

## Evaluating the Timor-Leste Peace Operation

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### Abstract

We might evaluate not so much what a peace operation accomplishes itself, but how it succeeds or fails in enriching a network of action that sustains peace. Framed in this way, Diehl and Druckman's<sup>1</sup> evaluation model proves successful in application to peace and conflict in East Timor/Timor-Leste between 1975 and 2012. Its evaluation goals capture most of the crucial aims in play in Timor-Leste and most relationships among them. No model can capture all goals that become contextually important. The Diehl and Druckman approach proves useful as a sensitizing repertoire, but must be complemented by thinking in time and place about other goals and their interactions.

### Keywords

Timor-Leste; East Timor; reconciliation; peace operations

The plan of this essay is first to defend and tweak the systematic comparativism of the Diehl and Druckman model, then to describe the Timor-Leste peace operation case, then to evaluate it in terms of the Diehl and Druckman evaluation model.

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<sup>1)</sup> Paul F. Diehl and Daniel Druckman, *Evaluating Peace Operations* (Boulder, CO: Lynne Rienner, 2010).

## For Systematic Comparativism

Comparativism in peace studies is an important endeavor for humankind. It has suffered a want of systematic comparative frameworks. Paul Diehl and Daniel Druckman<sup>2</sup> advance an admirable option for filling that vacuum. It will be one that we find to have great strengths through test-driving it against the tragic conflicts in Timor-Leste (1975-2008). Yet we also spot weaknesses. They are identified in a spirit of helping clarify the strengths of the model.

One weakness is noted by the authors themselves. It stems from a limitation of the foundational conceptualizations in then UN Secretary-General Boutros Boutros-Ghali's *Agenda for Peace*.<sup>3</sup> It inclines us to see 'peacemaking' as an activity that occurs first, or first after prevention has failed, enabling the 'conflict settlement' part of the Diehl and Druckman<sup>4</sup> model. Then comes traditional peacekeeping (if it occurs) to keep the peace that is settled. Then follows peacebuilding, a more multidimensional activity to assemble key institutional components that will secure the peace as sustainable. This sequencing is only true in the most trivial of senses. Not only have Diehl and Druckman themselves worried before me about taking this temporality too seriously, Alex Bellamy, Paul Williams and Jeremy Farrell in this volume address peacekeepers always having a conflict prevention role as well as a core responsibility for conflict abatement. Peacekeepers are both in the business of abating the last conflict and preventing the next one.

Peacemakers often settle a peace agreement that permits a resumption of 'peacebuilding' that had been interrupted by that conflict. 'Peacebuilding' is a 'postconflict' activity that is at the same time about building sustainable peace on the ashes of the last conflict and building capacity to prevent the next conflict. A prevention-peacemaking-peacekeeping-peacebuilding sequence only makes sense as a set of activities ordered that way in relation to conflict X in a society's past. It is a temporal sense that must be fundamentally reordered in reference to conflicts X+1 and X+2 in the history of that society. This is important because we should want a peace operation at least as focused on preventing the next conflict as on containing the last one. In the Timor-Leste

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<sup>2</sup> Diehl and Druckman, *Evaluating Peace Operations*.

<sup>3</sup> Boutros-Ghali Boutros, *An Agenda for Peace: Preventive diplomacy, peacemaking and peacekeeping*, A/47/277 - S/241111, 17 June 1992 (New York: Department of Public Information, United Nations, 1992), <http://www.un.org/Docs/SG/agpeace.html>.

<sup>4</sup> Diehl and Druckman, *Evaluating Peace Operations*.

case, only a tiny proportion of the resources of the UN peace operation was directed at containing the conflict that took the UN there. Current Secretary-General Ban Ki-moon has foreshadowed a ‘nexus approach’ that recognizes this and rejects any necessary phasing from peacemaking to peacekeeping to peacebuilding as in the *Agenda for Peace*.<sup>5</sup>

A second foundational limitation of the model that again is fingered by Diehl and Druckman themselves, and in contributions of others to this volume, is that most prevention-peacemaking-peacekeeping-peacebuilding is not done by ‘peace operations’. The best peace operations not only prefer to enhance the governance of peace by ‘steering’ rather than ‘rowing’, they actually prefer ‘enabling’ indigenous actors to do their own steering, as opposed running a peace operation that takes responsibility from locals for steering the society. Evaluating peace operations is hard because at their best peace operations are accomplishments of networked governance.<sup>6</sup> The test is whether different bits of a peace operation are useful nodes in invigorating the networked accomplishment of peace. That facilitation can probably only be evaluated qualitatively by peer review in lessons learned analyses that engage diverse stakeholders in the evaluation.

There should be little interest on this view in splitting hairs in an evaluation of a UN peace operation by saying that something was an accomplishment of the World Bank, Oxfam or the Catholic Church rather than of the UN. If these organizations are important to peacebuilding in a particular space, then the UN should be evaluated according to the contribution it makes toward facilitating, energizing, coordinating that nexus of contributors. The outcome orientation of the Diehl and Druckman model, that also takes inputs and processes seriously as paths toward outcomes, positions it well to adapt to the challenge of evaluating peace operations in terms of their capacities to learn<sup>7</sup> how to energise networks in which the peace operation, and indeed all the international players, are bit players in a drama led by locals and continued by locals after the internationals depart.

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<sup>5</sup> Francesco Mancini, ‘The UN needs a new agenda for peace’, *Global Observatory*, 20 March 2012, <http://www.theglobalobservatory.org/analysis/241-the-un-needs-a-new-agenda-for-peace.html>.

<sup>6</sup> Manuel Castells, *The Rise of the Network Society* (The Information Age series, The Information Age: Economy, Society and Culture) vol. 1 (Oxford: Blackwell, 1996).

<sup>7</sup> Lise Morjé Howard, *UN Peacekeeping in Civil Wars* (Cambridge: Cambridge University Press, 2008).

