning for the harvest events, others were busy preparing the food and palm wine for the ritual feast. The large numbers of youth among the congregation spent the day engaged in various activities: playing volleyball, swimming and practicing or watching the rehearsals of the *mechi* harvest ritual songs and dances under the guidance of more senior community members. Everyone, it seemed, was keenly aware of the need to get the performances right for the cameras.

These youth were simultaneously engaged in performances of another kind. Traditionally, the *mechi* harvests are significant as celebrations of the new year¹² and during these times the dancing and feasting which accompany these community-wide events are as much courtship opportunities as celebrations of the harvest. The songs and dances which relate to the lifecycle of the *mechi* are simultaneously songs of thanks to the ancestors, calling out to them to request a thriving future for subsequent generations and *mechi* harvests. The dancers sing in Fataluku, '*Mechi cau vari morisa, nia lalu apare, tanalalu apare*' ('By having the *mechi* we ask for a blessing of good health'). Such songs affirming the local belief that people and their environment are intimately connected.¹³

By the first evening of the two day harvest, there were at least 200 people congregated by the beach to participate in the opening harvest rituals. The thunder had been rolling in all afternoon, apparently calling the *mechi* out of their hiding places – the small coral holes in the coastal shallows where they live. Soon it was the peoples turn to woo them out. A group of male and female adolescents, dressed in brightly colored batik print (*lipa* and *kembatik*) sarongs, slowly made their way in a procession down the beach towards an awaiting outrigger canoe.

With the national camera crews safely ensconced in their midst, they launched forth the canoe, singing ritual songs whilst paddling some way out to sea. On their return the process was repeated by an even more elaborately dressed group of older singers wearing highly valued *morten* (marriage necklaces) – traditional symbols of mature womanhood and marriage exchange. Some of these songs were sung in Fataluku, whilst others were infused with the *lingua bazaar* (trade language) drawn from the indigenous language of Leti, an island within a days sail from Tutuala – and a place with which up until the recent past there was a vigorous inter-island economic and ritual exchange. The batik sarongs worn by the ceremonial dancers were important items of this inter-island trade. While the entrenchment and policing of national borders between Timor Leste and Indonesia has now seen this movement of goods and people between these islands decline, these exchanges and political interactions have long been a central feature of the *mechi* harvest period. Boats themselves are a dominant theme in such rituals, a metaphor for social reproduction (see also Southon, 1995).¹⁴

As the dusk turned to darkness small groups of harvesters began to make their way out into the coastal shallows, each group equipped with specially prepared fire sticks to scan the shallows for *mechi* and all carrying palm leaf baskets in which to place their harvest. Before long the shorelines were littered with the play of firelights and the sounds of children's shrill voices singing and calling the *mechi* out of their holes, scoping arm fulls of water and worms into their baskets. The children sing out in Fataluku '*kuinenepé*' calling out to the tides and the large mature *mechi* (known as *mechi inan*, 'female *mechi*') to allow the smaller worms to come and dance for them – enabling the mass harvest of the more numerous multi-coloured *mechi*. The children were accompanied for the most part by senior family members, under whose tutelage they were learning the harvest songs which recount the stories of the *mechi*, the *ratu* histories of the area, and the complex social configurations which intertwine to make up the their customary social world.

On this evening, despite the presence of the national television cameras, the *mechi* did not to appear in their usual quantities. This was no surprise to the harvesters however. Local elders calculate the harvest according to the moon and specific environmental conditions and they all knew early in the day that this evening would not be conducive to a bountiful harvest. Tomorrow night, they said with the utmost certainty, the *mechi* would come out. Meanwhile, with television cameras present and tourism and forestry officials to impress, a mini-harvest

¹² McWilliam (2002) notes that the harvest traditionally represents the start of a new agricultural year.

¹³ Similarly Danielle Geirnat-Martin (1992, 1996) has written of the life-promoting aspects of the sea worm harvests (called *Nyale*) in West Sumba, eastern Indonesia: 'The *Nyale* bring the promise of good harvests as well as good health for human beings and their herds' (1992, p. 287).

