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Carrying the Name Forward

As opportunities arise on the study tour, I make a point of discussing land issues with Timorese tertiary students. One day, a young Timorese woman explained to me that women from her rural area didn't have rights to land. This wasn't a problem, she said, if a woman married a man. However, her concern was about how to be independent as an unmarried woman. How could she acquire some land for herself? She surmised that her best option would be to buy land in Dili or in one of its rapidly growing peri-urban areas where modern land markets were emerging—but costs there were often prohibitive. Another female student said her priority was not her own access to land, but in making sure her parents were secure in their rights to their land in the mountains. 'As long as they are secure,' she said, 'I can feel secure—I will have the shade and protection of my house.' She contended that many of her peers in Dili (male and female) felt the same way. 'They are looking for knowledge and skills to take them forward in life, not land.'

During the same conversation, a young male student added that, while he had the right to land through his parents in a remote area, he, too, wanted to live in Dili. The problem is not only that land is so expensive in Dili, but also that land titles are insecure. He said that people know from bitter experience that the government will often use their executive power to acquire land, and that makes many people, no matter their gender, worry and feel insecure.

Rights to land, particularly women's rights to land, have been identified as a major issue in post-conflict Timor. New land laws had been rolled out over the previous years, and the aid and development sector had invested heavily in promoting women's rights to land and property. It was not just foreigners that were talking about these issues; increasingly, it was also a topic of discussion and a priority among young, educated Timorese women. The potential for the emerging 'women's movement' and associated gender laws and policies to intersect with the cultural context of Timor-Leste was now the subject of critical debate.

These types of discussions about gender and land rights are harder to have in a village setting. In my experience, rural women rarely reflect on the gender dynamics of their situation that are often asserted (by others) to be unequal. Nonetheless, by listening closely to the conversational preoccupations of rural women themselves I have been able to discern nuances in women's concerns around issues of status and power in their own lives.

Rural women frequently talk about their own role, alongside the men, in securing and carrying forward their rights and obligations for familial lands and property. This role is especially pronounced in discussions of past conflict and the hardship suffered under the Indonesian occupation. Women are especially proud that through dark times they kept their customary practices and relationships alive and strong wherever possible. With many men away fighting or working (for either side), it was women who tended to graves and other sites in the landscape, nourishing their family's relationships with the ancestors and others. The other side of this role is memory work—the tendency by women to catalogue, and frequently voice, past misdemeanours or discriminations suffered by a woman and her children (often at the hands of extended family members): who did what, at which event and when; who refused to participate; who withheld an exchange; who traded insulting words. This catalogue of personal slights and intimate complaints reveals both the strengths and the tensions around customary practices.

In all the stories I have heard, I rarely detect any lament about women's supposedly inferior role to men. Rather, these women's concerns follow different paths. A major preoccupation is the lack of respect now extended by the younger generations to their elders. Another is the discrimination towards people from the rural areas by those from the city. In terms of familial tension, marriage relations between houses and ongoing exchanges

between the houses is often a cause of concern. This is especially the case when family members perceive a man as giving higher priority to his wife's family than to his own house, and vice versa. The particulars of what was or wasn't exchanged in marriage arrangements is a frequent topic of discussion. The ledger might include references to incidents that occurred decades ago at wedding parties and other life cycle events, which women are usually responsible for organising and resourcing. In the rural areas, all people—especially women—are keenly aware of issues and obligations around status and expectations of cultural protocols. Transgressions of any of these arrangements, particularly among women themselves, are keenly recorded and often referred to.

One day in Bercoli, we were chatting with one of Quin's aunts about recent happenings in the family. She told us that her husband had just left on a trip back to his home village in the mountains. He was involved in negotiating the marriage arrangements there for a nephew who was to marry a woman from a coastal hamlet closer to Baucau. It had turned out, however, to be a very complicated intergenerational negotiation. While the girl and her mother resided in the coastal hamlet, neither of the girl's parents originated from there. The girl's father, who was dead, was from a family in another area of the mountains. The girl's elderly mother was from a coastal village to the west. These facts were of great importance to the marriage negotiation, particularly as the mother's family had never received any marriage benefits from the father's family. To enable the marriage of their daughter, the debts of the father's house to the mother's house must first be paid.

In practice, this meant that the offering from the nephew's family to his bride's family—10 buffalo, 10 horses and US\$3,000 in lieu of traditional swords—must take these intergenerational debts into account. While the gifts were ostensibly being made to the girl's father's house in the mountains, this house had to immediately regift them to the girl's mother's house on the coast further west. Without the settlement of these debts, the daughter's marriage could not proceed. The mother's house, too, had obligations in concluding this exchange. The requisite pig, female *tais* and male *tais* were duly taken and presented by the mother and her family to the deceased husband's house. In turn, the girl's mother had now become a full member of her husband's house, and, though she continued to choose to live elsewhere, upon death she would be buried in her husband's village. In turn, the deceased father's house gifted a pig and two *tais* to the

nephew's house in the mountains. This obligation of gift giving, especially to a woman's origin house, would continue for these fertility takers at each significant life cycle event into the foreseeable future.