## The Case

I refer to East Timor as a colony of Portugal up to 1975, then of Indonesia up to 1999, then a UN transitional administration until 2001, that became today's Democratic Republic of Timor-Leste. The invasion of East Timor by Indonesia in 1975 occurred after the 'Carnation Revolution' democratized Portugal but destabilized its colonies. The long war that followed from 1975 to 1999 cost the lives of some 10 per cent of the population of East Timor. It was a result of a shocking failure of preventive diplomacy, regionally and globally.<sup>8</sup> US President Ford, Secretary of State Kissinger and Australian Prime Minister Whitlam were particularly culpable in failing to caution Indonesian President Suharto that such an invasion would be a wasteful tragedy for Indonesia that would cost thousands of young Indonesian lives and also Indonesia's reputation. They would have done better to have lobbied firmly against invasion, making it clear that they would denounce it through the UN. Ford, Kissinger, Whitlam and other western leaders not only failed to deliver this preventive diplomacy or concerted condemnation through the UN, they also acquiesced in the invasion with a diplomatic response that was close to a nudge and a wink.<sup>9</sup>

This was by far the sharpest failure of peace advocacy in Timor. 'Peace operations' had nothing to do with it. A peace operation to enable sustainable peace would never have been necessary in the absence of a network of actors, national and international, who enabled war. So the first limitation of the Diehl and Druckman model we note through the prism of Timor's experience is that the enablement of peace through peace operations can be less important for peace than the disablement, through preventive diplomacy, of those who encourage war.

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<sup>8</sup>) Desmond Ball, 'Silent Witness: Australian Intelligence and East Timor' in Hamish McDonald (ed.), *Masters of Terror: Indonesia's Military and Violence in East Timor in 1999* (Canberra: Strategic and Defence Studies Centre, The Australian National University Press, 2002); Clinton Fernandes, *The Independence of East Timor: Multi-dimensional Perspectives – Occupation, Resistance and International Political Activism* (Brighton: Sussex Academic Press, 2011), p. 26; Damien Kingsbury, *East Timor: The Price of Liberty* (New York: Palgrave Macmillan, 2009); Bill Nicol, *Timor: A Nation Reborn* (Jakarta: Equinox, 2002); Constância Pinto and Matthew Jardine, *East Timor's Unfinished Struggle: Inside the Timorese Resistance* (Boston: South End Press, 1997); David Scott *Last Flight out of Dili: Memoires of an Accidental Activist in the Triumph of East Timor* (North Melbourne, Vic.: Pluto Press Australia, 2005).

<sup>9</sup>) John Braithwaite, Hilary Charlesworth and Adérito Soares, *Networked Governance of Freedom and Tyranny: Peace in Timor-Leste* (Canberra: ANU E Press, 2012).

While East Timor provided some surprisingly effective military resistance for three years to the Indonesian invasion of 1975, ultimately the military power of the fourth largest nation in the world was overwhelming. It was a shift to tactics of nonviolence that finally won the independence victory for Timor-Leste. The young people of Timor were prepared to brave Indonesian bullets in demonstrating against the legitimacy of the imposed regime. The international networking of solidarity with their struggle became more effective after it became primarily a nonviolent struggle under Xanana Gusmao's leadership, integrated with the international diplomacy network in support of Timor led by José Ramos-Horta. A turning point was international disgust at the gunning down of more than 200 demonstrators at the Santa Cruz cemetery in 1991, an atrocity captured by a western film crew. Finally in 1999 Indonesia buckled under the international pressure and agreed to a UN-supervised referendum that would allow the people of East Timor a vote on whether they wished to stay with Indonesia.

Many in the Indonesian military leadership believed they could intimidate independence supporters from voting by threats of violence and could deliver sufficient carrots for supporters of Indonesia to turn out so that the independence ballot would be defeated. They had accomplished this after their military push to acquire West Papua from the Dutch colonial power was vindicated by a fraudulent UN-supervised 'Act of Free Choice' in 1969 (following the first UN transitional administration, UNTEA).

Supporting the earlier point about the variability of temporal ordering of the elements of the Diehl and Druckman model, the first element of the UN peace operation in Timor was the work of unarmed election monitors, many of whom were Australian police. This aspect of the peace operation was a (highly qualified) success. The sense in which it was a success was that it differed from the UN 'Act of Free Choice' supervision in West Papua in that the clear will of the people of East Timor was allowed to prevail in the referendum. Most of the adult population of East Timor turned out to register; on the day, 98.6 per cent of registered voters turned out; 78.6 per cent of them voted for independence.

Just as weakness and duplicity had allowed the 1969 UN supervised 'Act of Free Choice' to be a fraud against the people of West Papua, strength and integrity allowed the 1999 referendum to be a genuine reflection of the will of the people of East Timor. More than that, the election monitors of UNAMET (The United Nations Mission in East Timor) showed great courage, for example by standing unarmed between a Timorese independence supporter and an armed member of an Indonesian military-backed militia who intended to

shoot. Such incidents of courage in 1999 count among the finest moments of UN peace operations. Even so, we must not lose sight of the fact that it was not primarily the actions of UN peacekeepers that rendered the 1999 ballot a profound exercise of democratic will. It was more fundamentally the people of East Timor who deserted their towns and villages to escape pre-election intimidation by hiding in the mountains. Then they courageously streamed down from the hills to vote in droves on the day of the ballot. Notwithstanding the fact that the key agency in securing the democratic outcome was the deviousness and courage of Timorese civil society in outwitting the plans of the Indonesian military to pay Timorese militias to coerce the election result, in the absence of UNAMET, this democratic accomplishment could never have happened.

Even so, the election facilitation and monitoring part of the peace operation was only a partial success. This was because the UN and key national interlocutors with the Indonesian government - the United States, Portugal and Australia - failed to override Indonesian resistance to allowing a large contingent of armed peacekeepers to supervise the poll.<sup>10</sup> As a result of this error, the UN was powerless to prevent the Indonesian military from implementing its plan B after losing the election. This involved unleashing its militias, with military backup, to slaughter any independence supporters it could find and burn their villages, towns, churches and public buildings. This in turn, they hoped, might draw the East Timor insurgents, Falintil, out of cantonment, allowing Indonesia to argue that the ham-fisted UN ballot had caused a civil war. This, many of the generals thought, would then justify sending the Indonesian military back in with overwhelming force to restore order.

