

Preface

This book is about the ethical limits of state sovereignty. It explores these limits in two ways. One is a critique of realism as a theory of international affairs. The second is about the limits of reforming tyranny through the centralised agency of a state sovereign who is a progressive leader or a political party responsible for overthrowing a tyrant.

Realist international relations theory explains the world as if it were a billiards table with one kind of actor that matters: billiard balls, each representing a unitary state. These balls vary in size depending on the economic and military power of that state. So the world is understood under this metaphor as one in which little balls do not shape history; they are constantly pushed aside by the bigger and especially the biggest ones, the great powers. This realist metaphor is challenged as an explanatory account in this book. It is a story of a tiny, non-unitary ball of a million people with no state military, no economic clout—Timor-Leste—pushing aside the will of the world's greatest powers: the United States, the European Union, and also the fourth-largest country in the world, an emerging economic powerhouse with a formidable and dominant military, Indonesia.

There are many versions of realist international relations theory. For our analytic purposes, we settle on four features as definitional. One is that unitary nation states shape history. Two is that the states that shape history most are those with the most economic and military power. Three is that world affairs are understood as unitary states pursuing their national interests as states, where the key national interests are the very economic and military assets that constitute realist power. These first three defining features of realism are explanatory claims. Realism is also the dominant ethos of diplomatic practice across recent centuries and therefore has a strong normative underpinning in the minds of its practitioners. Diplomats should see themselves as custodians of their national interest and should seek to maximise that national interest. This normative assertion is our fourth defining feature of realism.

More extreme versions of realism, which have been particularly prominent in the thinking of recent Republican administrations in the United States, see the interjection of international values and rights and building international institutions as causing irresponsible commitments, rigidity in diplomacy and escalation of conflict. They disparage this as Wilsonian idealism—a reference to Woodrow Wilson, the American President who was instrumental in creating the League of Nations that failed to prevent World War II. This more extreme form of realism is not taken as definitional for the analytic purposes of this book. In part, this is because the targets of our critique are not Bush–Cheney realists of

this extreme kind, but leaders like Presidents Jimmy Carter and Bill Clinton of the United States and Prime Ministers of Australia Gough Whitlam, Malcolm Fraser, Bob Hawke and Paul Keating, whom the authors view as mostly admirable leaders who were strong supporters of international institutions, peacemaking, human rights and the United Nations. In spite of this, our book shows that the behaviour of all these leaders towards Indonesia and Timor-Leste reflected the view, as expressed in the words of former US Ambassador Stapleton Roy, that 'Indonesia matters, East Timor does not' (Roosa 1999:1). Their conduct of Timor diplomacy satisfied all four of our defining features of realism in international affairs. One objective of our book is to understand the politics needed to keep admirable leaders more consistently admirable in the face of realist pressures.

This book is not about adjudicating the nuances, revisionist versions or extremes of realist international relations theory; rather it is a critique of these four core tenets. One nuance that is particularly important to our narrative is that sometimes great powers outsource regional security to a middle power of that region. Once the Soviet Union withdrew from Afghanistan, the successive administrations of Presidents Reagan, George H. W. Bush and Clinton (until 1997) no longer viewed Afghanistan as important and outsourced its stability to Pakistan. This proved a disastrous blunder. A less well understood blunder was that for a period after the Vietnam War, the United States withdrew from interest in South-East Asian and South Pacific diplomacy, outsourcing responsibility for the so-called 'arc of instability' around Australia to Australia and Indonesia. We will argue that Australia and Indonesia proved as incompetent and venal with Timor as did Pakistan with Afghanistan, causing catastrophe and immiseration for the peoples of those lands.

The family of one of our authors, Adérito Soares, suffered greatly from this venality, though no more than most Timorese families. This book is dedicated to Adérito's tiny sister Nina who died as a result of one tragedy of the war in Timor. Adérito played his part in the clandestine movement in Renetil, became a key drafter of the post-conflict Constitution as a member of the constitutional assembly that also became a de-facto first parliament of the first new nation of the twenty-first century. Today he has left politics and is Timor-Leste's Anti-Corruption Commissioner. Adérito also married into an Australian family. So all three authors write partially from an Australian vantage point.

