

# 1. A Political Puzzle

This book starts with a political puzzle. When John Braithwaite and Hilary Charlesworth were young, Gough Whitlam was a breath of fresh air, a great political intellect and reformer in the long years of conservative rule in Australia. In 1972, he finally led a social-democratic party to power with a progressive political agenda. His government survived only three years. Social democrats look back on them as years of great reform when Australia withdrew from the Vietnam War, recognised China, resisted colonialism, handing independence to its own colony of Papua New Guinea, increased aid to the poor internationally and domestically, recognised Aboriginal land rights for the first time, took women's equality seriously and much more.

On the conservative side of politics, the Whitlam Government is of course seen differently: as fiscally undisciplined wreckers of economic growth. In retrospect, we see some merit in the argument that Whitlam's arrogance led him to breach checks and balances his own Treasury sought to put in his path. But we see him more as unlucky in coming to power in the year of the first Organisation of Petroleum Exporting Countries (OPEC) oil shock, when both inflation and unemployment began to rise across the globe.

The puzzle of Gough Whitlam is of a leader who introduced major reforms to increase freedom and equality at a more rapid pace than any Australian prime minister before or since, yet who did a great injustice that cost more than 100 000 lives, causing starvation, torture and tyranny in East Timor.

The next generation of Australian social-democratic leaders displayed similar contradictions. One was Bill Hayden, who became the second most influential member of Whitlam's Government in its final year when the decisions on the Indonesian invasion of Timor were made by Australia, who succeeded Whitlam as leader and became Foreign Minister in the next social-democratic government in 1983. Another was Hayden's successor as Foreign Minister, Gareth Evans. They both made great contributions to UN peacebuilding in Cambodia. After politics, Evans became an influential player on the international stage as President of the International Crisis Group and as a midwife of the Responsibility to Protect doctrine. Hayden and Evans were critics within their party of Whitlam's failure to take his East Timor policy to cabinet for approval and critics of the 1975 Indonesian invasion. Had Whitlam taken it to cabinet, many would have passionately opposed his policy. Yet Hayden and Evans opted to become realists on this issue after 1975. Much as they disapproved of the invasion, it had become a fact on the ground; Indonesia was a powerful neighbour which was not to be trifled with on Timor. More fundamentally, Hayden and Evans believed that

to do anything to encourage resistance of Indonesian rule in East Timor would simply increase and prolong the suffering of the Timorese people. So they tended to see the idealists of the Timor solidarity movement as irresponsible.

Their realist analysis seemed from 1975 to 1998 to be almost obviously right, sounding like commonsense. Even if Australia had become an active supporter and funder of Fretilin's struggle against Indonesia, the United States and other major players would never turn on Indonesia. Indonesia was of utmost geopolitical significance during the Cold War, having in the 1960s the largest communist party in the world outside China and Russia. It had the largest Muslim population of any country; the West wanted it as an ally in the next great divide in global politics: between radical Islam and the West. If the United States, China, the Soviet Union, Iran and Iraq agreed on anything, it was that Indonesia must be cultivated diplomatically, not crossed.

While the analysis of leaders like Hayden and Evans seemed at the time to fit with the international political context, events proved them wrong. There was a realistic hope for a referendum for the people of East Timor to vote whether they wanted the alleged benefits of integration into Indonesia. That referendum occurred in 1999 and Timor-Leste won its independence. Evans' comment on a draft of this book was that as José Ramos-Horta 'has said to me a number of times since, until Habibie's extraordinary turnaround in 1997 he and his colleagues really believed that substantial autonomy was the only achievable game in town'. Moreover, Ramos-Horta had publicly as well as privately expressed appreciation for the 'behind-the-scenes' work Evans had done at the United Nations towards that objective. In a paper that appeared only in part in *The Australian* newspaper on 27 September 1999, Evans articulated his position as a kind of balanced realism:

In Australia's Asian environment, playing to the gallery won't keep you out of trouble: most of the time you can be expected to be booed for your idealism by your foreign audience and for your realism by the domestic one. The intelligent course is not to opt for one or the other, but to steer a balanced course between both...Always give pre-eminence to Australia's national interests, but define those interests broadly, as including not only security and economic concerns, but also interests in being, and being seen to be, a good international citizen.

On the occupation, the Evans view in that paper was that

Australia was in no position militarily to stop or reverse Indonesia's invasion of East Timor in 1975...[and] before the economic crisis of 1997 and its political aftermath changed everything, we all had to live with the fact that there seemed no realistic chance of Indonesia ever agreeing to a fully fledged act of self-determination in which independence was an option.