Notwithstanding the peace operation's failure to deploy troops sufficient to secure the ballot, again Timorese civil society saved the day, outwitting the Indonesian military and intelligence strategists a second time. As quickly as the Timorese people returned to their towns and villages to vote, they fled straight back to the mountains to hide from the post-election wave of violence that they feared from the Indonesian military. This was the main reason that only around a thousand people were killed<sup>11</sup> in the post-election politicide, less than 0.1 per cent of the population. 75 per cent of the undefended buildings across the nation, however, were burnt when the scorched earth policy

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<sup>10</sup> William Maley, 'The UN and East Timor', *Pacifica Review*, vol.12, no.1, 2000, pp. 63-71.

<sup>11</sup> The Commission for Reception, Truth and Reconciliation in East Timor, *Chega! The Report of the Commission for Reception, Truth and Reconciliation in East Timor* (Dili: CAVR).

was unleashed. Orders dated 17 July 1999 from João da Silva Tavares, Commander-in-Chief of pro-integration forces, in the event of defeat at the ballot, were to kill ‘those 15 years and older, including both males and females, without exception.’<sup>12</sup>

Falintil held in cantonment watching out at the smoke as their homes and churches went up in flames and fearing that their families were being butchered. That cantonment was negotiated by UNAMET to prevent the very civil war scenario that Indonesian intelligence strategists sought to create. The UN therefore deserves credit in playing its part. Yet overwhelming credit for holding the cantonment together in the face of extraordinary provocation rests with local Timorese actors.

In the aftermath of such a shocking betrayal of the people of East Timor who had been promised that they would be safe in exercising their right to vote, the United States found the strength to threaten the Indonesian military leadership to allow armed peacekeepers (INTERFET – the International Security Force for East Timor) to deploy quickly to prevent further slaughter, to demobilize the militias and supervise repatriation of the Indonesian military back to Indonesia so the referendum decision could be implemented. Only then did the ‘core goal’ sequence of the Diehl and Druckman model of ‘violence abatement’, ‘conflict containment’ and ‘conflict settlement’ swing into play. The Indonesian parliament voted to cut East Timor adrift from the nation and facilitated handover to the UN Transitional Administration of East Timor (UNTAET). With the authority of the US Pacific Fleet standing behind it, the Australian-led military peacekeepers of INTERFET were able to negotiate adroitly with the Indonesian military to withdraw peacefully, and with the remaining Timorese militias to demobilize and surrender their weapons, though most fled across the border to Indonesian West Timor. UNTAET was quickly established to replace INTERFET with a multidimensional peacebuilding mandate to create the institutions of a new state in East Timor.

### **Evaluating a Distinctive Sequence**

Evaluating the sequence of UN peace operations that served from 1999 to the present is a daunting task in a short essay. A book that diagnoses war and peace in Timor-Leste with 20 times as many words and citations was released after

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<sup>12</sup> Jarat Chopra, ‘The UN’s Kingdom of East Timor’, *Survival*, vol. 42, no. 3, 2000, p. 27.

the first draft of this essay.<sup>13</sup> That project, though having a very different focus, has been influenced by the Diehl and Druckman model.<sup>14</sup> It codes more, over 700 variables about each peace process, though many of these are more specified versions of the Diehl and Druckman variables, and some have been plagiarized in toto from Diehl and Druckman.

The evaluation literature on peace operations in Timor-Leste is staggering in the amount that is available to cite. I joke to the dozens of students of my own institution who have done PhDs on Timor-Leste that there seem to be more young Australians who have written PhDs on Timor than have completed PhDs on Australia. One of the strengths of the Diehl and Druckman model that is well illustrated by this volume is that it lends itself to a discursive evaluation in a few pages that treats hundreds of earlier research projects as resources that are only cited indirectly through the citation of more synoptic literature reviews. The model requires an evaluator who has attended to a great deal of fine-grained quantitative and qualitative data. But it is splendidly conducive to short, non-technical summaries of the successes and failures of peace operations.

Table 1 summarizes with a broad brush the early phases of this sequence of peace operations as a failure of preventive diplomacy, a successful referendum, followed by a post-referendum peacekeeping disaster until INTERFET landed.

Table 1 is a nice example of the every which way temporal ordering of Diehl and Druckman's model can swing into play. In this case an election (referendum) process and a cantonment with international monitoring preceded peacekeeping in the sequence of events.

**Table 1. The Contrarian Sequence and Success of Peacebuilding in Timor-Leste**

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Prevention of illegal invasion	Failure
Enduring War	Failure
Ceasefire and referendum agreement	Partial Success
Resumption of war	Failure
Cantonment	Success
Peacekeeping	Success
UN Transitional Administration	Partial success

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<sup>13</sup>) Braithwaite, Charlesworth and Soares, *Networked Governance*.

<sup>14</sup>) Diehl and Druckman, *Evaluating Peace Operations*.



Before moving on to diagnose the successes and failures of the peace operation after 1999 according to the Diehl and Druckman framework, I want to emphasize what a remarkable accomplishment it was to prevent a much more dreadful slaughter by holding the cantonment of those Falintil fighters who were weeping for their families. All the other successes that follow were trivial in comparison. It illustrates the fact that the UN often accomplishes great things without doing much. In this case, it was Timorese leaders, particularly Ramos-Horta, who persuaded the Falantil leaders to hold the cantonment to give him more time to make diplomacy work. He was actually bluffing his own military commanders when he said he was confident he would persuade the UN to protect their families by sending in armed peacekeepers. At that point President Clinton was against getting involved. This was before he received robust calls from the Prime Ministers of Australia and Portugal arguing that his hands off approach was a betrayal of his allies in Australia and Portugal, as well as of the people of Timor and the UN.

The peace enforcement power of the UN, like any form of deterrence, mostly does not depend on the UN doing anything, on any actions of peacekeepers. We see this again later in our narrative when units of fighters turn their trucks around in 2006 when they see naval vessels loaded with peacekeepers sailing toward Dili harbour. In other peace operations combatants have even handed in most of their weapons on an announcement that international peacekeepers would arrive (e.g., Solomon Islands<sup>15</sup>). In the case of holding the Falintil cantonment, peace prevailed on a UN ‘promise’ being invoked by Ramos-Horta that the UN actually did not see as a promise it had an obligation to keep at that point. At times, the UN advances peace because it exists as a promise rather than a reality of peace operations. Peacekeeping troops achieve deterrence by adroit positioning more than by any actual mobilization of force. It might be that this is harder to do in more violent environments than Timor-Leste. Yet even in the Democratic Republic of Congo, most commentators I interviewed felt that highly visible UN peacekeepers were deployed to the right places to head off mass violence during and after a messy election in 2011.

