Environmental peacebuilding from below: customary approaches in Timor-Leste

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Armed conflict and environmental degradation are key challenges for the years to come, and increasingly interrelated. After a decline in the numbers and scale of conflicts following the end of the Cold War, by most measures the world is once again becoming more violent. For the year 2018 alone, the Uppsala Conflict Data Program registered 52 state-based armed conflicts, which is the third highest number since 1946, and 76 non-state armed conflicts, which is the second highest number since records began in 1989. Together, conflicts of both types caused around 94,000 battle-related fatalities and significantly undermined human development.[1] At the same time, global environmental problems are mounting, and several 'planetary boundaries' that mark the safe limit for human habitation are being exceeded.[2] There is little doubt that environmental change is now a major risk to national and human security.[3]

Practices conducive to both environmental sustainability and more peaceful social relations are, then, more important now than ever. The availability and sustainable use of renewable resources such as land and water are core preconditions for a stable peace, especially in post-civil war settings where large parts of the population, including ex-combatants and returners, are seeking to re-rebuild their livelihoods.[4] Such practices are also relevant to peace because shared environmental problems can serve as incentives and entry points for cooperation between groups in conflict.[5]

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1 Therèse Pettersson, Stina Högbladh and Magnus Öberg, 'Organized violence, 1989–2018 and peace agreements', *Journal of Peace Research* 56: 4, 2019, pp. 589–603.

2 Will Steffen, Katherine Richardson, Johan Rockström, Sarah E. Cornell, Ingo Fetzer, Elena M. Bennett, Reinette Biggs, Stephen R. Carpenter, Wim de Vries, Cynthia A. de Wit, Carl Folke, Dieter Gerten and Jens Hein, 'Planetary boundaries: guiding human development on a changing planet', *Science* 347: 6223, 2015, pp. 730–36.

3 World Economic Forum, *The global risks report 2019* (Geneva, 2019).

4 Jessica Troell and Erika Weinthal, 'Shoring up peace: water and post-conflict peacebuilding', in Erika Weinthal, Jessica Troell and Mikiyasu Nakayama, eds, *Water and post-conflict peacebuilding* (London: Earthscan, 2014), pp. 1–23; Jon Unruh and Rhodri C. Williams, 'Land: a foundation for peacebuilding', in Jon Unruh and Rhodri C. Williams, eds, *Land and post-conflict peacebuilding* (London: Earthscan, 2013), pp. 1–20.

5 Ken Conca, 'The case for environmental peacemaking', in Ken Conca and Geoffrey Dabelko, eds, *Environmental peacemaking* (Baltimore: Johns Hopkins University Press, 2002), pp. 1–22 at p. 9.

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As a field of study, environmental peacebuilding analyses how natural resource management can be integrated in and support the prevention and resolution of, and recovery from, conflict.[6] It conceives of peace as 'a continuum ranging from the absence of violent conflict to the inconceivability of violent conflict'.[7] According to a recent review, the sustainable and inclusive management of shared natural resources can contribute to more peaceful relations through four pathways: improving the environmental situation to avoid environmental conflicts and strengthen livelihoods; increasing trust and understanding through cooperation; cultivating material and symbolic interdependence between (potential) parties to conflict; and building institutions for communication and conflict resolution.[8]

Environmental peacebuilding is still a young research field, having emerged only since the early 2000s. Since then, scholars have increasingly focused on the environmental dimensions of peacebuilding in post-civil war contexts (in some of which violence continues). Results from this research are mixed.[9] Burt and Keiru, for instance, claim that joint water management strengthened livelihoods and community cohesion in some parts of Afghanistan, the Democratic Republic of Congo and Liberia.[10] But in Kosovo, according to Krampe, such management impeded the peacebuilding process by consolidating separation and avoiding conflictive issues.[11] Similar controversies exist regarding cross-border conservation in Cyprus,[12] and water cooperation between Israelis and Palestinians.[13] Nevertheless, more recent comparative case-studies demonstrate that environmental cooperation is conducive to the absence of militarized disputes,[14] the resolution of longstanding tensions,[15] and moves towards a positive peace,[16] if only under certain circumstances.

[6] Environmental Peacebuilding Initiative, *About environmental peacebuilding* (Washington DC, 2017), https://environmentalpeacebuilding.org/about/. (Unless otherwise noted at point of citation, all URLs cited in this article were accessible on 26 March 2020.)

[7] Conca, 'The case for environmental peacemaking'.

[8] Tobias Ide, 'The impact of environmental cooperation on peacemaking: definitions, mechanisms and empirical evidence', *International Studies Review* 21: 3, 2019, pp. 327–46.

[9] Anaïs Dresse, Itay Fischhendler, Jonas Østergaard Nielsen and Dimitrios Zikos, 'Environmental peacebuilding: towards a theoretical framework', *Cooperation and Conflict* 54: 1, 2019, pp. 99–119; Ide, 'The impact of environmental cooperation on peacemaking'.

[10] Murray Burt and Bilha Joy Keiru, 'Strengthening post-conflict peacebuilding through community water-resource management: case studies from Democratic Republic of Congo, Afghanistan and Liberia', *Water International* 36: 2, 2011, pp. 232–41.

[11] Florian Krampe, 'Water for peace? Post-conflict water resource management in Kosovo', *Cooperation and Conflict* 52: 2, 2016, pp. 147–65.

[12] Emel Akçalı and Marco Antonsich, '"Nature knows no boundaries": a critical reading of UNDP environmental peacemaking in Cyprus', *Annals of the Association of American Geographers* 99: 5, 2009, pp. 940–47; Dimitrios Zikos, Alevgul H. Sorman and Marissa Lau, 'Beyond water security: asecuritisation and identity in Cyprus', *International Environmental Agreements* 15: 3, 2015, pp. 309–26.