Such exchanges are never formulaic. After Tia Martina explained the intricacies of these transactions, another of Quin's aunts added that her own origin family is prohibited from exchanging pigs between intermarrying houses. Instead, they must gift to their in-laws rice, woven cloth and money. Pork may be offered in some exchanges, but the animal must be dead so as not to violate an ancestral sanction on the exchange of pigs. As is more common than generally acknowledged, Tia Martina had not married out of her origin house. In an arrangement that defied the 'ideal', which, in a patrilocal area, is for women to marry into their husband's houses, her husband, from the mountains, had married into her house. What is important to recognise is that, whichever 'pathway' is followed, the status of some of these marital exchanges often remains indeterminate and is the subject of negotiations over very long periods. This contingency keeps relations between houses alive. This is not a situation of fixed rules and processes as is so often imagined by outsiders.

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According to Quin's cousin Noyti, when the daughters of a house marry outside it, some residual rights will usually remain. Her two married sisters, for example, continued to have use rights over rice fields in their home village and one sister had built a house on the family property. Noyti had been given land exclusive to her by her parents because her husband, from West Timor, had married into her house. In such cases, women are obliged to prioritise the needs of their birth family above those of their husband's family.

Noyti's brother had married a woman from Manatuto, an area of Timor where many houses transfer land matrilocally, but because he was the family's only son, his wife had married into the Bercoli customary system. Indeed, probably because they only had one son, the Old Man and his wife had largely avoided formal marriage exchanges with all their daughters' husband's families. They preferred to keep all their daughters, to some extent, inside the house. Rather than a dogmatic adherence to 'ideal' social arrangements, the reality of life in rural areas is much more fluid. What people prize are cultivated skills in the adaptive art of living together, and in negotiating often indeterminate status and power relations. It is, above all else, relationships that matter. Pathways can always be negotiated.

Over dinner one night with the Old Man, complex issues were raised concerning the impact of emerging state land laws and, in particular, women's rights to land. As was typical, he quickly began to express his frustration—anger, even—at a perceived failure by the Timorese state to properly think through the implications of importing foreign laws into Timor-Leste. He was particularly incensed by the new land laws that prioritised more recent occupation of land over people's ancestral rights and obligations to an area. In relation to women's rights to land, he was adamant that there were already pathways to women's rights and recognition under customary arrangements. At its most basic level, he told us, activating these rights depends on the politics of the existing land tenure system. How these rights emerge will depend on whether the local system is patrilocal, matrilineal or both (ambilineal). It also depends on histories and patterns of migration into the area. Due to population migration, any area might have several different systems.

In every case, there would be an identified head of the family and head of the household. In a patrilocal system, it will usually be the man who is the head of the family and the woman who is head of the household. In a matrilineal system, or in a situation when a man has married into a house in a patrilocal system, it is the opposite. The Old Man reminded us that his sister had inherited full rights to her land through her parents. In this case, this was because her husband, who had come from elsewhere during the Indonesian occupation, had no family to support him in his marriage negotiations. There was no one to speak for him and to provide the prestations necessary for marriage exchange. As a result, 'his name is now smaller than that of his wife'.

But the Old Man maintained that, even when prestations are exchanged, it is never the case that a woman has 'no name'. Indeed, following the exchange of such goods, a woman's name and her status will always be upheld, not only during the woman's lifetime, but also throughout the lives of her children and her grandchildren. Ritual gift giving ensures that the prestige attached to a woman's rights and recognition is maintained intergenerationally. Such rights and recognition are activated and reactivated through time. The Old Man explained that when people exchange ritual gifts through marriage, their own name and that of their house are also carried in the exchange:

To have a name means we are someone, we have rights, we have connections and networks that need to be considered and honoured—through time. To have no name is something different. This is not to exist into the future.

From the Old Man's lengthy explanation, I understood that giving individuals equal rights to land in a Western legal sense acts to cancel out these spaces of recognition, connection and their intergenerational surety. New laws may create for people rights in the 'now', but, as land is bought and sold between individuals, these rights can be alienated. The practices that uphold intergenerational rights and obligations over the long term were becoming less important than the rights and interests of individuals now. For both men and women, profound shifts were underway in their customary ways of relating to land and each other.

Towards the end of our time in Bercoli, the Old Man's wife, Tia Brigita (the Old Lady), began speaking to me with an uncharacteristic frankness about the changes occurring in people's residential status and rights to land. Land must be shared more equally, she said. Women also have rights to land. But the localised processes surrounding new land laws meant that people were becoming fixed in their thinking about ownership and getting into terrible disputes over land and resource rights. They needed to work towards compromise, she said. They need to restore and work more than ever towards a better sharing of the land, especially within families.