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<sup>15</sup> John Braithwaite, Sinclair Dinnen, Matthew Allen, Valerie Braithwaite and Hilary Charlesworth, *Pillars and Shadows: Statebuilding as Peacebuilding in Solomon Islands* (Canberra: ANU E Press, 2010).

## **Highs and Lows of Transitional Administration**

Once the Indonesian military departed, the militias were quickly pacified. There were some minor conflicts in the border areas with Indonesia. But for the most part, the transition from peacekeeping to peacebuilding was rapid in 1999-2000. The peacebuilding challenge was large as a state had to be built for the first time and all infrastructure had been decimated by the Indonesian military's scorched earth policy. Yet part of the weakness of UNTAET was that its leaders tended to construe East Timor as *tabula rasa* when resistance, church and village governance structures abounded and fused a strong society together.

A Constitution was settled by a Constitutional Assembly that morphed into an interim parliament. Parliamentary, presidential and local elections were eventually held and successfully repeated. Democracy and new parties consolidated. Humanitarian assistance got through. In the 13 years since the referendum, Timor-Leste has made steady progress up the UN Human Development Index indicators for health, education and other indicators, including human rights. Local security improved compared to the violence of 1998-2000. Police, courts and prisons were established and a rule of law slowly seemed to consolidate. DDR seemed to have proceeded well. While there was conflict over who was and was not selected to move from Falintil to Falintil –FDTL (the Defence Force of Timor-Leste), the research indicated that those who missed out were mostly pleased at the end of the day that they had taken the reintegration package, handed in their weapons and returned to civilian life.<sup>16</sup>

A crowning achievement of the peace was the Commission for Reception, Truth and Reconciliation in East Timor<sup>17</sup> run by an all Timorese Commission with assistance from international staff. The Reception part related to the strength of a local process of *acolihimento* (reception-welcome-reintegration) that chose to give emphasis to the reception, reintegration and forgiveness to militia leaders and followers who had fled to West Timor, welcoming them to return to rebuild their lives after engaging with traditional processes of apology and compensation. The 2006 CAVR report of over 3500 pages was as thorough and insightful a documentation of the memory of a conflict and the struggle of a people for self-determination that a nation could hope for. A hybrid national-international tribunal was established in Dili to prosecute

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<sup>16</sup> John McCarthy, *Falintil Reinsertion Assistance Program Final Evaluation Report* (Dili: International Organization for Migration, 2002).

<sup>17</sup> The Commission for Reception, Truth and Reconciliation in East Timor, *Chega!*

serious crimes of 1999, but not of 1975-1999. Eighty-four defendants were convicted. These were mostly mid-level Timorese militia leaders, with the senior militia commanders and all the indicted Indonesian alleged war criminals fleeing to impunity in Indonesia. Indonesia was pressured to conduct its own trials.<sup>18</sup> These were shams that produced only one conviction, of a Timorese militia commander.<sup>19</sup>

While criminal accountability for crimes against humanity was overall mostly a failed part of the peace operation, CAVR also co-ordinated a Community Reconciliation Process which was largely a success. It processed 1,371 defendants using traditional *lisan* reconciliation processes ‘on the mat.’<sup>20</sup> This was a kind of local restorative justice. It allowed pro-independence and pro-militia families to live together without fear of each other and to work together in rebuilding their villages and restocking their farms.

The UN had put its A team into the UNTAET leadership<sup>21</sup> and heavier resourcing than previous peace operations. By 2006 this seemed to have paid off in the long list of qualified successes outlined above and summarized in Table 2. Timor-Leste was repeatedly hailed as a pin-up story of the new multidimensional UN peacekeeping/peacebuilding. Then violence broke out in the capital Dili in May 2006. There was a mutiny in the army, firefights between the police and the army, ten unarmed police killed while surrendering to the army under a UN flag, with a number of UN staff seriously wounded in the process. Gang warfare took over the streets.<sup>22</sup> The Prime Minister and President were hiding in fear of their lives. UN military peacekeepers, who had departed by 2006, were rushed back in.

For a second time, the peacekeepers had an immediate positive impact in abating violence and re-stabilizing the new democracy. Armed gangs who were headed to Dili in trucks to escalate the violence turned around when they saw the Australian Navy ships steaming toward Dili loaded with peacekeepers. The 2006 violence abatement was not quickly followed by conflict containment

<sup>18</sup> David Cohen, *Justice on the Cheap? Revisited: The Failure of the Serious Crimes Trials in East Timor* (Hawaii: East-West Center, 2006).

<sup>19</sup> David Cohen, *Intended to Fail: The Trials before the ad hoc Human Rights Court in Jakarta* (New York: International Center for Transitional Justice, 2003).

<sup>20</sup> Ben Larke, “... And the Truth Shall Set You Free”: Confessional Trade-offs and Community Reconciliation in East Timor’, *Asian Journal of Social Science*, vol. 37, no. 4, 2009, pp. 646-76.

<sup>21</sup> Samantha Power, *Chasing the Flame: One Man’s Fight to Save the World* (New York: Penguin, 2008).

<sup>22</sup> See James Scambray, ‘Anatomy of a Conflict: the 2006-2007 Communal Violence in East Timor’, *Conflict, Security & Development*, vol. 9, no. 2, 2009, pp. 265-288.

