

OIL-BOUNDARY¹ AND TOTAL-COMPLETE INDEPENDENCE: ELITES' POWER STRUGGLE AND THE POWER OF DISCOURSE

Fernando Avelino Teofelo Ximenes^a

ABSTRACT

This commentary tries to explain the dimension of elites' discourse and power struggle within Timor's heroic struggle to determine its maritime boundary and oil-to-Timor. It aims to discuss the most elementary form of power struggle of the elites behind the discourse of oil-to-Timor and the establishment of new maritime boundary with Australia. This commentary concludes that the aspirations of Total-Complete Independence² secured by the formula of oil-to-Timor and the establishment of permanent maritime boundary with Australia is totally a fetishist delusion and resides precisely in self-serving desires of nationalist elites searching for the preservation of power, privilege and recognition; and the discourse itself serves as a moral and political mobilisation of the politico-economic elites.

Keywords: Timor-Leste, elites, Total-Complete Independence, oil-to-Timor, maritime boundary

INTRODUCTION

After returning from intense diplomatic engagement with Australia, International Oil Companies (IOC) and the United Nations, Timor-Leste's national hero and chief negotiator for the delimitation of maritime boundary, Xanana Gusmão, during his press conference on 12 March 2018, responding to the question on whether Timor-Leste was fighting for maritime boundary, or oil and gas, asserted, 'for sure, it is for maritime boundary.' The issues had gained popular support in Timor-Leste and there are signs that matters pertaining to maritime boundary are potent to nationalism in Timor-Leste. This was evident during a mass protest in front of the Australian embassy in Dili in 2016, which brought about 20,000 Timoriana - the biggest protest ever held in Timor-Leste since independence³. The Australian government is likely to be placed within the centre of political adversary for many Timoriana after Indonesia for its past brutal occupation. The maritime boundary rhetoric has been circulating and spreading widely in Timor-Leste since that period, with the nuances continuing to bring nationalism to the forefront.

There are some other senses that we need to know in addition to whether it is nationalism, or territorialism which have provided these impetuses for the rational actions of Timor-Leste to reclaim what is totally theirs. However, we can be assured that whatever it may be, people will perceive this as a national priority as it is expected to bring lucrative benefits to Timor-Leste for a long time; or as Prime Minister Mari Alkatiri had metaphorically declared in his inaugural speech in 2002, (it is) a '*passport from poverty*' (ETAN News, 2 September 2002). Although this is

^a Fernando Avelino Teofelo Ximenes (fernandoximenes87@gmail.com) is an independent researcher in Timor-Leste.

not simply a case of state-mobilised nationalism, the social-political relations between leaders of the state and society in Timor have always been about the patron-client relations (Eisenstadt & Roniger, 1984) and clashes between the producers (Boix, 2015). This elites' struggle for legitimacy and personalisation encounters in Timor-Leste has led to what we might refer as *democracy of clientelism*.

Many leaders within the liberation movement in Timor-Leste turned into right-centrists and pro-neoliberal capitalists during/after independence. Inevitably, since then the political outcome began to generate similar features of these postcolonial syndrome. Recent development has indicated that personality politics in style of governance and electoral process are growing steadily (Khoo, 2018) - a patronage-client system (Aspinall & Hicken, 2018) occurred not only in cynical elections, but also in public institutions. Therefore, without a deep understanding of the attitudes and the course of actions of political elites, which are lacking in clarity, we cannot simply predict unitary actions of the state.

Thus, the struggle of Timor-Leste with regard to the delimitation of its maritime boundary has been a practical basis for the elites to reclaim their power-privilege-recognition (PPR). Despite this social desire objectives, it has been a longtime- commitment of Xanana Gusmão to obtain a permanent maritime boundary - ever since his struggle for independence of East Timor. It is believed that maritime boundary delimitation was a key nodal stage to total-complete independence or 'national resource sovereignty' (Bovensiepen, 2018). Recent political rhetoric reveals that this can only be achieved through resource nationalism, such as oil-to-Timor/pipeline to Timor. The elites discourse becomes powerful tools that shape public consciousness and imaginaries toward the issues. In a ridiculous sense, people in general believe maritime delimitation and oil-to-Timor would mitigate social injustice. On the other hand, nationalist elites not only tend to promote nationalist rhetoric in order to justify the legitimacy and continuation of state-funded megaprojects in its South Coast, but also to extinguish them from internal critics (Bovensiepen, 2018).

The intention towards 'resource nationalism' in Timor-Leste remains as an unexplored issue since the delimitation of maritime boundary has always been dissected in the public mainstream as a national concern - as the battle to end all battles. Of course, the struggle has been accepted commonly as a prime national interest, meaning - the maritime boundary is more important than natural resource acquisition. However, the meaning of national interest attached to maritime boundary and oil-to-Timor presented a contradictory analysis and debates amongst politicians (dominant elites from CNRT and FRETILIN), academia, practitioners, civil society and ordinary people. Thus, for Timor-Leste, a discourse on obtaining permanent maritime boundary could mean an issue of occupied space by outside actors. This has raised a national question to distinguish those who are patriotic and nationalists. Someone will truly be perceived as a traitor if he or she opposes the ideas of oil-to-Timor and maritime boundary delimitation. But, rarely that maritime boundary and the oil-to-Timor have been taken as a similar concern of various local nationalist factions, and they rhetorically present their differences.

