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Curt Gabrielson, a science teacher and an Institute Fellow, is observing the re-establishment of education in East Timor.

The First Election: Nation Building in East Timor

By Curt Gabrielson

NOVEMBER 1, 2001

DILI East Timor—East Timor held its first independent election on August 30. The election was widely hailed as a success, with congratulations flowing in from across the globe to both the people of East Timor and the UN Transitional Administration of East Timor (UNTAET). Indeed, there was no violence to speak of and the various parties by and large accepted the results. From this narrow perspective, success was attained. But watching the whole process motivated me to consider the limitations of an election, and what an election means in the larger framework of democracy.

The election was long scheduled for August 30th to match the date of the UN-sponsored referendum of 1999, which sealed East Timor's independence. In 1999, 98.6 percent of registered East Timorese came out to vote, and close to 80 percent voted in favor of independence from Indonesia. Soon thereafter the Indonesian armed forces and their militias destroyed much of the nation, killed several thousand people and forcefully deported more than one third of the population. Since that time, the East Timorese have been primarily engaged in efforts to build a functional nation, physically, politically and economically.

Since this election lays a foundation for future elections and the nature of East Timor's government, it is important to look at who was in charge. UNTAET was given its mandate on October 25th, 1999, after UN armed forces had secured the country following the departure of the Indonesian military. The mandate set UNTAET to prepare the country for independence as rapidly as possible while providing for security both internally and at the borders. Sergio de Mello, a Brazilian, has been the Special Representative of the Secretary General of the UN and Executive Administrator of UNTAET since its inception. A cabinet — one-half East Timorese — has worked with de Mello on decisions of state, and a National Council with one person representing each district, each political party and each of several major interests, has acted as de Mello's advisor.¹

UNTAET set up the Independent Electoral Commission (IEC) of East Timor to carry out the election. It is not clear in what sense the IEC was truly independent. Though given "full" responsibility for all election matters, it was supported entirely by UN funds, and in fact was a part of UNTAET. To make things even more confusing, a lot of IEC's work overlapped with the work of the United Nations Development Program (UNDP) and more than once, electoral officers were unclear to whom they should report.

The IEC consisted of three internationals and two East Timorese. The IEC set the rules and guidelines for the election, set up the machinery for carrying out the election, and registered parties. It set up panels for resolving disputes between parties, as well as disputes between parties and the media.

The election determined which parties or individuals will take part in the

¹ For more information on the UN in East Timor and the political situation leading up to the election, see my newsletters from May and June.



A poster explaining the two ballots. On the left is the national ballot with 16 parties and three independent candidates. On the right is the district ballot with all candidates from the Baukau district.

“Constituent Assembly” that will decide the content of East Timor’s constitution and the form and structure of East Timor’s first independent government. The Assembly is composed of 88 seats, with one for each of the 13 districts and 75 others to represent the nation as a whole.

At the district level, each interested political party offered one person as a candidate, and independent candidates could also put their name on the ballot if they collected enough signatures. Thus, the district ballot sheet showed a list of names, some of whom were related to a party. On the national ballot, people voted for parties, and the parties got seats in the Assembly according to how many votes they received. The parties made their candidate lists public, so that people could see who would get into office if a given party received enough votes. Three independent national candidates were also on the ballot. They had to get the same votes as a party to win a seat, an arrangement that made it nearly impossible for them to win. In the end, none of the three won.

The National Council approved the election date unanimously in March. While a few criticized the date as late, many thought it too early. Several smaller parties, the two Bishops and many non-governmental orga-

nizations (NGOs) pointed out that the people of East Timor needed more time to learn about the process, the parties and the concept of a constitution. In order for the new government and the new constitution to be truly representative of the aspirations of the people, there had to be information, understanding and discussion. With only about five months for information to work its way out to the villages, chances were high that ignorance would prevail. Parties and individuals then on top could easily railroad the process, resulting in the constitution and government of East Timor being crafted by a small elite as opposed to the broader population. Many of these critics claim that this is largely what is happening.

By the June 24th deadline, 16 parties had registered with IEC. Campaigning began on July 15th, giving six weeks for the parties to get their messages to the masses. Five of the parties have histories predating the Indonesian invasion of 1975. The rest had to introduce and define themselves, lay out their platforms and convince the population that they were the best — all within a month and a half.