**Table 2. Achievement of Peace Operation Goals, Timor-Leste 1999–2012**

Dimension	Component	Assessment
<i>Core Goals</i>		
Violence abatement	Peacekeeper operations – reduced deaths, stranger rapes.	Mostly successful
	Village <i>lisan</i> justice and reconciliations working with police reduce violence – reconciliations completed without violence	Mostly successful
Conflict containment	Peacekeeper operations – passive deterrence	Mostly successful; failed in the May 2006 collapse
	Village <i>lisan</i> justice and reconciliation working with police – reconciliation completed that reach a local peace agreement before conflict escalates	Mostly successful even in 2006-08 in rural areas, but not in Dili
Conflict settlement	UN diplomacy, diplomacy of the independence leaders, village diplomacy of traditional elders	Mostly successful; failed 2006-2008
<i>New Mission Goals</i>		
Election supervision	Overcoming fear of voting	Successful
	Voter registration	Successful
	Voter turnout	Successful
	Delivering safety to those who vote	Failure in 1999; successful thereafter
Democratization	Undominated voting	Successful, but with setbacks
	Fair elections	Successful
	Formation of parties	Resisted at first, but more successful over time
Humanitarian assistance	Delivery	Success
	Reaching most vulnerable	Qualified success

(Continued)

**Table 2. (Cont.)**

Dimension	Component	Assessment
DDR	Quality of life	Qualified success; people still very poor but Human Development Index improvement
	Demilitarization Numbers of armed soldiers who desert and destabilize the country	Failure Failure till 2008; success thereafter
Human rights protection	Preventing atrocity	Qualified success, even in 1999 when only 1000 were killed
	Progress on gender equality	Qualified success especially on numbers of women in parliament
	Progress on other rights	Qualified success but large numbers of people with their land rights denied
<i>Peacebuilding goals</i>		
Local security	Local protection	Success in rural areas; failure in Dili 2006-08
	Freedom of movement	Success; failure in Dili at night 2006-08 when few people and no taxis risked the streets
	Violent crime	Success in rural areas except for high rate of domestic violence; failure in Dili 2006-2008.
Rule of law	Legal framework	Only a formal success because laws written in Portuguese, rather than in Tetum or Indonesian, the languages most Timorese understand

**Table 2. (Cont.)**

Dimension	Component	Assessment
	Judicial operation	Improving but mostly a failure, especially in delivery of courtroom justice to rural areas
	Traditional <i>lisan</i> justice	Restored to provide 90 per cent of the justice (Asia Foundation 2004,2005,2008), mostly successfully, with problems of equal justice for women, though progress on gender equity
	Prison system	Mostly irrelevant to justice or rehabilitation; convicted offenders wander in and out
	Policing	Failure: desertions, firefights with the military in Dili, but positives where it works collaboratively with village elders in rural areas
Local governance	Control of military	Failure; fear of arresting deserters; proposals for a coup discussed by military and political leaders in 2006
	Government capacity	Mixed, with many failures and pockets of success such as health system development

(Continued)

**Table 2. (Cont.)**

Dimension	Component	Assessment
Restoration, reconciliation and transformation	Corruption	Mixed; rampant corruption, but not as bad as in Indonesian times, and progress in establishing credible institutions to regulate corruption (Soares 2011)
	Serious crimes prosecutions	Failure even though 100 of them (counting Indonesian prosecutions); major criminals against humanity living in Indonesia; mixed for Timorese –mostly small fry
	Community Reconciliation Process using traditional <i>lisan</i> justice	Success: large number with high success rate in locals living peacefully together afterwards
	Truth telling, documenting collective memory	Success through the analytic quality and the depth and breadth of Truth and Reconciliation Commission documentation
	Reception and reintegration of Timorese who fled to West Timor IDP resettlement	Success for 10,000s through <i>lisan</i> justice Failure 2006-2008; otherwise a success (1999-2005), and with very few IDPs not resettled after 2008

and conflict settlement as in 1999. More than two years of daily gang fighting in the streets, persistence of IDP camps occupied by people who continued to be afraid to return home, constant use of violence to destabilize the government, failure to enforce or negotiate the surrender of the armed mutineers from the military, did not end until 2008. Peace returned when President Ramos-Horta was shot several times and almost killed. The leader of the mutineers, Major Alfredo Reinado, was killed in the process of the attempt on the president's life. Conflict settlement quickly flowed after this shock to the nation. The remaining military mutineers were persuaded to surrender, mostly without punishment. Gang truces were also negotiated, religious and indigenous leaders led many local and national reconciliations, generous resettlement payments were offered to IDPs, after which IDPs felt safe to return to their homes and IDP camps were closed. After more than two years of regress to Hobbesian disorder, Timor-Leste's peace operation returned to a trajectory of two steps forward, one step back in peacebuilding and consolidation of democratic governance from the national down to the village level.

The terrible violence and unraveling of 2006-2008 should not diminish those accomplishments of 1999-2006 which were real, such as the building of quite a good health system, significant strides toward greater gender equality, quite a low rate of rape after a long war during which rape had been extremely prevalent, reconciliation with Indonesia, and many other accomplishments.<sup>23</sup> The renewed violence of 2006 should, however, diminish confidence in a number of the peacebuilding endeavors of 1999-2006 that had been falsely evaluated as successes by UN leaders in New York. Security Sector Reform was at the top of the list of accomplishments that had to be re-evaluated as a failure.

The policy of the independence leadership, supported by civil society, until 2000 had been that Timor-Leste would not have a defence force. The UN would have served peace well to have held the leadership to this policy. Instead, when Falintil elements threatened trouble if they were not given jobs in a new Timor-Leste military, both the Timorese independence leaders and the UN leadership caved in to this on grounds that it was a right of a new sovereign government to have its own military, even if it had no prospect of defending itself against neighbors as powerful as Indonesia and Australia. They also reasoned it was better to have Falintil in the military than unemployed and forming armed gangs. In retrospect, the cost of a reintegration program that guaranteed farming and other livelihoods to around a thousand extra fighters would have been low

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<sup>23</sup>) Braithwaite, Charlesworth and Soares, *Networked Governance of Freedom*.



compared to the cost to the international community of managing the 2006–2008 crisis and the ongoing burden upon the Timor-Leste budget of a defence establishment that consumes 8 per cent of public expenditure.