[13] Tobias Ide, 'Space, discourse and environmental peacebuilding', *Third World Quarterly* 38: 3, 2017, pp. 544–62; Kyra Marie Reynolds, 'Unpacking the complex nature of cooperative interactions: case studies of Israeli–Palestinian environmental cooperation in the greater Bethlehem area', *GeoJournal* 82: 4, 2017, pp. 701–19.

[14] Karina Barquet, Päivi Lujala and Jan Ketil Rød, 'Transboundary conservation and militarized interstate disputes', *Political Geography* 42: 1, 2014, pp. 1–11.

[15] Tobias Ide, 'Does environmental peacemaking between states work? Insights on cooperative environmental agreements and reconciliation in international rivalries', *Journal of Peace Research* 55: 3, 2018, pp. 351–65.

[16] Tobias Ide and Adrien Detges, 'International water cooperation and environmental peacemaking', *Global Environmental Politics* 18: 4, 2018, pp. 63–84.

As we explain in the next section of this article, the nascent literature on environmental peacebuilding has limited explanatory power because it has to date focused largely on cases characterized by the heavy involvement of external, usually international, actors, including UN agencies, government aid agencies and transnational NGOs. There are very few studies of bottom-up processes of environmental peacebuilding, to the detriment of theory as well as praxis.[17] Yet because we know that endogenous peacebuilding is both widespread and critical for successful outcomes,[18] it is reasonable to assume that this is equally true of environmental peacebuilding. The focus of research hitherto on external interventions, coupled with the lack of knowledge about bottom-up processes, provides implicit support for much-criticized liberal peacebuilding theory and practice. Our aim here is to begin to rectify these scalar imbalances in knowledge by contributing new evidence about local environmental peacebuilding through an examination of the *tara bandu* process in Timor-Leste.

The article is structured as follows. In the next section, we substantiate our claim that most existing studies focus on cases with strong external (often international) involvement. We also offer a sympathetic critique of the environmental peacebuilding literature by drawing parallels to the 'liberal vs local' debate in peacebuilding research. The following section describes the context and methods for our examination of the *tara bandu* process. We then explain how this locally emerging institution is a form of successful environmental peacebuilding as it is used to effectively manage natural resources and social conflicts simultaneously. We then examine how international peacebuilders and state institutions seek to use *tara bandu* ('hung prohibitions' or the ritualized governance or resources), and explain how such hybridization causes detachment from local contexts and so undermines the process's legitimacy and efficacy. The article concludes by highlighting the broader implications of this study for the theory and practice of environmental peacebuilding.

Environmental peacebuilding and liberal peacebuilding

As indicated above, scholars working on environmental peacebuilding have recently produced a significant number of case-studies in conflict and post-civil war settings. In this literature, the vast majority of publications focus on cases characterized by a strong involvement of international actors, which often operate according to liberal premises such as democratization and economic growth. Five notable examples are: the role of the United Nations Environment Programme (UNEP) in pioneering environmental peacebuilding initiatives;[19] the Good Water

[17] Dresse et al., 'Environmental peacebuilding'.

[18] Oliver Richmond, *Peace formation and political order in conflict affected societies* (Oxford: Oxford University Press, 2016).

[19] Ken Conca and Jennifer Wallace, 'Environment and peacebuilding in war-torn societies: lessons from the UN Environment Programme's experience with post-conflict assessment', *Global Governance* 15: 4, 2009, pp. 485–504; David Jensen, Matti Lehtonen, Andrew Morton, Dag Seierstad, Pauliina Upla and Katrine Sorensen, *Addressing the role of natural resources in conflict and peacebuilding: a progress report from UNEP's Environmental Cooperation for Peacebuilding Programme, 2008–2015* (Nairobi: UNEP, 2015).

Neighbors project in Israel, Jordan and Palestine, which was launched by Friends of the Earth Middle East and is financed by the European Union, USAID and the Swedish Development Agency;[20] environmental peacebuilding projects in various post-civil war societies conducted by the UK-based NGO Tearfund;[21] community-based urban water management systems in Luanda (Angola) funded by the United Kingdom Department for International Development, CARE and Save the Children;[22] and peace parks in southern Africa promoted by the Peace Parks Foundation.[23]

We are not arguing that these examples are not positive initiatives that seek to catalyse mutually reinforcing benefits to peace, livelihoods and environmental sustainability. They have been advanced hand in hand with research to generate shared lessons and to build a broader policy community that sustains momentum. Also, each of these projects allows for local participation. However, they are also to a significant degree top-down projects, in which important financing and design elements are (co-)determined by international actors external to the local context. Thus there is a notable and important gap in the scholarship where attention has not been given to endogenous environmental peacebuilding processes.

There is a strong parallel between research on environmental peacebuilding and the debate about liberal vs local peace in the peacebuilding literature.[24] Since the early 1990s, liberal peacebuilding practices have been promoted by many international actors in the aftermath of armed conflict in places such as Afghanistan, Liberia and Kosovo. At its core, this approach assumes that democratic political systems and market-led economic growth are instrumental in building a lasting peace, because political representation and national economic prosperity will address the grievances that caused the conflict, raise the opportunity costs for renewed conflict and bolster the conflict-mitigating capabilities of governments.[25] Yet around 70 per cent of the peacebuilding processes receiving significant international support fail, including numerous international interventions designed according to the liberal peacebuilding theory.[26]

This lack of success, coupled with the results of field research, have given rise to a number of critiques of liberal peacebuilding. Areas of concern include, for instance, the amount of power afforded to international actors, the push for democracy

[20] Marina Djernaes, Teis Jorgensen and Elizabeth Koch-Ya'ari, 'Evaluation of environmental peacemaking intervention strategies in Jordan–Israel–Palestine', *Journal of Peacebuilding and Development* 10: 2, 2015, pp. 74–80; Ide, 'Space, discourse and environmental peacebuilding'; Reynolds, 'Unpacking the complex nature of cooperative interactions'.