¹⁴ The ritualized boat dances and songs are also an important component of paying respect to and remembering the ancestors of the various local *ratu* who originally arrived in the region by boats. These boats then metamorphosed into the landscape as sacred rocks (Pannell, 2004).

went ahead, a trial run which was thoroughly enjoyed by all.

5. Talking to the nation

As argued above, the 2006 *mechi* harvest was also significant as the self-conscious expansion of the local political and ritual spheres into the national body politic.¹⁵ In relation to resource management policies, the government has recognized in its national development plan the need to involve local communities in environmental governance (Timor-Leste National Planning Commission, 2002).¹⁶ The government also has plans to develop programmes for biodiversity protection and conservation over the next five years and is currently pursuing the aim of becoming a signatory to the Convention on Biological Diversity (Timor-Leste National Planning Commission, 2002, p. 15–17). However, in relation to the detail of developing land tenure and resource management regimes it is unclear at this stage what legal and administrative measures will be adopted to support and provide protection for the myriad of culturally distinct local communities—entities with their own governance structures and local knowledge systems (Fitzpatrick, 2002, 2005; McWilliam, 2002, 2003; Ospina and Hohe, 2002). This process raises key issues for the ways in which local peoples are or are not being enabled to be active decision makers and participants in the development process at a variety of scales (Howitt, 2001).

While customary land tenure is alluded to but not explicitly recognized under the Timorese Constitution, it is clearly stated that all natural resources are owned by the State.¹⁷ In relation to specific conservation policies, the Ministry of Agriculture, Forests and Fisheries (MAFF) in Timor Leste is currently planning for and developing a system of national parks across the territory. The PNNCS is proposed in region and will include the land areas around the Tutuala/Jaco coastal region along with a proposed marine park. Yet in relation to the park creation process, concerns have already been raised about the inadequate involvement and lack of recognition of the customary rights and interests of local landowning communities (McWilliam, 2006). In these circumstances, local communities are seeking an active role in the designation and man-

agement of any such national park, and as also noted above, demonstrations of extant resource management capacities through practices such as the *mechi* harvest are highly important political interventions.

However, while these ritual activities are interventions in the politics of the nation state, the national political realm also permeates and influences local community relations. In the independence era, local government has been reconfigured as democratically elected institutions (in rhetoric if not always in practice) and these elections are now constituted by battles between national political parties. These new arrangements are not without historical precedent. In the early 1970s and during the brief period of independence experienced by Timor Leste prior to the Indonesian invasion, communities became as divided along party lines as by any customary divisions. In a country where a history of bitter political division has left deep social scars, divergent political affiliations and elections are potentially crippling influences on highly fragmented and traumatized communities (see also Hohe, 2002). Such dangers can be partially avoided, however, when those elected to positions of power are able to generate the requisite community support necessary to implement local governance and development strategies. Leadership in such contexts requires that politicians be adept in conversing across the ritual and political domains. Hence, politically, the 2006 *mechi* harvest was a demonstration of the considerable mastery of the Tutuala *chefe de suco* in creating the conditions for such dialogue and generating community support.

Local legitimacy is not sufficient for effective governance in its entirety however, particularly in the context of an emerging nation state. Leaders must also be adept at seeking and creating a network of relations and alliances with others from beyond (see also Tsing, 1993; Molnar, 2006). The politics of such relationship seeking activity in the context of the Tutuala region is the subject of the following section.

6. The politics of nature conservation

It is not only in recent times that Tutuala and the surrounding regions have attracted the attention of the outside world. In the 1960s the distinctive architecture of the region's elongated sacred houses saw the area promoted as a unique cultural attraction by the Portuguese tourism industry. This architecture combined with a rich living and material culture, such as rock art, has also attracted the research interests of many anthropologists and archeologists (De Almeida and Zbyszewski, 1967; Cinatti et al., 1987; Glover, 1986; McWilliam, 2006; O'Connor, 2003; Pannell, 2004) into the present period.