The Old Lady is extremely hardworking and, in her own way, very kind. She is also intensely proud and readily offended. When she was at home and not in the fields, she was often visited by her younger sister, a widow who had recently lost her son and who now cared for her many grandchildren while their mother worked in the fields and travelled to sell produce in the Baucau market. During these animated chats they would sit by the kitchen chewing betel nut and gossip about any recent dramas in the family or the village. I would sometimes join them, although I always tried to be very careful about what I did and said around the Old Lady. I think we were both a little wary of each other, circling carefully around an incident that had happened many years before.



Photo 44: The Old Lady in her rice fields.

That was in 2013, when the entire family and extended networks were gathering together in the Baucau house preparing for my father-in-law's funeral. He had passed away in Australia, a place where he had been medically evacuated to following a motor vehicle accident and stroke two years earlier. People were descending in waves on the house to prepare for the arrival of his body and the ensuing funeral. Much of this activity involved animal slaughter and food preparation. There was unbridled sorrow that this great patriarch had died so far away from home and emotions were running high among the immediate family.

One day I had been absent from the kitchen for most of the morning. I had been trying to get a fast enough internet connection to transfer money back to Australia to assist with the cost of his coffin and repatriation. Quin, wanting a record of this mass gathering in his father's honour, asked me to go and film the activities underway. As I filmed, I heard the Old Lady's voice behind me. She was loudly bemoaning, to everyone gathered in the space, that none of the daughters-in-law from the Baucau house were doing any work. Her comments were a public shaming that tipped me, in that moment, past breaking point. I packed up my camera and tripod and headed back to our part of the house in tears. Someone told Quin, who, despite my protestations, went to speak with the Old Lady

about what had just happened. She quickly arrived in the room and tried to assure me that her comments were directed at the other daughters-in-law, not me! Her outburst, Quin told me later, had been a very public way of ensuring that all the daughters-in-law, but some more than others, were brought into line. Nonetheless, after this incident, Acinling, one of Quin's sisters, decided it was better to keep me away from the kitchen all together for a while. I was given the job of sitting by the altar, keeping my father-in-law's spirit company while we waited for his body to arrive.

In 2018, the Old Lady's commentary was again connected to events in the town where family relationships had gone awry. We had received a call one morning from two of Quin's brothers in Baucau. They were desperate for the Old Man to travel down to the town and broker peace. A dispute between their wives had led to a violent altercation between a niece and her aunty. Outraged at the disrespect shown by the niece to their mother, two of her sons had gone on a violent rampage, damaging property and yelling out insults in full view of the town. To make matters worse, news of the dispute had spread like wildfire. Nieces and nephews from across Timor and overseas were engaged in name-calling and mudslinging through social media. While intra-family disputes were not uncommon, it was the public elements of this dispute, especially the online posts, that most alarmed the family. To be publicly disrespected and shamed is the ultimate insult in Timor. Emotions within the family were running high.

The Old Man reluctantly went to town, and Quin went along with him. There things went from bad to worse. Rather than being given the opportunity to broker peace, the Old Man found himself in the middle of a heated argument in which his grandchildren were threatening each other with physical violence. One of them was even holding a metal grinder he had picked up from a pile of construction materials on the veranda of the house. Another nephew who was a policeman arrived to restore order, and the Old Man quickly gave up trying to negotiate a solution and returned to Bercoli fuming with anger and disappointment. After we heard what had happened, all of us back at the house in Bercoli were outraged. That the family were disrespecting each other was bad enough, but worse was that they were also disrespecting the Old Man, who they had earlier called on so desperately for help.

No one said it publicly, but at its core the dispute was about property. The conflict arose over the rights of the various siblings and their families to live in and control various parts of the sprawling urban block.

The property containing completed and partial houses, and occupying a prime site in the middle of town, was the life's work of Quin's father. Now he was dead, there were deep animosities over sibling claims to inherit the property, all of which were contingent and complicated. Since their father had died, six of his grown-up children had occupied parts of the property, and most had children who were now coming of age. Yet these property tensions, which had no doubt fuelled the animosity between the wives, were not matters anyone wanted to discuss in the context of this dispute. Claims were a matter for the siblings to sort out, not their spouses. In the meantime, reconciliation was needed over the damaged property and ruptured relationships. Despite the first failed attempt at brokering the peace, the father of the niece who had insulted the aunt travelled to Bercoli and pleaded for the Old Man to return and help sort out the dispute. While he had no doubt been expecting the request and acceded to it, the Old Man made it clear he was returning to the town very reluctantly.