Finally, delimitation of maritime boundary and oil-to-Timor's onshore are huge elements in completing the incomplete sovereignty - or a *full political and economic sovereignty*⁴ as popularised by Gusmão's maritime negotiator team. It must

be explored beyond the headlines. The question is, whether nationalism is a key factor in driving Timor-Leste's quest for greater control of their resources? In a practical matter, Timor-Leste presents contradictory cases as the bid for resource control is not influenced by a unifying established dominant ruling class, or the re-consolidation of the oil sector under giant state-owned energy firm, et cetera. This is not an authoritarian rule that hunts for resources to consolidate its formal centralistic power while forced to renegotiate with International Oil Companies, or use resource nationalism as part of the statecraft in reaching geopolitical goals.

The case of Timor-Leste represents the use of international legal regime to determine territorial rights and just resource sharing. The government, under Xanana's leadership, has also used moral-basis in negotiating the resource-sharing arrangement with Australia-IOCs, while continue acknowledging IOCs' involvement in developing oil industrial clusters - ranging from exploration, processing, until distribution into the market. Again, this does not intend to refute the previous ideas on clientelism. These elite capitalist bureaucrats play a dominant role in the resource nationalism efforts. In spite of the relative divide, fragileness and progressive liberal democracy, the role of minority political and interested groups is powerful, and they are widely and constantly present. In a remarkable form, capitalist bureaucrats consist of influential and dominant politico-economic elites.

By this, I refer to them, as what Jean-Claude Milner has proposed, a 'stabilising class' (Badiou & Milner, 2012). This class has a stabilising role as it mediates the state and society; and the state and the market. They have become true benevolent mediators for large private capital investments, and facilitators of unjust Public-Private-Partnership within Timor-Leste's political economy. Politico-economic elites in the newly cynical liberal independent state of East Timor are notoriously those former resistance leaders themselves and their close fellow party cadres – those homogenous mass line of upper and middle class conformist politicians of the country – those who penetrated and dominated the ideological discourse of development, state-building, and the post-independence liberation struggle in Timor-Leste.

To be part of this class, conditions for its membership were established - one of them is the blessing of politico-historical legitimacy, such as Xanana Gusmão from CNRT and Mari Alkatiri from FRETILIN; or baptised with wealth, such as Francisco Kalbuady, the Secretary General of CNRT. This class of elites assumed critical roles in influencing all aspects of East Timor democratic process since independence until now – the precarious and disoriented democratic process were part of their political culture. This group however, is not an actual 'ruling class' as Alain Badiou has pointed out. This class has no strong coherent structure and constant power to be found as ruling class - but a 'broad class that is fully committed to the stability and continuity of the existing social, economic and political order' – they have been known for years for calling and aspiring for changes which are not radical – all in terms of the establishment of conformist 'bourgeois republican order' (Žižek, 2014).

According to this way of thinking, for instance, the tension in the previous year between FRETILIN (opposition) and the CNRT-led (in fact, none) coalition of the VIII Constitutional government due to the amendment of the country's Petroleum Activities Act (N.º 13/2005 de 2 Setembro) as part of the requirements of the new

provisions in the Treaty of Maritime Boundary⁵ has confirmed the contradictory political visions of the two major political players. By revising these acts, FRETILIN has accused the coalition as no longer having the commitment to strengthen the democratic accountability of the government. FRETILIN is constantly concerned with any attempts that could perpetuate the endless exploitation of the formal and constitutional power by informal traditional neo-authoritarian powers and the greediness of the invisible hands behind state-owned companies, such as Timor Gap⁶. CNRT-led coalition of Parliamentary Majority Alliance (AMP II), on the other hand, has openly criticised FRETILIN – suggesting that the latter should no longer claim themselves as a nationalist party. Indeed, both elites of the parties reasonably speak the truth on the inflexible forms that are grounded on pragmatic instinctiveness. Their conflict, tension, rivalries and contradiction (perhaps, *false conflict* in absolute Zizekian sense) have influenced the existing political culture of liberal democratic order in Timor-Leste.

Therefore, in spite of experiencing a significant political stability, Timor-Leste is persistently confronted with cynical economic development and static juridical order. The country heavily relies on unstable consensual politics between political leaders to push forward its development and peace agenda⁷. The infrastructure-led and guided socio-economic development, perceived as a pivotal discourse of policy and practice by the government to justify the development, has come under criticism. The gap of socio-economic inequality is hard to remove as the population continues to live under the poverty line. Its trade and fiscal spending have reached an unsustainable bottom. During the last ten years, the government had devoted to practices of offshoring jobs, where thousands of young men and women in the productive age were sent abroad to work as “cheap exploited worker” - as seasonal workers in Australia and South Korea, to self-funding jobs in the United Kingdom. These dominant problems pose as major stumbling blocks to its positive progress. Even if this was a minor fact, we still need to transgress far from the language of economics in order to win over the simplistic divided categories of social problems in Timor-Leste.