The largest of the parties, Fretilin, was set up in 1974 after the revolution in Portugal liberalized the colonial government of East Timor. Fretilin organized much of the resistance to Indonesia during 24 years of occupation. Kay Rala “Xanana” Gusmao, the de-facto leader of East Timor, was a Fretilin man before he stepped down (or up) to lead the CNRT (*Conselho Nacional da Resistencia Timorese*), an umbrella group for the various East Timorese political parties that united in their

struggle for independence from Indonesia. Many of Fretilin’s candidates are well-known personalities that had significant roles in the resistance. The Fretilin flag is familiar to all. Thus, Fretilin expected to sweep the elections, predicting on at least one occasion that they would rake in 95 percent of the vote, and setting 100 percent as their goal.

Two very different men lead Fretilin today. The party president, Lu Olo (whose Catholic name is Francisco Guterres), was a resistance fighter with Xanana for many years in the forests and mountains of East Timor. While he officially leads the party and today sits on the Constituent Assembly, he can be viewed as merely a figure-head: a man of unquestionable honor to represent the party.

The number-two Fretilin man is Mari Alkatiri. Alkatiri is from a Muslim family with links to Indonesia and roots in Yemen. He was actively involved in Fretilin since its formation in 1974, and was one of the diplomats Fretilin sent abroad just days before the Indonesian invasion of 1975. Alkatiri spent the two and a half decades of Indonesian occupation in Mozambique, first learning law, then teaching it at a university in Maputo. He main-

tains close ties to the socialist Frelimo party of Mozambique, but has proven to be quite an adept capitalist in his recent position as Timorese negotiator in talks on oil extraction in the Southern Timor Sea. Philips Petroleum, which had made a deal with Australia and Indonesia before East Timor's independence, has had many a wake-up call in current negotiations with East Timor due to Alkatiri's insistence that it give a higher share of profits to East Timor. The negotiations continue today.

Two important parties have been formed since Indonesia's departure in 1999. One is called the Democratic Party (PD). Calling itself the "Intellectual's Party," PD promised to insure intelligent government. One of the leaders of PD is Constancio Pinto, a clandestine organizer in East Timor until 1991, when he fled Indonesia and sought asylum in the US. He has worked with the activist community in the US for the last ten years, frequently beseeching the leaders of our nation to stop arm-

ing the Indonesian military machine. Constancio was originally a member of Freltilin, but left the party to focus on the CNRT's unification efforts while he was in the US.

The other major new party is called the Social Democrat Party (PSD). With a platform based in large part on opposition to Freltilin's majority, it originated about a year ago, and includes many of the previous leaders of CNRT as well as Mario Carrascalao, who was governor of East Timor under Indonesia. Nobel laureate Jose Ramos-Horta helped start the PSD, though both he and Xanana, East Timor's two best-known politicians, have avoided aligning themselves with any single party.

Another important party, not quite new, is the Social Democratic Association of Timor (ASDT). ASDT is a splinter group that broke away from Freltilin. Francisco Xavier do Amaral, the current leader of ASDT, was the first president of Freltilin, but by the late 70's was disappointing





Trucks fill with Fretilin supporters before a parade and rally in Dili.

many other leaders in the resistance. Then, in a sketchy incident still argued about today, do Amaral was apparently caught cutting deals with the Indonesian military, expelled from Fretilin and taken by the Indonesians to Jakarta, where he lived, restricted but in comfort, for the remainder of the occupation. Today he has bounced back to a position of much power in East Timor, especially in his hometown of Maubisse in central East Timor.

The election campaigning was a bit of an anti-climax. Though the UNDP provided four million dollars to support the elections, many parties complained of not having enough money to campaign. And as we know so well in the US, money makes the campaign. A few large rallies were held in major population centers, party flags and posters sprang up all over, now and then trucks full of supporters clad in party symbols chanted their way through city streets. But sometimes days would pass with seemingly no activity.

Early on, a televised debate gave an opportunity for parties to lay out their platforms and make themselves known. It was rebroadcast several times during the six weeks of campaigning. Though arbitrated by Ramos-Horta himself and attended by every media body in East Timor, the result was luke-warm. Many parties sounded alike, and few sounded convincing.