I had witnessed these situations before. I still carried the emotional scars from the intra-family altercations that had erupted during the time of my father-in-law's illness and death five years earlier. I knew too well the kinds of hostility that would play out among this group of hot-headed siblings, and I didn't want to be a part of it. Besides, I reasoned, I didn't want Madalena and Zeca exposed to that kind of conflict. While Quin and the Old Man headed back to town, the Old Lady and I stayed in the village gossiping with the other family members and condemning the townspeople for their general lack of civility: 'And they say we are just mountain women in sarongs!' said the Old Lady. 'They have no respect,' we all agreed.

While I am used to family conflict, the potential for violence in these kinds of altercations frays my nerves. I worry that Quin will get embroiled, too, and that things will get further out of control. While everyday life in Timor is relatively safe, people fear the violence that springs forth in heated intra-family disputes, and while such conflict is not welcomed, it is also not shied away from. Conflict and its resolution are the reality of life in small societies where people must learn to live together through thick and thin.

When the Old Man and Quin returned to Bercoli, we were told a date for the formal reconciliation ceremony at the Baucau house had been agreed. I was expected to attend too, they both told me. Despite my foreign

sensibilities (or weak constitution) in these matters, it was made clear that, as one of the family, I was expected to be a part of the reconciliation. In these situations, all family members have a role to play, even if it is only to witness the reconciliation. As further justification, they said: ‘You study culture; here is another chance.’

A week or so later, most of the siblings had already pooled money for the purchase of the sacrificial buffalo for the peacemaking ceremony. At close to US\$1,000, this purchase was not a trivial undertaking. But, in the final day or so leading up to the event, the brother married to the aggrieved aunt made it clear that they would not be contributing to the purchase. This signalled to all that they were not prepared to recognise their role in the collective wrongdoing. In fact, he said, his wife’s rural family would not accept the terms. For them, it was their sister’s honour that had been publicly affronted both in the town and online and it was she who must receive the apology. Her honour had been defamed to the ‘whole world’ when one of the niece’s older siblings responded to the violence of the aunt’s children by posting on social media that ‘obviously’ their rural cousins’ families had no education or manners.

With the money for the buffalo purchase already collected and the date set by the Old Man, most of the rest of the family felt the need to proceed with some kind of reconciliation event. On the set date, we all gathered on the main veranda of the property and waited to be joined by the aunt and her family. She did not come, angrily telling her husband that this problem related to his family and he could sort it out. Someone called a priest who was well known to the family, and when he arrived word was sent of his arrival to the aunt. The priest was the godfather to one of her children and he made it clear to her, very diplomatically so as not to override the customary authority of the Old Man, that he had come to broker another kind of peace: peace through the forgiveness and grace of God.

After what felt like an interminable period of time, the aunt made her entry onto the veranda. The niece and her parents swooped in immediately to make their peace offering, with the niece prostrating herself in front of her aggrieved aunt, a woman who was half her size and three times her age. As she begged forgiveness, the niece’s mother stood in solidarity behind her and then handed her sister-in-law an envelope containing US\$200. The money was equivalent to that of a horse, which custom dictated was an essential exchange for the resolution of this kind of

conflict. With the priest and the Old Man looking on, the aunt reluctantly received the peace offering. She then sent one of her disgruntled brothers, who had been seated at the edge of the veranda, up to her house to fetch a *lipa* (sarong). When he returned, she opened the tubular cloth and slipped it over her niece's head and body. They embraced and started to cry, and then the niece's mother joined the embrace, also suddenly weeping. All the other feuding cousins present also came humbly forward out of the shadows. Everyone began to embrace each other and cry.

The peacemaking had been cathartic for us all. I, too, was crying, as was Quin. The depth of feeling and history tied up in this moment was evident. I had seen these nieces and nephews grow up together over nearly two decades. To see them embroiled as young adults in their parents' long-simmering antagonisms was sobering for all concerned. On this day, a resolution of sorts had been reached, but the core issues were far from resolved. We sealed the reconciliation by sitting down to eat together, the Old Man and priest at the head of the main table surrounded on all sides by the gathered family members.

Despite the temporary reprieve in hostilities, the dispute lingered on. Neither aunt visited the other's part of the property and the truce between the cousins felt uneasy. The niece moved back to live and attend school in the capital where she and her siblings had been born. A buffalo was yet to be sacrificed to acknowledge collective wrongdoing. The Baucau property felt, as it had many times in the past, like a tinderbox.

But another event loomed. Twelve months or so later one of the niece's older brothers was to marry in a lavish wedding in the capital. The question was whether the feuding families would truly reconcile for this event? We breathed a sigh of relief when, back in Australia, we saw pictures on social media of the aggrieved aunt and her family attending the wedding. The significance of their participation could not be overstated. Despite the lingering tensions over property and family honour, the desire to conform to the greater good of fostering intergenerational wellbeing had again won out above all.

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