Yet when the time to replace President Suharto came, Evans argued publicly that Habibie, who had been the member of Suharto's cabinet most open to self-determination options for Timor, and who did in the event support an act of self-determination, was not a sustainable choice, and that a 'military leader' was the best hope 'to end the civil and political crisis'. He thought 'either Wiranto or possibly Prabowo' the likely military leader to take over (Fernandes 2011:172–3), but he hoped for a moderate military leader. This when none of the leading generals of this period, and certainly not these two, would let Timor go on the basis of a referendum, not without leaving it awash with blood. Yet the survival of Indonesian democracy as well as the survival of Timor-Leste were better served by the succession of Habibie and Wahid as non-military presidents who insisted on reform of the role of the military in the democracy.

At another level, foreign ministers like Evans and Hayden, who evinced this kind of balanced realism, are as good as Australian foreign ministers get. Both were peacemakers who believed in what Evans called 'cooperative security' that refuses to privilege military solutions and seeks to prioritise 'habits of dialogue' (Evans 1993; Salla 1997b). As Evans warned, we cannot be so idealist as to think that foreign ministers can survive politically without spending much of their time in realist pursuits, any more than we can expect business leaders to survive without pursuing profits. Yet we can struggle for a republican polity that puts politicians under maximum pressure to eschew war making that might serve some national interest and to honour rights when that comes at a national cost, and for business leaders to act with corporate social responsibility. In other words, Australians can struggle for the kind of networked politics that delivers them foreign ministers that are more like Norwegian foreign ministers than Australian ones, tycoons that are more like Warren Buffet<sup>1</sup> than Australian business leaders.

The argument of this book is that the error of otherwise good leaders was one of misplaced realism. It was the error of discounting a networked politics of hope, discounting patience in politics. It was a failure to understand weapons of the weak, and how and why the weak quite often prevail over the strong in politics. Part of this was a failure to understand people power and the importance of the crowd in history (Rudé 1964), as we have recently seen again on the streets during the Arab Spring. World leaders particularly underestimated the brilliance and the resilience of the networked diplomacy led by José Ramos-Horta and Mari Alkatiri and of the clandestine movement of Fretilin supporters in Timor, Java and Bali masterminded by Xanana Gusmão. While it is important to understand the qualities of these three Timorese leaders, it is more important to understand

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<sup>1</sup> Buffet has given a large proportion of his profits to the Gates Foundation for the conquest of the diseases of poor nations, and emerged in 2011 as an advocate of wealthy people paying the same proportion of their income in tax as the middle class.

the liberation of East Timor as an accomplishment of networked governance across a galaxy of potent nodes. Such nodes included Ramos-Horta's office, the Maputo hub and Xanana Gusmão's prison cell—nodes that tied disparate strands of the network into a coherent fabric. That is what we will describe in the early chapters of this book: the network analysis of power that made the realist analysis a tragic political error.

We will argue that networked struggles for justice, peace and freedom are the mainstay of progressive politics in the kind of world we inhabit today. Bold and brilliant social-democratic reformer though he was, Gough Whitlam wrote a less important page in history than José Ramos-Horta. We will try to show how and why there is much to learn from Timor-Leste on the networked governance of freedom.

Then, from Chapter 4, we describe the networked governance of tyranny in Timor. In politics, there is commonly a tipping point where a networked governance of freedom becomes a networked governance of tyranny. This of course most often happens when a networked revolutionary vanguard of any complexion actually takes over a state. Whether it is a Lenin with a more progressive politics than the aristocracy he helped overthrow, or a Yeltsin with a more progressive politics than the party machine he helped displace, the networked power that is a force for liberation quickly becomes one for oppression when the key node of the oppositional network absorbs the commanding heights of the state. As Hannah Arendt (1963:86) put it: 'Politically speaking, one may say that the evil of Robespierre's virtue was that it did not accept any limitations.'