We will argue in Chapter 3 that on no issue in its history has Australia had more influence on world affairs than on Timor-Leste because of the way US Secretary of State Henry Kissinger decided to opt out of Timor diplomacy, entrusting it to Jakarta, Canberra and Lisbon. European powers did likewise, while China only feigned interest. Just as the focus of the book is on Timor as a case study, it is also on Australia as a case of realism in international affairs, illustrating the swampy moral ground that realism created.

The university with which we are all affiliated, The Australian National University, has been for decades the most distinguished centre of scholarship on Indonesia outside Indonesia itself. Just as we are grateful to Australia and the Australian Research Council for nurturing our research, so we thank the wonderful community of scholars, including many amazing students from our region, at The Australian National University who have nourished us. On the republican themes of this book, we particularly single out the inspiring influence of Philip Pettit. Yet there have also been aspects of realism in the scholarly climate at The Australian National University at times and this is reflexively part of our account at certain moments of the history.

The second analytic focus of our book casts a critical light on different leaders we admire: Xanana Gusmão, José Ramos-Horta and Mari Alkatiri. We are grateful to them for agreeing to be interviewed and for the way their struggle has inspired the world. The virtue of their political project that caught our interest is that it was networked. Networks among weak actors ultimately defeated the strong in this story. The way networked governance by the weak can overwhelm great powers, rendering realist international relations theory predictively false, has long been a focus of our research group (Braithwaite and Drahos 2000). So have been several other theoretical frameworks we deploy in this book to shape our understanding of how weak networks can control strong tyrannies: the nodal governance of networks (Drahos 2004; Johnston and Shearing 2003; Shearing et al. 2003) and principled engagement (Pedersen 2008) informed by responsive regulation (Ayres and Braithwaite 1992; Braithwaite 2002) as an alternative to the unprincipled engagement and disengagement that are recurrent fruits of realism.

Our second analytic focus is on how nodes of networks against domination become sources of domination from the moment they assume sovereignty over a state. Our conclusion is that public policy—state policy—is not the crucial solution to both the challenges we seek to understand. Rather it is the policies of civil society organisations organised into networks. In the Timor narrative, the key actors in the defeat of realist Western power and Indonesian power were in the clandestine network, the diplomatic front of the resistance and the international solidarity network. According to our analysis, the crucial failure in building the Democratic Republic of Timor-Leste after the conflict was that it was not republican enough. It was too focused on building a state controlled by the three greatest leaders of the resistance and the party of the resistance. The networks that made the triumph over realist forces possible were dispensed with when they were most needed to act as checks and balances on the new executive.

So the second contribution we seek to make is to republican political theory—again, this has long been a focus of our research network at The Australian National University (Ayres and Braithwaite 1992; Braithwaite and Parker 1999; Braithwaite and Pettit 1990; Pettit 1997)—and in particular a focus on reframing the republican ideal of the separation of powers (Braithwaite 1997). Our argument is that republics must radically pluralise their vision of how to separate powers within the state, so the state has many branches of separated powers rather than just the traditional three (legislature, judiciary and executive). The new Anti-Corruption Commission that Adérito Soares leads is just one of those branches. Even more important than variegating separations of powers within the state is enrolling networks of checks and balances from civil society outside the state. In a society like Timor-Leste, these must go beyond capital-city non-governmental organisations (NGOs) in the Western mould and include rural indigenous networks as checks on state power.

So these are the senses in which our title, *Networked Governance of Freedom and Tyranny*, has meaning. Networks restraining excesses of realist international diplomacy and networks checking excesses of executive domination within a state are what deliver republican freedom. We define networked governance as plural actors linked by coordinating dialogue that constitutes both interdependence and sufficient autonomy for different nodes of the network to check and balance other nodes of power. While networked governance has a more variegated horizontal architecture than state governance (Castells 1996), networks of capacity and accountability are linked to every layer of sub-national, national and international hierarchy. Sometimes they are coordinated by state regulation, sometimes not.