The bigger problem was that in the process of this negotiation of Security Sector Reform, the security sector became highly politicized.<sup>24</sup> Those who became the civilian ministers elected to take over the defence and interior (police) ministries had not moved from the mentality of insurgency leaders to democratic leaders. They viewed themselves as well positioned to dominate the country if the democratic process spun out of control. Because they commanded a key component of the security sector, they believed they could then call the shots. Leaders sought to make the police and the military their personal fiefdoms. When Rogerio Lobato became the minister responsible for the police, he promoted those who were his personal political loyalists, sidelined those who were not, and embarked upon a dangerous arms race with the military. This ended with the police being better armed than the military. Notwithstanding their higher-powered weaponry, the police had not been as well trained or as hardened through the experience of fighting Indonesia. When it came to a showdown in May 2006 the F-FDTL cut through the police 'like a knife through butter.'<sup>25</sup>

The UN then had to recognize that its transitional administration had presided over the constitution of a politicized, factionalized, competitive security sector with deep fissures within and between both the military and the police. The fissures in the military opened up along ethnic lines, giving the impression that 2006–2008 was fundamentally an ethnic conflict, fragmentation of a society insufficiently unified and unready to rule itself. In fact, the process of nation building under the peace operation had accomplished quite a strong sense of national unity compared to other emerging nations. What seemed to be conflict driven by ethnic divisions was more fundamentally driven by a divisive security sector politics. Certainly ethnic tensions also had some basis in problems like occupation of land and homes in Dili by groups that had no traditional claim on them. These were properties abandoned by Indonesians or the Indonesian state. What was so dispiriting for the people of Timor-Leste and for the UN was that the divisions of the near civil war of 2006–8 had nothing much to do with the conflict between Indonesia and East Timor, or the sides people took on that conflict.

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<sup>24</sup> International Crisis Group, *Timor-Leste: Security Sector Reform*, Asia Report No. 143, 17 January 2008 (Brussels: International Crisis Group, 2008).

<sup>25</sup> Interview with an Australian military observer.

There were also many more micro problems of the security sector. One of these was a general problem that was almost a top to bottom weakness of the UN administration of Timor-Leste, that was particularly evident in the rule of law institutions. This was a problem of UN officials failing to share power sufficiently with Timorese counterparts early on and failing to shift power more fully to them early enough. A quite separate question is whether the transition should have run for longer; it probably should have. The critique is of the poor quality of the enablement of local capacity performed during the transition period that was funded. The UN transitional administration did too much running of the country and performed poorly at developing indigenous capacity to run the country in a Timorese way.<sup>26</sup> When handover of judicial functions to Timorese judges went badly, the UN response was to put international judges back in control. Policing was this problem at its worst. Instead of ascertaining what would be a good way to do community policing in a Timorese way, then assisting Timorese to provide that themselves, when an Australian UNPOL contingent took over policing in a district, it would set up policing policy and administration in an Australian way. Later when the Australian UNPOL in that district were replaced by Malaysian UNPOL, they would run the district in a Malaysian way, requiring Timorese police to unlearn the little they had learnt from the Australians. Then on the next rotation, they would have to unlearn what they had learned from the Malaysians at the behest of UNPOL from some third nation. Little wonder that the police in Dili became fractured, confused and unprofessional at the moment of crisis in 2006.

In policekeeping in many countries we see the following problem that we simply saw more acutely in Timor-Leste. UNPOL understand that their job is capacity building. They see their Timorese partner do something badly, so they explain to them how to do it properly. In future, they see them do it badly again and they patiently explain how to do it properly. On a third occasion when they see the same mistake, in exasperation they say to themselves that it is easier and better to do it themselves properly. And that is what they do. Trouble is, when they have that natural response, they leave behind something worse than a police force that does not know how to operate effectively. They also leave behind a police who lose the confidence of many citizens they police when they come during the UN time to view local police as second rate compared to UNPOL.

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<sup>26</sup> Chopra, 'The UN's Kingdom of East Timor'; Jarat Chopra, 'Building State Failure in East Timor', *Development and Change*, vol. 33, no. 5, 2002, pp. 979-1000.

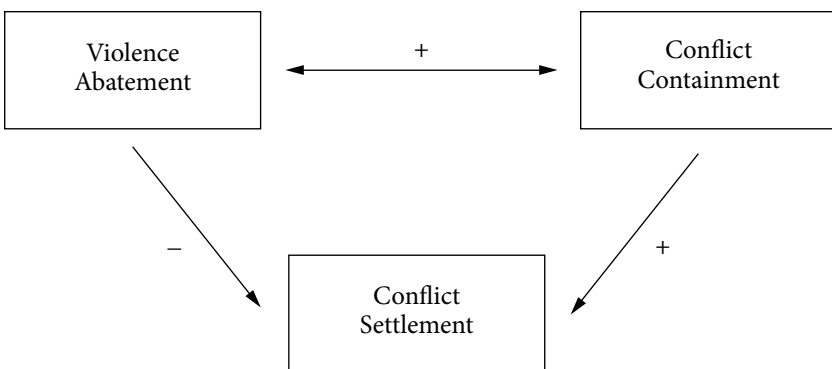
Personnel who are good operational police at home do not necessarily excel at police institution building in another country. In fact, operational police officers have never built a police institution from scratch in their own country. We would not think of importing hundreds of bus drivers from a foreign country and telling them to work with locals to build the transport infrastructure of a nation. Yet we feel it makes enormous sense to drop hundreds of police in a country, few of whom have any experience as police academy trainers, let alone experience at setting up a police disciplinary or payroll system, and think they can build security institutions.

### Interactions among the Dimensions of Success

Figure 1 represents Diehl and Druckman's<sup>27</sup> hypothesized relationships among the first three goals from Table 2. One might have expected that the three core goals have so much in common that they are mutually reinforcing. But Diehl and Druckman<sup>28</sup> suspect, based on past research, that peacekeepers lessen the chance of a 'hurting stalemate' by preventing fighting. This is why the Diehl and Druckman path from Violence Abatement to Conflict Settlement is negative. We find it is positive in the case of Timor-Leste, rendering all three core goals mutually supportive.

In 1999 violence spiked at the end of a period when Falintil and the Indonesian military had had a less violent relationship with each other than

Figure 1. Diehl and Druckman's hypothesized relationships among the Core Goals of peace operations



<sup>27</sup> Diehl and Druckman, *Evaluating Peace Operations*, p. 191.

<sup>28</sup> Diehl and Druckman, *Evaluating Peace Operations*, p. 193.

in previous decades. Since the Santa Cruz massacre, the Indonesian military had learnt that they needed to manage the new Timorese tactics of nonviolence without delivering the huge propaganda victory that their violent response to Santa Cruz had delivered their enemy. The militias trained by the military in preparation for a time like 1999 had also been prevented from indulging killing sprees. So on the Indonesian side, far from fighters approaching a hurting stalemate, many were warming to revenge they had been restrained from unleashing for some time. Restraint of an explosive desire to fight was even stronger on the Falintil side. Falintil were frustrated and angry that they were prevented from rushing to the defence of their families and villages by being held in cantonment. So it was one-sided slaughter that peacekeepers abated; being one-sided, there was no two-sided hurting stalemate.