Our normative analysis, based on civic-republican political theory, is that when networks of freedom fighters take over a state, as in several 'Arab Spring' states today, the transition is always dangerous. Timor-Leste illustrates the danger as a politics of hope soured to a politics of despair, particularly in 2006, when the chatter of automatic weapons once more dominated the capital and people fled burning homes once more. Our theory is first that networked countervailing power must always be quickly asserted against a vanguard that captures a state, whether it is the state captured by Gough Whitlam or Xanana Gusmão. We will argue that between 1999 and 2002 the encompassing network infrastructure of the Conselho Nacional de Resistência Timorense (CNRT: National Council of Timorese Resistance) was dismantled too quickly; political participation networks were narrowed around the leadership, instead of expanding to embrace wider circuits of civil society. Memories of the trauma of civil war between Frente Revolucionária do Timor Leste Independente (Fretilin: Revolutionary Front for an Independent Timor) and União Democrática Timorense (UDT: Timorese Democratic Union) in 1975 fuelled fear of political-party pluralism initially, with some members—though by no means all—of the Fretilin elite manoeuvring for a one-party state.

However progressive the politics of the leader, civic republicans can never hold firm in their faith in a leader. It is not only that power tends to corrupt anyone; it is also that power in the hands of a deft practitioner of networked resistance from below is particularly likely to corrupt. Decades of evading intelligence networks are good preparation for running a secret police that is effective in intimidating people. We see this throughout history as networked resistance of historical tyrannies in the hands of Lenin in Russia, Mao in China and Sukarno in Indonesia became more terrible tyrannies in their politically skilful hands. Our theory is further that networked resistance to the good leader who can control bad forms of power is not enough. There is also a specific imperative for networked campaigning for separations of powers that progressively become more separated. We make a case from the history of Timor-Leste for progressive struggle for continuous improvement in securing ever more separated powers; not just for a classical republican tripartite separation of powers between an executive, legislature and judiciary, but for much more variegated and indigenously attuned separations of ever more powers; not just separations of government powers, but division of both private and public powers. Eisenhower's concept from the 1950s of breaking up the military-industrial complex in the United States captures part of this idea. Not just struggle for a new democratic constitution that guarantees for all time a separation of powers, but for an ever evanescent constitutionalism that struggles to continuously deepen separations of powers at every stage of a nation's history.

This is the theoretical prism through which we see the political successes and failures of UN peacebuilding and state-building in Timor-Leste (Chapters 8–13). We find fault in the way the United Nations failed to coax and caress separations of powers that might work in post-conflict Timor. Yet there are revealing strengths as well as weaknesses in Timorese peacebuilding: a politics of hope is alive and kicking in Timor-Leste. Chapter 13 concludes that in future we might evaluate international peace operations according to

- how well they fix problems
- how much of the responsibility over the fix they shifted to locals
- how they have contributed to separations of the power to fix.

We consider in Chapter 8 the challenges of transitional governance, in Chapter 9 of transitional security, in Chapter 10 of transitional justice and in Chapter 11 of transitional social and economic development. Chapter 12 focuses the republican analysis on feminist politics of non-domination. Chapter 13 considers the prospect that precisely because Timor-Leste has been so tested by tyranny and so resilient in resistance to it, we should not discount the possibility that one day it will take separations of powers up through the current ceiling to a new global benchmark.

In our history, we consider the failures of the Indonesian state to grapple with the 'realities' (non-realist realities!) of the networked warfare choreographed by the genius of Xanana Gusmão. This is an irony as Indonesia itself was a creation of networked insurgency. The Indonesian military continued to use a networked warfare strategy against Fretilin, by enrolling martial arts groups and indigenous Timorese militias into the conflict. We study the failures of the Indonesian state to grasp how the East Timor clandestine network (Rede Clandestina) could enrol<sup>2</sup> the Indonesian democracy movement by being a major contributor to its student front (Chapter 5). We consider how that democracy movement could enrol even Suharto's Vice-President to its project of *reformasi*, where part of the *reformasi* package became a referendum for East Timor. Vice-President Habibie became convinced that *reformasi* would enable him to succeed Suharto as President. We ponder the networking paradox that the very gang networks (militias and martial arts groups) enrolled by the Indonesian military on its side of the conflict were differentially enrolled by competing Timor-Leste factions that split Timor open in the violence of 2006–08. We analyse the contemporary corruption of economic development in Timor-Leste. It includes enrolment by the current Timor-Leste political elite of business elements from Suharto's crony capitalism and business entrepreneurs from the Indonesian military who once dominated Dili (Chapter 11).

Rule of law is analysed as an accomplishment that can be forged by networked politics (Chapter 10). Concrete experience also shows networked politics to be a principal threat to the rule of law. Hence, a crucial question becomes what kind of networked politics can realise its promise for the rule of law while transcending its corruption of the rule of law. Networked governance for the rule of law that also regulates networked corruption of the rule of law takes a particular form that we attempt to describe. In the context of Timor-Leste, this is a form that is about village justice contesting state justice and vice versa.