[21] Burt and Keiru, 'Strengthening post-conflict peacebuilding'.

[22] Allan Cain, 'Conflict and collaboration for water resources in Angola's post-war cities', in Weinthal et al., eds, *Water and post-conflict peacebuilding*, pp. 63–83.

[23] Sandra Bhatasara, Admire M. Nyamwanza and Krasposy Kujinga, 'Transfrontier parks and development in southern Africa: the case of the Great Limpopo Transfrontier Park', *Development Southern Africa* 30: 4–5, 2013, pp. 629–39; Oswell Rusinga and Jemitias Mapira, 'Challenges of transfrontier conservation areas: natural resources nationalism, security and regionalism in the southern African development community region', *International Journal of Development and Sustainability* 1: 3, 2012, pp. 675–87.

[24] Roger Mac Ginty and Oliver P. Richmond, 'The local turn in peace building: a critical agenda for peace', *Third World Quarterly* 34: 5, 2013, pp. 763–83.

[25] Oliver Richmond, *A post liberal peace* (London: Routledge, 2011).

[26] Séverine Autesserre, 'Hobbes and the Congo: frames, local violence, and international intervention', *International Organization* 63: 2, 2009, pp. 249–80.

ahead of political stabilization (leading to further polarization around elections), and the promotion of liberal economic policies in contexts already characterized by inequalities and weak statehood. A shared claim of these critiques is that liberal peacebuilding approaches are based on a standardized and western model of development, democracy and ultimately peace, and that its top-down implementation cannot be assumed to fit all cultures and contexts.[27] Consequently, there have been increasing calls for a 'local turn' and the promotion of bottom-up peacebuilding in recent years.[28] The core of this debate is therefore a familiar one in which 'notions of particularism and local variation confront universalist ideas and practices'.[29]

It is important to note here that in an era of deep globalization (and indeed before, for example during the colonial era), practices or institutions can never be purely local. Reception of (inter)national media, homogenization processes during statebuilding attempts, migration and the presence of external actors make the existence of 'pure' local practices or institutions impossible.[30] Therefore, we distinguish between (i) (environmental) peacebuilding practices that are induced, designed or strongly shaped by actors external to the local context, and so are 'top-down' in their initiation, and (ii) practices that are 'bottom-up' in the sense that they emerge from and build on the cultural traditions and institutions on the ground. The potential for the entanglement and hybridity of these two forms of peacebuilding are discussed further in a later section of this article. *Tara bandu*—described in more detail below—is an example of the second, bottom-up type of practice.

There is too much nuance in the literature on environmental peacebuilding to support the claim made in some critical studies that it is simply a variation of liberal peacebuilding.[31] But given that all well-studied examples of environmental peacebuilding focus on largely top-down interventions and that the success of international actors is frequently highlighted, we conclude that, as a whole, the environmental peacebuilding literature is performative of the liberal peacebuilding agenda. Bottom-up environmental peacebuilding processes, in contrast, remain under-researched, with few well-described successes shared among scholars, decision-makers and the public. This deficiency carries the danger that the literature as a whole stigmatizes people in post-civil war societies in the global South as unable to solve their own problems, and as requiring western support.

Therefore, greater attention needs to be paid to endogenous and bottom-up processes of environmental peacebuilding, in order to highlight the existence

[27] Roland Paris, 'Saving liberal peacebuilding', *Review of International Studies* 36: 2, 2010, pp. 337–65; Oliver P. Richmond and Roger Mac Ginty, 'Where now for the critique of the liberal peace?', *Cooperation and Conflict* 50: 2, 2015, pp. 171–89.

[28] Geraoid Millar, 'For whom do local peace processes function? Maintaining control through conflict management', *Cooperation and Conflict* 52: 3, 2016, pp. 293–308; Thania Paffenholz, 'International peacebuilding goes local: analyzing Lederach's conflict transformation theory and its ambivalent encounter with 20 years of practice', *Peacebuilding* 2: 1, 2014, pp. 11–27.

[29] Mac Ginty and Richmond, 'The local turn in peace building', p. 772.

[30] Rowan Popplewell, 'Civil society, hybridity and peacebuilding in Burundi: questioning authenticity', *Third World Quarterly* 40: 1, 2019, pp. 129–46.

[31] Karin Aggestam and Anna Sundell, 'Depoliticizing water conflict: functional peacebuilding in the Red Sea–Dead Sea Water Conveyance project', *Hydrological Science Journal* 61: 7, 2016, pp. 1302–12; Bram Büscher and Michael Schoon, 'Competition over conservation: collective action and negotiating transfrontier conservation in Southern Africa', *Journal of International Wildlife Law and Policy* 12: 1, 2009, pp. 33–59.

of endogenously emerging practices, analyse their (potential) interactions with exogenous factors, and generate lessons for theory as well as for practitioners. In the remainder of this article, we describe and analyse a locally emerging and under-appreciated environmental peacebuilding institution called *tara bandu*, which helps manage renewable resources and social conflicts simultaneously in post-independence Timor-Leste, a country where there has been significant application of liberal peacebuilding practices.[32] We also analyse the relationship between these latter practices and *tara bandu*.