We distinguish republican freedom from other conceptions by characterising it as freedom as non-domination (Braithwaite and Pettit 1990; Pettit 1997). It is freedom from arbitrary power secured by networks of checks and balances that include much more than a rule of law. According to this conception, republicanism is a philosophy of how to maximise freedom as non-domination. Republicans do not think non-domination is the only value that matters. We just say that a good strategy of institutional design is to ask the question: which political arrangements will maximise freedom as non-domination? Our conclusion is that they are often networked arrangements. Networked accountabilities that humble power enable regimes to change in ways that ensure one form of enslavement is not replaced with another. Domination can be continuously challenged by networks that renew themselves with novel ways of checking power that are not confined to enduring constitutional balances.

Here there is common ground with other theoretical traditions, such as the notion of ‘destabilization rights’ that Roberto Unger (1986, 1987) introduced to critical legal studies. Charles Sabel and William Simon (2004) further developed

the concept of destabilisation rights within the tradition of ‘democratic experimentalism’. These are rights to unsettle and open up state institutions that persistently fail to fulfil their functions. Destabilisation rights are dynamic checks on failures of institutionalised checks to do their job. Rights to public law litigation can destabilise defunct structures, as can rights of oppressed minorities to appeal for redress to UN institutions. Destabilisation rights enable a politics of dis-entrenchment. Networks can deliver experimental innovation in the invigoration of separations of powers. The state is often too paralysed for innovation and democratic experimentalism. Western doctrine on the separation of powers has stultified, we hope to show, because it has not been open to learning from the democratic experimentalism in civil separations of powers revealed in non-Western histories such as that of Timor-Leste.

Finally, our research community has long had an interest in feminist theory in international affairs, particularly on questions of justice (Braithwaite and Daly 1994; Charlesworth 2010; Charlesworth and Chinkin 2000; Charlesworth et al. 1991). Throughout history, the domination of women has been a feature of successor regimes that lifted other forms of enslavement. The regime led by the big three men of the liberation of Timor is no exception. Yet we also discovered women’s narratives of networked resistance to male domination that are distinctively Timorese. These, we argue, might be productively ‘vernacularised’ (Merry 2006) into Western feminist wisdom.

Feminist politics has been more successful than in most countries at getting women into Timor-Leste’s Parliament. Yet our analysis concludes this is not the main game. Networked governance for freedom is not mainly about replacing political leaders who believe in a politics of domination with politicians who do not, desirable as this is. It is not about replacing business leaders who ruthlessly exploit workers, consumers and the environment to maximise profits with disciples of corporate social responsibility—good thing though that is. The main game is a vibrant civic republican politics of networked checks that humble state dominations and rapaciousness in markets. That is the game we seek to understand and diagnose from the lessons of Timor’s history.

Our research ethics protocols do not allow us to acknowledge the greatest debts we owe, which are to the many Timorese, Indonesian, UN and international voices heard in our interviews. We thank you for your openness and generosity. Our ethical obligations under The Australian National University’s Research Ethics Committee approval were explained to all participants. These included an obligation to report quotes and insights from each informant without identification unless they specifically indicated that they wanted to be quoted as the source. We also thank the members of our Advisory Panel listed on the next page who in most cases assisted by both suggesting folk we should interview and commenting wisely and critically on long drafts with great generosity of

spirit. They bear no responsibility for the ways we failed to learn from their counsel. Likewise, we thank three referees appointed by ANU E Press for their helpful comments. We particularly thank Kate Macfarlane, manager of the Peacebuilding Compared project, for her endless kindness and dedication and our ANU E Press mentors, Margaret Thornton, Duncan Beard and Jan Borrie. We thank Kate's predecessor, Leah Dunn, with whom we did many Timor interviews in 2006, and Andrew Goldsmith with whom we also had much fun in the field as he used interviews we conducted jointly for his own project on policing with Sinclair Dinnen.

We use Timor-Leste to refer to the twenty-first-century state formed by the constitution of the Democratic Republic of Timor-Leste. For its sixteenth to twentieth-century history, we use East Timor or Portuguese Timor (before 1975).

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This text is taken from *Networked Governance of Freedom and Tyranny: Peace in Timor-Leste*, by John Braithwaite, Hilary Charlesworth and Adérito Soares, published 2012 by ANU E Press, The Australian National University, Canberra, Australia.