However, today, it is not so much this thing called 'culture' but a thing called 'nature' which is attracting outside attention in the Tutuala region. As we have seen the Tutuala community is now engaged in debates over the future development of tourism and the proposed national park

¹⁵ Elsewhere in the region, Zerner (1994, p. 1107) has written of the risks for customary systems of becoming beholden to external regulatory control whereby 'the complicated ritual nexus in which these practices are embedded has been reduced to a sparse, functional system...'. In contrast to Zerner, we would argue that here the conversation between customary practice and the 'outside' world was more a product of local direction and control, than external manipulation, of customary practice.

¹⁶ This is stated as an important means of achieving food security, promoting sustainable livelihoods and to protecting and encouraging the sustainable use of forests and traditional medicinal plants.

¹⁷ Section 139.1 of the Timorese Constitution states that 'The resources of the soil, the subsoil, the territorial waters, the continental shelf and the exclusive economic zone, which are essential to the economy, shall be owned by the State and shall be used in a fair and equitable manner in accordance with national interests'.

in the area.¹⁸ Since the UNTAET period, the Tutuala area has become a relatively popular destination for peacekeepers, and there is now an emerging tourist market with intrepid tourists keen to explore Timor's natural and cultural environs. Dili-based tourism companies have sprung up to capture the tourist market offering day tours from regional centres and marketing their tours on the strength of the beauty of areas such as Valu and Jaco. These companies offer relatively little in the way of benefits to the local community. In the case of tourism and national park development it is the beauty of the landscape and its rich biodiversity which has attracted both tourism sector interest and an array nature conservancy groups into the area (International Birdwatch for example). Moreover, the Tutuala community's projects with the Haburas Foundation brings them into indirect contact with the variety of international environmental and development organizations which fund Haburas' work.¹⁹ There are also vigorous environmental debates occurring about a proposed national hydroelectricity project in the nearby Iralaloro lake catchment area (see White et al., 2006, this issue is not addressed in this paper).²⁰

In all of these scenarios, the idea of nature functions across political and geographical scales to foster engagements between peoples who may otherwise have very different agendas. It provides a context for conversations to take place and also a forum through which relationships can be built. Nature and its accoutrements (ecotourism, national parks, and wildlife protection) are in this sense relationship builders. The types of relationship that ensue, the agendas that are pursued, and whether or not these are beneficial to the local populace depends, however, on the particular renditions of nature which are brought to bear in any given situation. It may also depend on how nature can be used to attract material resources from non-government and government sectors (see Batterbury, 2005).

Such emerging local level approaches to biodiversity conservation are discussed by Anna Tsing (2005) in her work on the circulation of discourses within and between remote villages, provincial and national capitals and international conservation networks. She discusses the 'friction' created through the 'engaged universals' which play out across the globe around a discourse of 'nature' and argues that such 'heterogeneous and unequal encounters can lead to new arrangements of culture and power...[that] The effects of encounters across difference can be compromising or empowering' (2005, p. 5–6). In these contexts, she writes:

"Communities" are constituted in relation to other kinds of scale-making projects, including bureaucracies, nations and international bodies of power and expertise. Community-making projects may or may not empower local peoples; it all depends on just how this relation is organised: Who benefits? (2005: p. 264).

6.1. Nature-based conservation

The Timorese government is now beginning the process of implementing its plans to create a national park in the region (Timorese Department of Protected Areas and National Parks, 2007).²¹ In the absence of a formally declared national park, MAFF has nevertheless begun to actively manage the resources of the area. Their mandate to do this is sourced from the UNTAET period, when the transitional administration hurriedly pieced together protected area legislation (UNTAET regulation 19/2001) designating this and another 14 areas across the nation as protected places.²² This legislation, which is unashamedly preservationist in its objectives, has now been adopted by the Timorese government post-independence. In relation to such a conservation mandate, the government has established the beginnings of a wildlife protection program on the island of Jaco, an island which is sacred to the mainland coastal inhabitants of the area.