Country background and research methods

Timor-Leste came to independent statehood in 2002, following the socially and environmentally devastating occupation of the territory by Indonesia between 1975 and 1999, and close to 500 years of incremental Portuguese colonialism before that. The period of Indonesian control was brutal; during these years the territory experienced over 18,000 murders, famine and malnutrition, forced displacement of over half of the population, widespread use of arbitrary detention and torture, and extensive sexual violence. In 1999, as the Indonesian administration and military forces withdrew *en masse*, they perpetrated escalating violence including the detention of thousands of Timorese, the forced displacement of hundreds of thousands more, the killing of over 2,000, and the burning of buildings and destruction of agricultural capital. This scorched earth policy on the part of the departing military and associated militias left behind a country in ruins.[33]

Because the period of Indonesian military occupation was so extremely violent, pervasive and divisive, the task of reconciliation has been huge and is far from complete. The population of just over one million is largely rural and impoverished. During the occupation, many rural communities were forcibly displaced from their villages of origin and resettled on the lands of others. The legacy of these forced displacements and the continuing 'occupation' of contested land are keenly felt, and there are lingering tensions over property rights in many communities. These tensions are made more acute by multiple potential claims under different land tenure systems imposed on pre-colonial practices during periods of Portuguese, Indonesian and UN control.[34] These problems are most acute in (but not exclusive to) urban areas, where significant migration adds to the value of land and the complexity of claims to it. In rural areas, semi-subsistence livelihoods prevail. These depend heavily on modes of agricultural production that are characterized by little to no intensification, while diversification is constrained

[32] Michael Leach and Damien Kingsbury, eds, *The politics of Timor-Leste: democratic consolidation after intervention* (Ithaca, NY: Cornell University Press, 2012).

[33] Timor-Leste Commission for Reception, Truth and Reconciliation (CAVR), *Chega: the report of the Commission for Reception, Truth, and Reconciliation Timor-Leste: executive summary* (Dili, 2005); Hal Hill, 'Tiny, poor and war-torn: development policy challenges for East Timor', *World Development* 29: 7, 2001, pp. 1137–56; Geoffrey Robinson, *'If you leave us here, we will die': how genocide was stopped in East Timor* (Princeton: Princeton University Press, 2009).

[34] Daniel Fitzpatrick, *Land claims in East Timor* (Canberra: Asia Pacific Press, 2002).

by a lack of transport and water infrastructure, thin soils, land degradation and a highly variable climate.[35]

In 1999, the UN Transitional Administration in Timor-Leste was established to restore order in the devastated territory and to usher in an independent Timorese government elected through free and fair elections. This UN period can be characterized as a liberal peacemaking intervention *par excellence*,[36] the ramifications of which are still unfolding. In 2006, soon after the UN administration made its initial exit, previously simmering institutional, property and economic tensions tipped over into sporadic intercommunal violence, the army and police fractured along both political and interregional lines, and the country seemed poised on the brink of civil war.[37] The UN rapidly returned and stayed another six years.[38] Since 2006, a series of political decentralization projects has been brought into the country, mostly by international and state actors.[39] Despite the persistence of severe social, political and economic problems, a relapse into violence did not occur, and in 2017 Timor-Leste carried out its first national elections without a UN presence.[40]

The case-study presented in this article draws primarily on ethnographic field research carried out by the second author on *tara bandu* in Timor-Leste between 2006 and 2018 (a period totalling 26 months, with at least one month spent in the field most years).[41] This has included participant observation carried out during *tara bandu* (or *tara bandu*-like) negotiations and events, as well as formal and informal conversations about customary practices with local community leaders, community members, Timorese civil society, consultants, academics and NGOs. This research has been concentrated not only in the capital, Dili, but in various localities in Baucau, Lautem and Viqueque in the east of the country. Research has also been carried out in the localities of Ermera, Liquica and Ainaro in the west. The authors have also consulted academic, NGO and media sources on *tara bandu* processes and peacebuilding in Timor-Leste.

Tara bandu as an environmental peacebuilding practice

Since independence in 2002, people in Timor-Leste have revelled in the freedom to re-instigate many customary governance practices, including *tara bandu* (as it

[35] Jon Barnett, Suraje Dessai and Roger N. Jones, 'Vulnerability to climate variability and change in East Timor', *AMBIO: A Journal of the Human Environment* 36: 5, 2007, pp. 372–78; Florain Krampe and Suzanne Gignoux, 'Water service provision and peacebuilding in East Timor: exploring the socioecological determinants for sustaining peace', *Journal of Intervention and Statebuilding* 12: 2, 2018, pp. 185–207; Pyone Myat Thu, 'Access to land and livelihoods in post-conflict Timor-Leste', *Australian Geographer* 43: 2, 2012, pp. 197–214.

[36] Jarat Chopra, 'The UN's kingdom of East Timor', *Survival* 42: 3, 2000, pp. 27–39; Simon Philpott, 'East Timor's double life: smells like Westphalian spirit', *Third World Quarterly* 27: 1, 2006, pp. 135–59.

[37] Joseph Nevins, 'Timor-Leste in 2006: the end of the post-independence honeymoon', *Asian Survey* 47: 1, 2007, pp. 162–7; James Scambary, 'Anatomy of a conflict: the 2006–2007 communal violence in East Timor', *Conflict, Security and Development* 9: 2, 2009, pp. 265–88.

[38] Michael Leach, *Nation-building and national identity in Timor-Leste* (London: Taylor & Francis, 2017).

[39] Leach and Kingsbury, eds, *The politics of Timor-Leste*.

[40] Rui Graça Feijó, 'Challenges to the consolidation of democracy', in Sue Ingram, Lia Kent and Andrew McWilliam, eds, *A new era? Timor-Leste after the UN* (Canberra: Australian National University Press, 2015), pp. 59–72; Leach, *Nation-building and national identity in Timor-Leste*.