We do not see networked governance for freedom that is then corrupted to become networked governance of tyranny as just a problem of the constitutional moment in the history of a nation when the oppressed become the rulers. Chapter 6 discusses the hard case for republican theory of the politically decisive Santa Cruz Cemetery massacre of 1991. Santa Cruz was at the same time a dazzling accomplishment of networked governance for freedom, and for tyranny (perpetrated by the forces of freedom). Santa Cruz was the most terrible transitional moment a republican or a liberal could imagine. And new challenges arise a decade after peace and democracy, and continuously after that, as we illustrate throughout the book.

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<sup>2</sup> Our use of the concept of enrolment in this book leans theoretically on Bruno Latour's (1986, 1987) translation theory of power as enrolment of other actors.

We seek to make a contribution to the political theory of why realism is so often misplaced, why networked governance is a more important vehicle for freedom than realist power. At the same time, we seek to show through the Timor-Leste case why networked governance can be freedom's greatest enemy. And we seek to develop an argument about what can be done about it. It is an argument for a contemporary civic-republican politics of endless struggle for networked governance of freedom and for continuous improvement in separations of powers. Principled engagement and responsive regulatory theory provide a philosophy in our work for developing practical tools of nonviolent struggle for non-domination and separations of powers. These ideas are developed in Chapter 3.

Chapter 12 considers feminist politics in Timor-Leste as a case of networked governance of freedom (and tyranny). We suggest a feminist politics in the civic-republican tradition first recorded by Mary Wollstonecraft is evident in the concrete struggles of many Timorese feminists. We find in contemporary Timorese feminist praxis a path and a vision for continuous networked struggle for emancipation. Chapter 12 shows that the women of Timor-Leste have not surrendered meekly to their exclusion from power. We argue that feminist struggle is like social-democratic politics in that concentrations of (male) power are resilient, which means that gains are never consolidated permanently. Nevertheless, institutionalised separations of powers can increase the durability of gains. Checks and balances, institutionalised through bureaucracies that enforce women's rights for example, make it harder for entrenched male power to dominate totally.

At its foundation, civic-republican theory is about continuous struggle towards a society without domination, where no men or women are slaves to others (Pettit 1997). This is a destination that can never realistically be attained, but is more closely approached in some societies than others. Our book contributes to republican and feminist theory by showing that non-domination for women requires a much more variegated set of separated powers than simply a separation of the executive, legislature and judiciary and requires a networked as opposed to a statist pursuit of non-domination. For example, we find in Chapter 12 that women's clandestine networks during the long conflict, often organised through churches (as we also found in Bougainville and Solomon Islands), women's rights networks at the United Nations, international women's non-governmental organisations (NGOs) and an electoral architecture that guarantees women at least one-third of parliamentary seats all played parts in supporting the struggles of Timorese women for non-domination.

The networked governance tradition in political theory is primarily a descriptive one. It is about the empirical observation in a world of global business networks, trans-governmental networks (Slaughter 2004) and global NGO networks that

governance can be more important than government (by a state), that networked power can be more important than hierarchical bureaucratic power. One reason for this is that nodes in a network often enrol (Latour 1986, 1987) bureaucratic hierarchies to their projects, as Ramos-Horta ultimately came to enrol key bureaucracies of the Portuguese state, then the Australian state, then the United States and the United Nations. Fretilin enrolled even key concentrations of power within the Indonesian state at points in this history, illuminating the consummate power of networked jujitsu that flips the bureaucratic power of an adversary against itself. Scholars such as Sorensen (2006; Sorensen and Torfing 2006) and Rhodes (1997; Bevir and Rhodes 2003) worry that the explanatory theory of networked governance is not paralleled by a normative theory of dangers that tempers its strengths. We hope this book will prove a constructive contribution to forging such a theory by bringing the explanatory power of networked governance (Castells 1996) together with republican and feminist normative theories and with concrete historical praxis in Timor-Leste. We hope the result is a novel amalgam of explanatory and normative theories that illuminates emancipatory politics.

That foreshadows our conclusions. First, in Chapter 2, we briefly summarise the history of Timor-Leste that is the political crucible for these lessons. And at the last, the Appendix describes the Peacebuilding Compared project that led to the collection of our data in Timor-Leste, and some details of the wider ambitions and methods of this project that will see us monitor Timor-Leste and 50 other conflicts until 2030.

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