The small island of Jaco has no permanent human population but it does have a permanent population of rusa deer (*bibi rusa*).²³ It is well known by the local Tutuala population that due to the absence of a fresh water supply on the island, these deer have long become accustomed to drinking salt or saline water.²⁴ However, it has been reported that in 2005 and 2006 MAFF has spent US \$4000 to ship 40,000 l of fresh water from the mainland to the island where it is stored in shallow open pit tanks for the deer to drink. There have, however, been no surveys conducted to establish the actual deer population on the island or their need for a fresh water supply. While such a show of concern for the welfare of Timorese wildlife may be useful for wooing the financial support of international environmental organisations, it is difficult to explain why this should be a priority in the context of the scarce development and aid funds available to the local population. For example, members of the local sub-villages of

²¹ On the 27 July 2007 the Timor Leste Government formally approved the declaration of the PNNCS.

²² These places were declared to prevent any large scale developments from occurring in the immediate post-1999 era.

²³ In 1996 the Indonesian military established a small four house base and watch-tower on the island. Popular Timorese opinion has it that the Indonesian military elite believed that vessels from Australia were using this remote coastal area as a landing site to convey provisions to Timor Leste's Falintil resistance fighters. Today the barracks are in ruins.

²⁴ Although reportedly in Portuguese times fresh water for the deer was delivered to the island by one local resident of Portuguese descent.

¹⁸ The plans for a national park in the region first appeared in the period of Indonesian rule (McWilliam, 2006). These plans were revived and adapted in the UNTAET period under UNTAET regulation 19/2001.

¹⁹ In relation to Tutuala, Haburas' work is funded largely by two Portuguese organizations CIDAC (Centro Informacao Desenvolvimento Amircar Cabral) and IMFV (Instituto Marques Vale Flor).

²⁰ The Australian Conservation Foundation has supported Haburas' investigations into the social and environmental impact of the proposed Iralaloro Hydro Electricity Project (see for example White et al., 2006).

Cailuru, Pitileti and Tutuala Kota must travel several kilometres downhill by foot each day to collect water in order to meet the daily water-use requirements of their households.²⁵ Despite the circumstances of the local population, it appears that in this instance nature preservation has been given priority.

The *mechi* harvest was a chance for local peoples to insert themselves into conversations about nature preservation and the future of the region. In order to promote their visions for the protection and development of the area, the event organisers had invited the senior Lautem governmental representative to attend the *mechi* harvest ceremony. Arriving late in the day after the opening ceremony of the harvest, the representative alighted from his vehicle to briefly address the awaiting camera crews who were also keen to ask him about the government's vision for environmental protection, tourism and infrastructure development in the region. The representative spoke with authority about the government's development plans. Yet, contrary to community expectations, the government's plans were referenced only to the context of national development. The government, he asserted, is in the business of developing the whole of Timor and today his focus is not Tutuala but on the whole of the Lautem district and where such developments fit within the national development schema. Hence the two major projects planned for the region were framed explicitly as 'national projects' – namely the national park development and the development of a hydroelectricity scheme in Iralalero catchment area.²⁶ Through this process, he said, the nation will benefit and local communities will benefit, some directly some indirectly. The opportunity for local peoples to be active participants and decision makers in this process was not something this official seemed keen to countenance. In this view, local communities are recipients of development, 'stakeholders' who it is hoped will endorse preordained plans in the development process. While the official used the event effectively to convey the government's official position on regional development, by the time the evening's post-harvest ceremony and festivities had begun, and with his official duties complete, the government representative had already gone.