A memorable moment from the debate was when Ramos-Horta called upon ASDT to distinguish itself from Fretilin. After a few seconds, the ASDT representative responded, "Basically we are the same, but they are 'revolutionary,' and we are simply social democrats." Any questions?

Ramos-Horta also pressed the PSD to distinguish itself from the ASDT, two parties claiming to be social

democrats. I could make no sense of their claimed differences, and I'm doubtful that most East Timorese could either.

Fretilin put on a confident, cocky face for the elections, with seemingly no holds barred. Speaking about a UN-stated goal of a "coalition government," Alkatiri said yes, Fretilin was interested in a coalition, but a coalition of talents, not of parties. He said that obviously Fretilin was the lead party, and thus could participate on its own terms, and needn't "negotiate" with the UN or any other parties.

Both local and international observers criticized Fretilin for using strong-arm language in its campaign speeches. Several times, Fretilin representatives used the term "*dasa-rai*," literally meaning to sweep the ground, when speaking about its plans for after the vote. These same words had been used by militia members two years ago to foretell the terrible and complete destruction they carried out after the referendum results had been announced. Fretilin claimed it was speaking about public service it planned to do: literally sweeping the streets.

I attended a rally for Fretilin in a small village near Dili. The fiery speeches went on and on. Who bled for East Timor? Who died in the mountains for 24 years defending East Timor? Who will lead East Timor to a strong and proud future? FRETILIN! The main thrust was clearly emotional, and not at all related to Fretilin's platform. Vague promises were made, different speakers were called on to say approximately the same things, and the other parties, ASDT especially, were slammed and slandered. These campaigners seemed to have been taking lessons directly from the politicians in the United States.

Meanwhile, ASDT pointed out on many occasions that Fretilin did not have a monopoly on dying for the cause: over 200,000 East Timorese died in the occupation. Our neighbor Pedru is an avid ASDT supporter, originally from Maubisse, and read me from an info sheet put out by ASDT. The party writer described do Amaral as divinely chosen in addition to intelligent beyond the imagination, and put forth ASDT as the one true path to an independent East Timor.

The PD party, among others, used misinformation as a strategy to gain votes. They ran an advertisement in a national paper with pictures of Xanana and Ramos-Horta with titles "President" and "Vice President," and

implied that a vote for PD would insure this outcome. Of course, they had no power to make this assurance — and even more surprisingly, they had not consulted with Xanana or Ramos-Horta!

The UN sponsored a campaign of civic education intended to remedy this sort of bad information. Originally, international UN employees planned out the entire process without the inclusion of local NGOs, some of whom were already working on civic education. After massive protest by nearly the entire NGO community in East Timor, the UN leaders scrapped their plan and began to involve locals in the process. This false start delayed the process, and in the end very few people received any sort of civic education. The Asia Foundation, an NGO from the US, did a nationwide survey at the end of March and concluded that fewer than 5 percent of the population understood the upcoming elections. Even on election day, many individuals interviewed were unclear on the function of the Constituent Assembly.

Campaigning stopped two days before the election. East Timorese radio and TV broadcast messages from many leaders in East Timor urging a peaceful election day. At the same time, many foreign-press representatives, including Indonesia's, predicted massive violence and disruption on election day, similar to the destruction that occurred in 1999. This was difficult to understand, in that

the militias and their Indonesian-military backers are nearly all still in Indonesia. It seems that many reporters never got the 1999 story straight: there was no civil war, no factions at odds, no domestic disputes. There was a massive, well-planned, highly organized campaign of terror and destruction aimed at punishing the East Timorese for choosing independence. This terror and destruction was led and funded by the Indonesian military, which had already proven its abilities with 24 years of repressive military occupation in East Timor and had enormous economic interest in the half-island. Many of the East Timorese militia members involved were violently forced into action by the Indonesian military, and nearly all received payments of money, drugs or promises of future positions for their nasty work. This is well proven and documented by investigators from various countries, and a UN-commissioned report by James Dunn, former Australian Consul to East Timor, outlines the facts quite clearly.² The situation in East Timor is entirely different now, so naturally no East Timorese I talked to predicted any sort of widespread violence in this recent election. Indeed, Carlos Valensuela, the Colombian head of the IEC, said he has participated in 14 elections across the globe, and this was hands-down the most peaceful one he has ever witnessed.