Likewise, between 2006 and 2008 there was no hurting stalemate. The military had already defeated the police before the peacekeepers had arrived; the Police Commissioner was hiding in the hills. The mutineer faction of the military and those loyal to the commander had not really begun to fully engage each other in battle. As for the youth gangs fighting on the street, they were engaged in a self-regulated form of violence that kept guns off the field of battle 99 per cent of the time, even though some gangs had access to automatic weapons had they chosen to use them. The inter-gang warfare acquired revenge-driven momentum of its own. Yet much of its initial motivation came from political parties and political leaders paying gang members to destabilize governments that were losing control of the streets. The gangs had a taste for these payments and would have liked more of them. They were enjoying the excitement and the monetary rewards of the street fighting. Peacekeeping dampened their taste for more, rather than preventing them from any prospective approach to a hurting stalemate.

After pacifying violence between two gangs, peacekeepers often facilitated the bringing together of leaders of both gangs in reconciliation talks. There were even occasions when peacekeepers brought in a nun respected by both gangs to abate violence between them. Then the nun followed through with reconciliation meetings to settle the inter-gang conflict. Violence abatement by peacekeepers in Timor-Leste prevented escalation rather than preventing the prospect of a hurting stalemate.

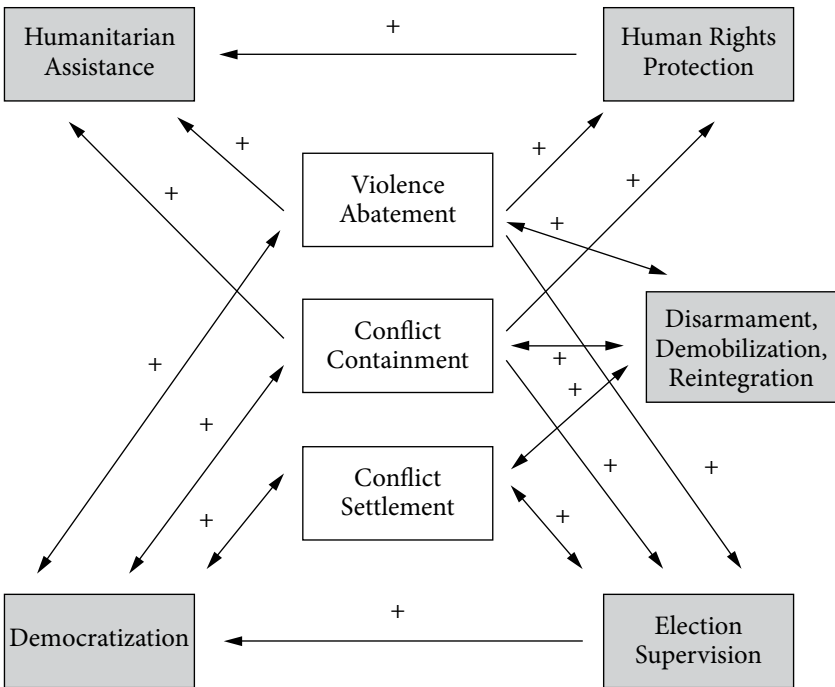
Figure 2 summarizes Diehl and Druckman's<sup>29</sup> hypothesized relationships among all the above Core Goals and their five New Mission goals. A case can

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<sup>29</sup> Diehl and Druckman, *Evaluating Peace Operations*, p. 194.

be made from the historical dynamics of 1999–2012 that the Timor-Leste case fits most of the arrows posited in this figure. The exceptions are the three paths that lead to and from ‘Democratization’ to ‘Violence Abatement’, ‘Conflict Containment’ and ‘Conflict Settlement’. Time-Leste is a success of democratization, but as democratization progressed, so did the impetus to violence. Moreover, this was not an artifactual association. Political competition with an eye to electoral politics was an important motive of violence and conflict escalation and causing reconciliation settlements to fail. There is nothing novel in this result. Statistically, across many peacebuilding cases, transition to democracy involves a greater risk of civil war than being a stable democracy or a stable autocracy.<sup>30</sup>

Figure 2. Diehl and Druckman’s hypothesized relationships among the Core Goals of peace operations and the five New Mission types.

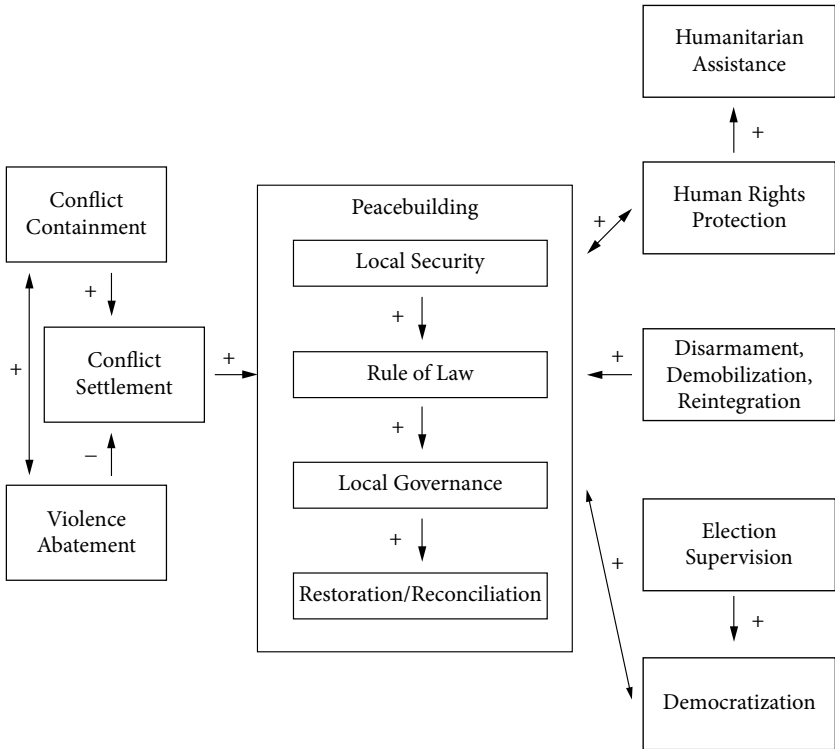


<sup>30</sup> Michael W Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations* (Princeton, NJ: Princeton University Press, 2006); T Havarud Hegre, Tanja Elljigen, Scott Gates and Nils Petter Gleditsch, ‘Toward a Democratic Civil Peace? Democracy, Political Change and Civil War, 1816–1992’, *American Political Science Review*, vol. 95, no. 1, 2001, pp. 33–48.