6.2. Community-oriented conservation

Despite their marginalization from some of the initiatives being carried out in the region, in relation to the national park declaration the local population has high hopes of being included in and benefiting from the manage-

ment of 'nature'. It is anticipated that the PNNCS will be declared under International Union for the Conservation of Nature (IUCN) Category V criteria as a Protected Landscape/Seascape (Timorese Department of Protected Areas and National Parks, 2007). Category V protected area criteria are broadly inclusive and supportive of the use and ownership rights of relevant local communities, with management objectives clearly local in their focus. They aim to 'bring benefits to, and to contribute to the welfare of, the local community through the provision of natural products (such as forest and fisheries products) and services (such as clean water or income derived from sustainable forms of tourism)' (IUCN, 1994, p. 22). The decision on the part of MAFF to declare PNNCS a Category V area follows global trends in best practice protected area management (Phillips, 2003). Internationally, such combinations of conservation with local community economic development – the notion of community-based conservation – are often welcomed by local peoples, particularly as this signals a shift away from the twentieth century's dominant 'fortress conservation' style of park management wherein local peoples' quotidian interactions were effectively excluded from an expert-managed landscape (Phillips, 2003). Indeed, in their own separate planning for the development of ethical tourism in the Tutuala region, the ethical tourism group, local fishermen and other groups from the community have agreed that their aim should be to manage the area as an IUCN Category V protected area (Carvalho, 2007, p. 3).

In formulating their vision for the development of the PNNCS, MAFF received a grant of \$US200,000 from an international funding agency to conduct the relevant consultations in relation to the national park. Australia-based consultants from the NSW Parks and Wildlife Commission were employed to produce a policy and planning document to guide the park's development. Following a series of community and national level consultations, the consultants prepared a policy paper and in June 2007 MAFF publicly released an English language summary of the document. The document identifies the interim land and sea boundaries for the PNNCS, boundaries which it states were developed at a government workshop in Dili and which have been 'presented and consulted with communities located inside the national park' (Timorese Department of Protected Areas and National Parks, 2007, p. 2). The document also states that the program outlined for the national park is the product of extensive consultation 'to inform and seek support' (2007, p. 3) from local communities who it must be ensured have 'active ownership and support' (2007, p. 2) over and for the process. To enable local communities to participate effectively in the area's management the document stresses the need for local capacity building. However, nowhere are the extant land and sea management capacities and practices of these local communities mentioned. Rather the document lays out an incremental approach to the national park development which includes the development of a

²⁵ While the local water development council (*Conceilho Desenvolvementu Canalizasau Bee*) has developed a new water supply in the sub-village of Hireli (funded by Ausaid) this water supply does not reach all sub-villages.

²⁶ Scientists have expressed concern over the impact of the proposal on the areas understudied water catchment system (see White et al., 2006). The area's geology is characterized by karst limestone formations and a substantial portion of the area's hydrology is dependent on underground water formations. The proposed scheme is to divert water from a local river to a tunnel through the Paichau Mountains leading to a power station on the coast.

community participation framework via the PNNCS Advisory Committee, the PNNCS *Suco* Consultation meetings and the establishment of higher level government structures such as a National Steering Committee and National Working Group. It states that the Plan of Management is to be developed over the next three years, yet there is no mention of by whom the plan will be developed.

6.3. Community-controlled conservation

It is not yet clear what specific management approach will be adopted in relation to the national park. With each *ratu* having their own jurisdiction over particular estates, their own foundation sites, accounts of their connection to the area and their relationships to others it would seem feasible to explore with local communities the possibility of managing the park according to extant customary resource management regimes, with management control devolved to the level of individual *ratu*s.²⁷ Integrating decision making and executive power for the park management (such as a Park Board of Management) with park administration and everyday park management responsibilities would also avoid some of the pitfalls which have been encountered by local peoples engaged in co-management elsewhere where a split between executive and administrative functions has, in many cases, seen the power of the former effectively diminished to an advisory rather than controlling role (cf. Palmer, 2006; Howitt, 2001; Phillips, 2003).

While the national park boundaries, resource management systems and other regulatory mechanisms are discussed by the government, the local Tutuala community has provided the 2006 *mechi* harvest as ‘proof’ of one such management regime – a ritually embedded management system, outward looking but locally controlled. In relation to forests as well the community in Tutuala is continuing in its locally directed resource management efforts. It is currently planning and establishing a community forest area on a hillside close to the centre of the Tutuala village. They have begun planting trees in the area with the intention of allowing for selective logging in the future.²⁸ To manage present and future use of the area they have convened a new *Conceilho de Lianain* (Council of Elders) whose specific role it is to advise on appropriate resource management norms and principles over the area. The group has already developed a draft community resource management law.