[41] Raymond Madden, *Being ethnographic: a guide to the theory and practice of ethnography*, 2nd edn (Los Angeles and London: Sage, 2017).

is called in Tetum, the national lingua franca), that were repressed during two and a half decades of violent Indonesian rule.[42] *Tara bandu* is a geographically widespread but essentially locally enacted customary practice of ritualized prohibitions that includes, but cannot be reduced to, a set of 'seasonal or periodic resource harvesting restrictions'.[43] In reality, it comprises a suite of highly locally contextualized (but ostensibly quite similar) practices that regulate a range of social and environmental relationships. It is also the case that since the early twentieth century, these practices have to some extent been 'nationalized' and harnessed by the state, in this case as an environmental governance tool by the Portuguese colonial government.[44]

There are any number of reasons why a community may decide to carry out a *tara bandu* ceremony (and the associated process). These often include environmental factors, for example the need to protect water sources or particular forested areas. It is also frequently used to dissuade people from allowing their livestock to roam unchecked and ravage the crops of others. Importantly, although this aspect is much less recognized by the modern (liberal) state, it is also widely used to mediate land disputes and demarcate the territorial boundaries of particular landed groups. Other more explicitly socially directed reasons for carrying out a *tara bandu* include the need to address and forbid instances of community, sexual and domestic violence.[45] In other words, *tara bandu* aims to regulate social interactions and to prevent conflict, hence contributing to peacebuilding in a setting where local cleavages might escalate, while simultaneously managing natural resources.[46] We thus consider *tara bandu* to be an environmental peacebuilding practice.

The need for *tara bandu* has been acute in the post-independence period, given the destruction of agricultural capital, loss of access to Indonesian markets, increased incidence of stealing (of crops, livestock and forest products), land disputes, and ongoing violence in some communities. These difficulties have demanded a response that was unforthcoming from the new state, and so local customary leaders were quick to reinstate *tara bandu*.[47]

[42] Laura S. Meitzner Yoder, 'Hybridising justice: state–customary interactions over forest crime and punishment in Oecusse, Timor-Leste', *Asia Pacific Journal of Anthropology* 8: 1, 2007, pp. 43–57; Lisa Palmer and Demetrio do Amaral Carvalho, 'Nation building and resource management: the politics of "nature" in Timor-Leste', *Geoforum* 39: 3, 2008, pp. 1321–32.

[43] Laura S. Meitzner Yoder, *Custom, codification, collaboration: integrating the legacies of land and forest authorities in Oecusse enclave, Timor-Leste* (New Haven, CT: Yale University Press, 2005), p. 249.

[44] For an extended discussion of this, see Christopher Shepherd and Lisa Palmer, 'The modern origins of traditional agriculture: colonial policy, swidden development and environmental degradation in eastern Timor', *South East Asian Journal of Humanities and Social Sciences* 171: 2–3, 2015, pp. 281–311.

[45] Meitzner Yoder, 'Hybridising justice'.

[46] Susana Barnes, 'Origins, precedence and social order in the domain of *Ina Ama Beli Darlari*', in Andrew McWilliam and Elizabeth G. Traube, eds, *Land and life in Timor-Leste: ethnographic essays* (Canberra: Australian National University Press, 2011), pp. 24–46; Lisa Palmer, 'The "environment" in Timor Leste', in Philip Hirsch, ed., *Routledge handbook of the environment in southeast Asia* (London: Routledge, 2016), pp. 483–95.

[47] Simon P. J. Batterbury, Lisa Palmer, Thomas Reuter, Demetrio do Amaral Carvalho, Balthasar Kehi and Alex Cullen, 'Land access and livelihoods in post-conflict Timor-Leste: no magic bullets', *International Journal of the Commons* 9: 2, 2015, pp. 619–47; Naori Miyazawa, 'Customary law and community-based natural resource management in post-conflict Timor-Leste', in Unruh and Williams, eds, *Land and post-conflict peacebuilding*, pp. 511–32.

The *tara bandu* process is usually carried out at the village or sub-village level, and the associated community rituals and negotiations have to be renewed either annually or over a period of several years. Ceremonies, a key part of the process, are coordinated by the local political leader. These ceremonies are public events at which a pre-agreed set of prohibitions are announced to the local community in the presence of witnesses. These witnesses are both named spirits called to the event from the ancestral realm, and significant guests from outside the community; these may include leaders from neighbouring communities, the Catholic clergy, government, police and civil society.[48] The ceremony itself usually takes place over several days, involving negotiations by and among ritual leaders and the ancestral realm. Following the ceremony, large ritual 'mother' posts and smaller 'child' posts are placed around the village locale and hung (*tara*) with symbols, usually skulls of sacrificed animals and forest foliage along with 'banned' items representing the prohibitions (*bandu*) now in place.

Given the ancestrally sanctioned nature of the prohibition, those breaking it are expected to suffer supernatural punishment (sickness, death, infertility and other misfortunes). Augmenting these powerfully dissuasive supernatural punishments are a suite of communally agreed material fines that are imposed on any who breach the prohibitions. A team of ritual leaders and their appointed assistants are tasked with patrolling the area and enforcing punishment for any breaches.[49] In some parts of the country (notably western regions), these assistant roles may be closely entangled with those of (local) state institutions such as the police (who sometimes train the assistants).

There follows here one brief example from the second author's fieldwork. Inspired by a community-level workshop in Aileu, ritual leaders from two contiguous villages in the Baucau municipality met with their community and decided to renew their *tara bandu* ceremony and regulations in early 2016. In this case it was eight years since the first attempt at a post-independence *tara bandu*, and the community embarked on a nine-month socialization process to negotiate the new terms. While the villages are administratively divided, they are joined together as the one named politico-ritual domain. Population movements owing to the Indonesian invasion and subsequent forced resettlement patterns in the villages have left their own legacy of conflict. Opportunistic land occupation by some during this period and associated violent altercations within families and communities in the post-conflict period are a significant and continuing source of community unease.