Figure 3, Diehl and Druckman’s final set of hypothesized relationships, sees the greatest divergence from the Timor-Leste experience. We have already seen with Figure 1 that for Timor-Leste the relationship between Violence Abatement and Conflict Settlement was positive rather than negative. Earlier still in our analysis we concluded that the 1999 Referendum (‘Election Supervision’) and Falintil cantonment (‘DDR’) were causally prior to all the other peace operation variables in the Figure 3 model, and so should move for the Timor-Leste case to the far left of the figures with arrows moving from them to the Core Goals and to Democratization.

The causal sequence of the middle panel of Figure 3 also does not fit Timor-Leste very well. ‘Restoration/Reconciliation’ often created the conditions of ‘Local Security’, ‘Local Governance’ and ‘Rule of Law’ rather than the other way around. ‘Rule of Law’ as state law was a rather minor force across most of Timor in practical terms. But traditional rituals of ‘Restoration/Reconciliation’ were a major force that could accomplish *acoliamento*

Figure 3. Diehl and Druckman’s hypothesized relationships among all the key goals of their model



(reception-welcome-reintegration) for militia families who had fled to West Timor. These reconciliation traditions also assisted in post-war accommodations over who could build and farm on what land, thereby creating a functioning rule of land and property law, persuading people from opposite sides of the conflict to work together to rebuild the destroyed *uma lulik* (sacred spiritual centre of the community).<sup>31</sup> This enabled the blossoming of ‘Local Governance’ again. Put another way, all the variables on the right hand two panels of Figure 3 have the same kinds of positive relationships posited by Diehl and Druckman as consolidating a mutually reinforcing architecture of peace. But the causal ordering was different in an indigenously Timorese way, with *acolihimento* (reception-welcome-reintegration) having considerable causal priority. *Acolihimento* created a world safe for courts, as opposed to courts creating a world safe for reconciliation.<sup>32</sup>

## Conclusion

Among the great institutional development lessons of Timor is that peace operations need to work with indigenous justice institutions such as *lisan*. One reason is that when indigenous justice institutions are enabled rather than crowded out by rule of law institutions, they can have strengths that cover the weaknesses of the rule of law work of peace operations. At first, as the leadership of UNTAET came to concede, there was a general UN failure of creating new institutions in a manner that supposed Timor was an institutional *tabula rasa*. This was a failure to first ask the question, what is already working here to deliver peace goals, and how can we support that indigenous strength?

The distinctive indigenous centrality of *acolihimento* (reception-welcome-reintegration) in the Timor-Leste case has an important lesson for how we

<sup>31</sup> José Trindade and Bryant Castro, *Rethinking Timorese Identity as a Peace Building Strategy: The Lorosa'e – Loromonu Conflict from a Traditional Perspective*, Final Report for GTZ/IS (Dili: The European Union's Rapid Reaction Mechanism Programme, 2007), [www.timorleste.org/nation\\_building/Trindade\\_Castro\\_Rethinking\\_Timorese\\_Identity\\_2007.pdf](http://www.timorleste.org/nation_building/Trindade_Castro_Rethinking_Timorese_Identity_2007.pdf), accessed January 2008; Alexander Loch, and Vanessa Prueller, ‘Dealing with Conflicts after the Conflict: European and Indigenous Approaches to Conflict Transformation in East Timor’, *Conflict Resolution Quarterly*, vol. 28, no. 3, 2011, p. 324.

<sup>32</sup> Tanja Hohe, ‘Justice without Judiciary in East Timor’, *Conflict, Security and Development*, vol. 3, no.3, 2003, pp. 335–57; Tanja Hohe and Rod Nixon, *Reconciling Justice: ‘Traditional’ Law and State Judiciary in East Timor*, Final Report (Washington, DC: United States Institute of Peace, 2003).

might further strengthen the Diehl and Druckman framework. It is probably a mistake to view the goals in Figure 3 as providing a 'template' of variables that interrelate in any determinate sequence. The Timor-Leste experience is consistent with the Diehl and Druckman goals laying out a highly relevant conception of how to evaluate a peace operation. It is consistent with them being broadly 'intertwined or mutually reinforcing'.<sup>33</sup> Yet which variables are causally prior may be different in different contexts. Local wisdom is required to resolve which of these mutually reinforcing variables will be the most strategic starting button to push first. Where there is insufficient local knowledge, iterated experimentation may be required. Trial and error finds the driver that can kick-start a mutually reinforcing peace process. A key type of organizational learning may be how to experiment iteratively until the right driver is found to kick-start a virtuous circle of peacebuilding.

On the question of contextually different start buttons being important in different conflicts, I am reminded of the story of a local bank manager who bravely travelled from the airport to his bank in downtown Dili with a suitcase of US currency to stuff into his Automated Teller Machines. He did not love his bank so much as to risk his life so it could continue to trade. He did so because he loved the people of Timor. Why were the buttons on those ATMs important ones to press in dampening this violence? Because trucks were in scarce supply as truck owners were making money transporting loot and gangs of young fighters to points of defence and attack. With the banks closed, NGOs had no donor cash with which they could rent trucks to get refugees out of harms way, to get food to hungry children. Once the donor cash began to flow to those humanitarian NGOs through the bank manager's ATMs, it was the young militants who started to find it hard to attract the scarce supply of trucks to their projects.

My policy conclusion is therefore that peacebuilders may not need to learn a template. Diehl and Druckman have provided what Timor-Leste shows to be a useful repertoire. Still, peacebuilders must think in context about contextual bottlenecks to a peace that lie outside the standard repertoire. It is good for them to be jazz musicians who know the repertoire of jazz standards which have recurrently proved useful in getting a gig jumping. But like that Dili banker, they will do even better if they are also creative, responsive and thoughtful at improvisation.

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<sup>33</sup> Diehl and Druckman, *Evaluating Peace Operations*, p. 201.