Yet, such proactive steps instigated by local peoples themselves are often not acknowledged as legitimate in the face of ongoing academic and governmental pessimism and distrust of the capacity of local communities to manage themselves and their territories (see Langton et al., 2005). Indeed, staunch critiques pointing to negative outcomes from the community-based conservation model are

now common in the academic literature on conservation (see for example Redford and Sanderson, 2000; Adams et al., 2004). Yet what often goes un-remarked in these critiques is that many such community-based conservation initiatives are founded on imposed and externally controlled models of environmental management (see Langton et al., 2005).

Alternatives to such *community-oriented participation* models can be found elsewhere in the region. In Australia, the late 1990s saw a shift in many indigenous groups’ aspirations away from the establishment of national parks co-managed with government authorities towards a model of *community-controlled* protected areas known as Indigenous Protected Areas (IPAs). This shift is grounded in the recognition and promotion of indigenous peoples’ own local environmental governance arrangements and in a reaction against a co-management model which has resulted in little more than the bureaucratic straight jacketing of customary jurisdictions (see for example Palmer, 2004, 2006, 2007b). In contrast, the IPA program provides direct funding for Indigenous peoples to manage their own estates, retaining full management and decision making control with the option of engaging, when necessary, with the government and non-government agencies which they believe can assist them in achieving particular land management and livelihood goals (see Langton et al., 2005; Szabo and Smyth, 2003). Given their extant customary authority over local estates and the demonstrated customary management capacities of the various *ratu*, it would seem at the very least that such a model might be worthy of consideration in the context of the development of the PNNCS.

7. Conclusion

While the national government elite pays at least lip service to a decentralization agenda enshrined in the Constitution, there is currently far less attention paid to implementing the limited constitutional recognition that there is for customary laws. When the centre does journey to the margins to engage the local customary systems, the tendency is for a superficial engagement – one that does little more than abuse the access to extant social capital, using local ceremonies as an occasion to pursue their own national political agendas. For a nation of people who resisted the Indonesian occupation partially on the grounds of cultural uniqueness, there is currently little being done to engage and foster these diverse and unique identities at the level of national politics.

Many have argued that a strong national government will serve the interests of the Timorese well. The question must be asked, however, whose specific interests will it serve? A ruling elite or the interests of a culturally, socially and economically diverse constituency? Coming to nationhood later than most, Timor is in a unique position to learn from the mistakes of other postcolonial and post conflict states. The success of these early nation-building attempts will depend on the ability of its leadership to critically eval-

²⁷ It is estimated that there are 10 or so *ratu* estates in the area of the proposed national park (McWilliam, 2006).

²⁸ They have already planted 3000 trees (of a range of different species) in this and other areas close to the village.

uate both its own mistakes and those made elsewhere in such processes, and furthermore it may be judged on whether they heed these lessons. The inclusion of those on the margins in the national development process, and recognizing their place as central to its success, could see Timor Leste forge a unique pathway in the practices of statecraft.

In this paper, we have focused on one view from the margins where extant customary resource management processes are being reinvigorated to manage land and sea environments. We have also highlighted the ways in which one group of local land/sea owners have sought to ‘perform’ these practices for a wider audience as means of inserting themselves into the centre of debates over so called ‘national’ resources. To do this they have drawn on the not insubstantial resources and capacities embedded in their customary regimes and have combined this with a strong secular leadership astute, although not always completely effective, in political strategy. It is a case that demonstrates the power of the local (both ritually and politically) to shape and intervene in the national development process and the associated discourses of nature preservation. Alongside the resurgence of local and/or the indigenous voices worldwide (see Niezen, 2003), in the debate over the politics of capacity and resource rights in Timor Leste there are voices from the margins demanding to be heard, and indeed intervening, at a variety of scales. Rather than a romantic return to a bygone or even feudal era, this is about local peoples embracing change and opportunity on terms in which they themselves can have an active decision making role.

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