With the financial and material assistance of the NGOs that organized the Aileu workshop, a formal document was produced and a community-wide *tara bandu* ceremony was conducted in October 2016. It set prohibitions on, among other things, matters of physical violence against persons and property, theft, and disputes over land, land use and property (for instance, related to the cultivation

[48] Meitzner Yoder, 'Hybridising justice'; Palmer, 'The "environment" in Timor Leste'.

[49] Demetrio do Amaral Carvalho and Jose Coreia, 'Tara Bandu nudar: matenek ekologia tradisional' [Tara Bandu: traditional ecological knoweledge], in Demetrio do Amaral Carvalho, ed., *Matenek lokal Timor nian* [Local knowledge in Timor] (Jakarta: UNESCO, 2011), pp. 52–67.

of fields, water sharing, crop destruction by livestock and unauthorized harvesting of forest products). A committee (including representatives of youth and women's groups) to oversee the prohibitions, as well as mediation processes and fines, were also set up.

Building on a longstanding research relationship with this community and continuing the practice of carrying out ethnographic fieldwork in this location, daily informal conversations about customary practices with local community leaders and other community members in a range of settings were held in January 2017 and again between March and September 2018.[50] These conversations revealed that the *tara bandu* (to be in place for a total of seven years) was viewed as a successful initiative that had strengthened community cohesion, successfully resolved various disputes over land and other natural resources, and contributed to widely accepted natural resource management. It was clear that people explicitly preferred customary conflict resolution over formal judicial processes. It must be noted, though, that cases where mediation failed would have been referred on to the police and the formal justice system, hence increasing incentives for people to cooperate and enabling the *tara bandu* committee to act under the shadow of state authority.

Altogether, the field research suggests that *tara bandu* is a largely successful, bottom-up environmental peacebuilding process which can address both environmental degradation and social conflicts. The power of *tara bandu* is firmly established by its embeddedness in a highly localized political and spiritual ecology.[51] In the socially, economically and environmentally challenged post-conflict governance environment of Timor-Leste, it is believed by both the state and the people that the spiritual and communal attributes of *tara bandu* result in a much higher level of compliance with regulations than the imposition of state laws. Moreover, the ceremony and its consequences perform the authority of local customary leaders, who are central to the maintenance of peaceful social relations among potentially conflicting parties beyond the scope of the *tara bandu* agreement.[52] What is important for the efficacy of the ritual is the ability of those centrally involved to control the terms on which it is enacted, and to understand and negotiate the complex history of the human and more-than-human relationships which comprise each local context.

As already indicated above, *tara bandu*—like any other (peacebuilding) practice or institution—is not purely local. Examples of this broader nature include logistical and financial support from national or even international NGOs, the participation of officials in ceremonies, and the existence of a shadow of state authority. But in the case described in this section of the article, *tara bandu* emerged bottom-up, was designed along the lines of established cultural traditions and was controlled by local political leaders. The next section, by contrast, discusses the increasing number of instances in which *tara bandu* is incorporated into state practices and

[50] Lisa Palmer, *Water politics and spiritual ecology: custom, governance and development* (London: Routledge, 2015).
[51] Meitzner Yoder, 'Hybridising justice'; Palmer, *Water politics and spiritual ecology*.
[52] Carvalho and Coreia, 'Tara Bandu nudar'; Meitzner Yoder, 'Hybridising justice'; Miyazawa, 'Customary law and community-based natural resource management'; Palmer, *Water politics and spiritual ecology*.

initiated by international peacebuilders, hence reducing local control and turning it from an endogenously emerging environmental peacebuilding practice into a hybrid one.

Tara bandu, international actors and the state

Peacebuilding research has shown that the local turn in peacebuilding has often resulted in hybrid peacebuilding during which, to various degrees, international support and promotion of liberal ideas such as human rights and democracy mix with local traditions, customs and agency.[53] Hybrid peacebuilding has been criticized for masking continued international dominance and insensitivity to local traditions, especially if local people lose control over the initiation and design of relevant practices. Frictions resulting from international–local interactions can also be highly conflictive, hence undermining the success of locally emerging peacebuilding processes.[54] In this section, we discuss the implications of the increasing use of *tara bandu* by state institutions and international peacebuilders in recent years, at least in some places.

Tara bandu is an elusive phenomenon for outsiders to work with. It is not just a narrow set of processes but a manifestation of a whole lifeworld, which is not easy to make legible to outsiders (certainly not to international NGOs and, to a lesser degree, to those in liberal state institutions). Importantly, *tara bandu* is grounded in a broad local cosmological outlook that does not conceive of environmental and social relations as distinct realms and puts a strong emphasis on honouring and communicating with the ancestral realm. Thus, frictions can arise when outside agencies seek to engage with *tara bandu* for well-intentioned instrumental purposes and fail to appreciate the effect of their practices on the deeper cosmological, sociological and temporal dimensions of *tara bandu*.