My partner Pamela and I got certified as election observers. If you think there was some sort of stringent training

or selection process for being an election observer, think again. Anyone with a foreign passport could become an observer. There was voluntary training, but nothing was required at all. East Timorese wanting to observe the election, on the other hand, had to jump through several bureaucratic hoops and belong to some sort of organization. The implicit assumption was ugly but all too familiar: Any random international is more qualified than an East Timorese.

The laxness of the whole international-observer program was wrapped up in the opening line of the first training session. The UNDP



Pamela, left, greets our friend Florentina, who has just been given her turn to vote after a long wait in Bukoli. Her husband Silverio was a Yayasan HAK observer at their hometown voting station.

² James Dunn's report can be found at <http://www.etan.org/news/2001a/dunn1.htm> . For more information on evidence of Indonesian military crimes in East Timor see: <http://etan.org/et2000a/february/1-6/5conclu.htm> . An Indonesian general was recently convicted in a US court on charges of planning the destruction of 1999. The evidence and story against him can be found at <http://www.etan.org/news/2001a/09lumin.htm> .



Soldiers lined up to vote in Metinaro, home of the FDTL (Forsa Defensa Timor Loro Sae).

trainer, an international, said to his audience of volunteer observers, "OK, I'll try to be brief, because I know you would all rather be at the bar or the beach." As on many occasions I have witnessed, it was the East Timorese who most demonstrated discipline and professionalism, yet internationals were holding the reins.

Over 800 observers turned out at the elections, including East Timorese and internationals. The governments of Japan, the European Union, Portugal, Australia, even Indonesia, all sent official observers, and many NGO's were present as well including the Carter Center, the Asia Network for Free Elections, the Catholic Institute for International Relations and the International Federation for East Timor (IFET). Several local groups also observed the vote, and political parties were allowed one observer per voting station.

There was not, however, a great deal to observe. Pamela and I visited several voting stations between Dili and Baukau, and the biggest problem we observed was domineering international election offi-

cial. Most, however, seemed quite good, bending over backward to insure that all those registered got a chance to vote, and keeping to every rule. The crowds of voters had to stand for hours in lines under the hot sun, but seemed in good spirits, all in all.

In a voting station in Baukau we saw a large group of people whose names were not on the list, but possessed registration cards for that voting station. Later we heard that this was a common problem and that a number of the computer disks full of personal information from the massive national registration process that took place earlier this year had been lost. Thus a cumbersome process was used to ensure that everyone with registration cards could vote, whether or not their names were on the list.

In the end, 91 percent of registered East Timorese voted. Several observer groups pointed out that while this number is mind-bogglingly high when compared to the US-voter turnout, it meant that 36,000 East Timorese who registered did not vote — a highly questionable situation. After all, in 1999, under intensely hostile conditions, 98.6 percent of the population came out to vote. In addition, around 40,000 individuals spoiled their ballots (many inten-



The head of the line in Metinaro. A UN Filipino peacekeeper ushers people in and out.

tionally, as a protest to the election), and some 80,000 East Timorese still in West Timor were not able to participate in the election at all. These are important issues to consider when evaluating the success of the recent election.

Immediately following the vote, East Timorese radio and TV were awash with copious information about how the ballots were to be transported, sorted, mixed, tabulated and counted. The public received information about how many ballots make a packet, how many rubber bands go around the packet, how many packets make a bundle, what is done with remaining ballots that do not amount to a whole packet, etc. There were stories of ballot boxes whose seals broke when falling from trucks or tables, how the area was cleared and guarded and how election officials meticulously replaced the seals. Certainly, every effort was made to convince the East Timorese that this election was fair.

Still, some claimed it was not. Joao Carrascalao, leader of the Union for a Democratic Timor (UDT) party, was quoted as saying that the election was neither free nor fair, owing largely to the rushed timetable and poor attempts at civic education. (Though the UDT has been around since 1974, it landed only two seats in the Constituent Assembly.)