In some cases, when outside parties have facilitated *tara bandu* ceremonies by contributing money and animals for the rituals (which are very expensive for local communities), a major problem has been the failure of these parties to follow the process through beyond the staging of a ceremony, including pre-ceremony negotiations and post-ceremony implementation.[55] These types of superficial engagements in turn create a political milieu in which local leaders become focused only on the ceremony (and the resources available to carry it out), with little follow-through, so that substantive prohibitions are subsequently breached or set aside.[56]

In such cases, external support—based on a limited understanding of local social relations and spiritual ecologies—stimulates the establishment of weak hybrid institutions with a high risk of malfunctioning, hence reproducing the failures

[53] Roger Mac Ginty and Oliver Richmond, 'The fallacy of constructing hybrid political orders: a reappraisal of the hybrid turn in peacebuilding', *International Peacekeeping* 23: 2, 2016, pp. 219–39.
[54] Annika Björkdahl and Kristine Höglund, 'Precarious peacebuilding: friction in global–local encounters', *Peacebuilding* 1: 3, 2013, pp. 289–99; Millar, 'For whom do local peace processes function?'.
[55] Palmer, *Water politics and spiritual ecology*.
[56] Personal communication with D. Carvalho.

of many liberal peacebuilding interventions.[57] Under such conditions, environmental peacebuilding in the form of *tara bandu* is unlikely to be successful and may result in high levels of sunk costs (in terms of both time and resources invested). In the municipalities of Ainaro and Aileu, *tara bandu* has been so frequently practised (with considerable support from international NGOs) that state authorities (in negotiation with customary institutions) have restricted the numbers of animals that can be sacrificed during specific life-cycle rituals.[58] As one man remarked:

> It makes us sad, ashamed and angry. We increasingly have to hide out in the coffee forests to carry out ritual sacrifices that exceed those allowed under the *tara bandu* law. If we get caught, we risk being locked up and fined.[59]

Beyond matters of financial and logistical support (which can be provided by the state and NGOs), local community leaders across Timor-Leste also express a desire for the government to formalize its recognition of and support for practices such as *tara bandu*.[60] They argue that this would advance the visibility and authority of customary practices at the national level. Some communities have already taken initiatives to codify customary law. In other cases, formal collaboration between customary and government forestry officials has seen the creation of formal 'letters' documenting the combination of traditional practices and state forestry laws that comprise that particular *tara bandu*.[61] In this way, attempts are being made to bind *tara bandu* more formally to the state.

A number of challenges remain for such processes. One of these is ensuring collaboration among diverse stakeholders. As indicated above, this is particularly the case when outside parties are interested only in selective engagement with such ritual activities, preferring to focus on aspects of the *tara bandu* ceremony which relate to a narrow sense of environmental regulation without acknowledging the underlying cosmologies and socio-environmental relations. Recently, some communities that have 'hosted' government-endorsed and increasingly standardized *tara bandu* events have begun to suggest that this process is constituting a form of imposition on existing local customary practices.

For example, what began as a largely locally controlled *tara bandu* in the coffee-growing villages of Ermera in 2006 has today morphed into a state-controlled industry that is removed from and is alienating the local community.[62] With the process now increasingly bureaucratized and linked into higher-level administrative units, local communities are losing both control over the process and the flexibility needed to continually adapt it to their needs. In other words, local,

[57] Séverine Autesserre, 'International peacebuilding and local success: assumptions and effectiveness', *International Studies Review* 19: 1, 2017, pp. 114–32; Mac Ginty and Richmond, 'The local turn in peace building'.

[58] Lisa Palmer and Andrew McWilliam, 'Spirit ecologies and customary governance in post-conflict Timor Leste', *South East Asian Journal of Humanities and Social Sciences* 175: 4, 2019, pp. 474–505.

[59] Interview, Ainaro, Sept. 2018.

[60] This would also include the formal documentation (and localized codification) of previously orally communicated community-level *tara bandu* processes.

[61] Meitzner Yoder, 'Hybridising justice'.

[62] Kelly Silva, 'Administrando pessoas, recursos e rituais: pedagogia economica como tatica de governo em Timor-Leste [Managing resources, persons and rituals: economic pedegogy as government tactics]', *Horizontes Antropologicos* 22: 45, 2016, pp. 127–53.

bottom-up initiatives have turned into hybrid peacebuilding efforts resembling liberal peacebuilding practices.

In sum, then, the (further) hybridization of *tara bandu* through the involvement of international NGOs and the (liberal) state, along with the associated processes of standardization that lack local fit or ownership, can cause several problems. First, external support for the ritual without acknowledgement of the associated processes and spiritual ecologies (such as supernatural sanctions) is inefficient at best and undermines local customary structures at worst. Second, state (and to a lesser degree NGO) support might result in the actual or perceived transfer of local control to external actors, in turn causing frictions between local and national/international actors. Silva, for instance, describes how state support for *tara bandu* is associated with the promulgation of values aligned with statebuilding, economic development, statist environmental protection and liberal forms of democracy.[63] Third, state support for customary practices such as *tara bandu* might operate as a kind of symbolic politics, helping the government to claim legitimacy despite falling short of meeting its own responsibilities for managing resources.[64] These problems parallel to a significant degree those that bedevil liberal peacebuilding.[65]

At the same time, these renewed post-independence *tara bandu* events are a source of great community pride and cohesiveness. Difficult and time-consuming, often taking many months to negotiate, they are viewed as a tangible expression of a community's commitment and attentiveness to its own collective well-being. They are further valued as an explicit demonstration of the efficacy and importance of customary modes of governance embedded in highly political spirit ecologies.[66] With regard to international and especially state involvement, the communities are well aware that they are engaged in governance experiments that are attempting to draw together often divergent and conflicting logics. In these circumstances, engagement with government and non-government agencies is one—often less than ideal, and sometimes contested—option through which local peoples seek to find pathways forward for their own community's peace, sustainability and prosperity.

Conclusions

The example of *tara bandu* in Timor-Leste speaks to the wider literature on environmental peacebuilding in three ways.

First, *tara bandu* as an endogenously emerging practice has been successful in promoting peace and managing the environment in the particularly difficult context of post-independence Timor-Leste.[67] Together with similar success stories

[63] Silva, 'Administrando pessoas, recursos e rituais'.
[64] Palmer and McWilliam, 'Spirit ecologies and customary governance in post-conflict Timor Leste'.
[65] Stefanie Kappler and Oliver Richmond, 'Peacebuilding and culture in Bosnia and Herzegovina: resistance or emancipation?', *Security Dialogue* 42: 3, 2011, pp. 261–78; Millar, 'For whom do local peace processes function?'; Joanne Wallis, 'Is "good enough" peacebuilding good enough? The potential and pitfalls of the local turn in peacebuilding in Timor-Leste', *Pacific Review* 30: 2, 2017, pp. 251–69.
[66] Palmer, *Water politics and spiritual ecology*.
[67] Krampe and Gignoux, 'Water service provision and peacebuilding in East Timor'.

from other locations, for instance Yemen and Ghana,[68] this suggests that bottom-up environmental peacebuilding can work very well. Relevant causal mechanisms (as identified by the wider environmental peacebuilding literature) in this context include an improvement of the environmental situation, increasing trust and understanding, and strengthening (customary) institutions.[69] Nevertheless, we should not romanticize the local; it must be acknowledged that community-based environmental cooperation and peacebuilding can also create new exclusions and injustices.[70] Having said that, we found little evidence of such inequalities, and so suggest that *tara bandu* is a positive example of a bottom-up peacebuilding institution that can perhaps inspire other initiatives. One should be aware, however, that such practices have limitations in the wake of environmental challenges that transcend local and national scales, such as climate change.[71]

Second, environmental peacebuilding approaches are frequently underpinned by or articulated in terms of a western-style ontology of self-interest and rational choice behaviours.[72] Maas and colleagues, for instance, emphasize that 'the underlying idea is that when people meet and jointly work on common problems, they recognize that they share needs and interests, making cooperation the more rational choice';[73] and one environmental peacebuilding NGO also describes its goal as 'to foster peace and cooperation through long term trust building based on the *shared interests* of neighboring communities'.[74] Our case-study shows that local realities can be far more complex than these approaches suggest. In Timor-Leste, managing environmental resources that are vulnerable to degradation and crucial for sustaining livelihoods is certainly in the interest of local communities. But the practice of *tara bandu* is also strongly shaped by place-based cultural traditions and spiritual relations, such as a desire to preserve certain landscapes because of their connection to the ancestral realm or to elicit supernatural sanctions for violations of prohibitions. Such considerations cannot be understood in terms of rational choice and utility maximization. Consequently, and in line with the local turn in peacebuilding, attention to local cultural traditions and norms should be a crucial part of environmental peacebuilding research and practice.

Third, external support, among other factors, is frequently identified as a facilitating condition for successful environmental peacebuilding.[75] Researchers have

[68] Taha Taher, Bryan Bruns, Omar Bamaga, Adel Al-Weshali and Frank Van Steenbergen, 'Local groundwater governance in Yemen: building on traditions and enabling communities to craft new rules', *Hydrogeology Journal* 20: 6, 2012, pp. 1177–88; Kaderi Noagah Bukari, Papa Sow and Jürgen Scheffran, 'Cooperation and co-existence between farmers and herders in the midst of violent farmer–herder conflicts in Ghana', *African Studies Review* 61: 2, 2018, pp. 78–102.

[69] Dresse et al., 'Environmental peacebuilding'; Ide, 'The impact of environmental cooperation on peacemaking'.

[70] Tobias Ide, 'The dark side of environmental peacebuilding', *World Development* 127: 1, 2020, pp. 1–9.

[71] Barnett et al., 'Vulnerability to climate variability and change in East Timor'.

[72] Dresse et al., 'Environmental peacebuilding'.

[73] Achim Maas, Alexander Carius and Anja Wittich, 'From conflict to cooperation? Environmental cooperation as a tool for peacebuilding', in Rita Floyd and Richard A. Matthew, eds, *Environmental security: approaches and issues* (London: Routledge, 2013), pp. 102–20 at p. 102.

[74] Friends of the Earth Middle East, *Good water neighbors: identifying common environmental problems and shared solutions* (Amman, Bethlehem and Tel Aviv, 2007), p. 4 (emphasis added).

[75] Ide, 'The impact of environmental cooperation on peacemaking'.

highlighted the relevance of international mediation,[76] funding by international donors,[77] and (formal) government support,[78] especially where local resources and capacities are limited. In the case of Timor-Leste, external support—in forms such as sponsoring animals for rituals and police training for the ritual leaders' assistants—has indeed facilitated locally emerging and eventually successful *tara bandu* processes. However, as predicted by the wider literature on peacebuilding, an increasing hybridization of *tara bandu* and the associated loss of local control and context sensitivity also pose risks. The involvement of international actors and state appropriation can undermine the effectiveness of *tara bandu*, may cause frictions between local and external values/actors, and can be used instrumentally as a form of symbolic politics to further state interests. External support should hence be viewed as a mixed blessing for environmental peacebuilding.

In the light of our findings, we encourage researchers to study, and policy-makers to pay attention to, bottom-up environmental peacebuilding practices, but also to be alert to the social consequences and power struggles that attend processes of their hybridization.

[76] Neda A. Zawahri, 'Using freshwater resources to rehabilitate refugees and build transboundary cooperation', *Water International* 36: 2, 2011, pp. 167–177.

[77] Peter Mackelworth, 'Peace parks and transboundary initiatives: implications for marine conservation and spatial planning', *Conservation Letters* 5: 2, 2012, pp. 90–98.

[78] Taher et al., 'Local groundwater governance in Yemen'.