The IFET, which was composed of members of the East Timor solidarity movement from across the globe, was the largest group to have observed the 1999 referendum and placed 40 observers in the recent election. IFET declared the vote free and fair for the most part, and that...

“the results will accurately reflect the preferences of the people of East Timor within the limited issues and choices placed before them. Although the lack of discussion of constitutional issues during the campaign was disappointing, the political parties largely acted with decorum and respect, and few if any voters were coerced or intimidated.”

IFET also criticized the IEC for not prioritizing capacity-building among local election workers, not allowing absentee ballots and not insuring that voting-station managers could speak a relevant local language.

When the counting was done, Fretilin won 57 percent of the national vote and all but one district seat, giv-

ing them 55 seats in the Assembly. PD won seven seats, and PSD and ASDT won six seats each. UDT, PCD (Christian Democratic Party), KOTA (Klibur Oan Timor Asuwain — a party since 1974 based on traditional society), PNT (National Party of East Timor), PPT (Peoples’ Party of East Timor) won two seats each, and PST (Socialist Party of East Timor), UDC/PDC (Democratic Christian Party of East Timor) and PL (Liberal Party) won one seat each. Four other parties contending won no seats.

Twenty-four women sit on the assembly, making 27 percent of the total membership. Earlier this year, a coalition of women’s groups put forth a bill in the National Council that would have required a minimum of 30 percent women on the Constituent Assembly. The bill was defeated, but the number was still nearly attained due



Counting the ballots in Baukau. Each counting place was open for any observers at any time, making for quite a festive atmosphere.

primarily to women’s groups pressuring parties to put women on their lists of candidates.

The biggest news in the results was that Fretilin did not even achieve the 60 seats necessary for a majority vote in the Assembly. Many including Xanana and Ramos-Horta hailed this as a good thing. Fretilin will thus be forced to work with another party in order to control decisions in the Assembly. The dealing has already begun. Without displaying a bit of the outrageous irony apparent, Mari Alkatiri of Fretilin and Francisco Xavier do Amaral of ASDT held a small ceremony claiming unity of spirit and purpose (after a month and a half of bashing each other’s parties during the campaign.)

After the election, de Mello proclaimed the vote a magnificent success and true evidence of the political

maturity of the East Timorese. Yayasan HAK, a local human-rights organization that sent out the most observers of any domestic NGO, had somewhat contrary words. HAK's report on the recent vote wraps up with the following summary:

"This election has been portrayed as a model for democratic transition by UNTAET. Although the election in itself has been largely successful, we must recognize its limitations and shortcomings. Organizational inconsistencies prevented even those who were registered from voting, most notably electoral observers. Other problems resulted from lack of sensitivity for those with special needs, particularly disabled persons. Deficiencies in [the] UNTAET-sponsored electoral-education process were revealed through many voters' lack of understanding of the voting procedures and general understanding of the purpose of the election. This election is a step toward democracy, but is a small step in a long process to a successful transition to democracy."

Yayasan HAK went on to implore current Assembly members to create avenues through which the population could continue to provide input into the nation-building and governance of the country. It strongly cautioned against the prevalent notion that since the election proceeded well, democracy has been attained. Yayasan

HAK's opinions are echoed by other local NGOs.

I agree with these local views. A group of elected people is now creating the future constitution of East Timor. They can do this in an insular manner, following party philosophy and dogma, or they can arrange to receive ongoing input from the public and put into place concrete processes that are transparent and participatory as well as a program of civic education for people of all ages to increase understanding of government processes. UNTAET's implication that democracy has arrived must be seen as understandable self-congratulation, and the realities of long-term, democratic nation-building must be embraced.

Pamela and I found ourselves comparing the events of the recent election in East Timor to US elections in which we have taken part. This may not have been such a useful exercise. Aside from the obvious difference that this is the first-ever free election in East Timor, it also must be said that the current system in the US is not necessarily a great model for East Timor (or the world). A huge number of citizens do not participate at all in our government, and the vast majority of those who do participate do so only through periodic voting. There is no reason to believe this system cannot be improved, and it just may be the East Timorese who can show us how it is done. I for one will be watching carefully. □

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