So, what is the main source to fuel the initiative of the national elites to draw the maritime boundary and work on oil-to-Timor? Overall, the failure over a decade to address the country’s most pressing problem is the key topmost factor that contribute to the need for resource control. In all, the ongoing government practice since the politico-military crises in 2006 is threatening the country into facing economic and political instability. This may lead to socio-economic crisis for many years to come, due to the booming of this precarious self-destruction practice such as mismanagement, corruption, budget deficit, debt, widespread poverty, structural mass unemployment, private capital accumulation by government cronies, including constant legitimacy of ‘false conflict’ among political factions and ironic democratic parliamentarianism – but, more dangerously is the growing capitalist neo-liberalisation of socio-political life of the state, promoted and stabilised by fragile national elites who, after all, would threaten all aspects of societal liberation. Given this background, ultimately, resource nationalism and the hegemonic discourse on maritime boundary and oil-to-Timor might put the dominant elites or existing establishment to stay in power and reassert the legitimacy to rule.

CONCLUSION

This critique remains in practical sense rather than a total radical ideology criticism on the distorted reality dragged by the conformist East Timorese bourgeoisie political culture. Since independence, total-complete independence was exactly a paramount tool, hijacked by pragmatic politics and intellectual life, and now used as a tool by domestic political-economic elites for power struggle and domination, and to serve as moral mobilisation and political legitimacy.

In all, initiatives on maritime boundary delimitation and oil-to-Timor are modes of power struggle for some domestic nationalist elites who want their power, survival, recognition and interests to be protected and sustained. And the simple question we should raise in this cynical condition is, ‘whose independence are we securing after all?’

Notes

¹ In 6 March 2018, Timor-Leste reached an historical agreement with Australia, with the signing of the first comprehensive treaty on their disputed maritime boundary and to establish the conditions for the development of greater sunrise offshore gas-fields. While, on July 2019, both Timor-Leste and Indonesia had concluded and agreed on the land boundaries and set to agree on principle to settle their maritime boundary in the next year - this was part of the new maritime boundary treaty. The official map of the new Maritime Boundary Treaty (see: <https://www.gfm.tl/learn/maps/?lang=pt>) shows a lateral border with Indonesia, with both East (segment D and E) and West (Segment A1) or (drawn as White line) as a provisional boundary until Timor-Leste concludes a seabed boundary with Indonesia. The geodesic line of North-South lateral border designated as Segment A1 run in the Southerly direction from point 17 until point TA-1 and to the North point X with Segment D & E from TA 11, 12 to 13, is a provisional boundary until Timor-Leste reach a seabed boundary with Indonesia.

² The term was popularised by Nicolau Lobato, a revolutionary and historical figure of Timor-Leste, to envision the nation’s ultimate political goals, that is resting the nation independently out of the colonial and neo-colonial structure and oppressive system. Officially used in the speech of Francisco Xavier, President of RDTL on 29 December 1975, and three weeks after the invasion. The term expressed that “*independência total e completa é um direito inalienável ... a independência só será verdadeira e eficaz quando é total e completa ... sem exploração do homem pelo homem*” [is an inalienable right ... independence will only be true and effective when it is total and complete ... without man’s exploitation of man (Gusmão, 2018, p.376).

³ Juvinal Dias, a coordinator for the Movement Against the Occupation of the Timor Sea (MKOTT), told the author in 2017 that the number has not been calculated clearly, but he estimated up to 20,000 participants. Some reported differently, as in The Sydney Morning Herald, which put it at 10,000. The report is available at <https://www.google.com/amp/s/amp.smh.com.au/world/thousands/-of-east-timorese-besiege-australian-embassy-in-dili-20160322-gnob5x.html>

⁴ The statement was made during a joint press release between Timor-Leste and Australia after “*Achieve breakthrough in Maritime Boundary Conciliation Proceedings*”, issued in September 1, 2017.

⁵ It requires the amendment of 4 national laws in Timor-Leste, and 25 from Australia as final requirement in order to ratify the new Maritime Boundary Treaty. For Timor-Leste, as such: (1) amendment to Law no.3/2003 of July 1 on the taxation of Bayu-Undan contractors and first amendment to Law no. 4/2003, of 1 July, on the development of Timor Sea oil; (2) second amendment to Law 13/2004, of September, which approves the Law of Petroleum Activities; (3) Third amendment to Law no. 9/2005, of August 3, approving the Petroleum Fund Law; (4) First amendment to Decree-Law no. 20/2008, of June 19, establishing the National Petroleum and Mineral Authority.

⁶ The president of Timor Gap E.P. is Francisco Monteiro, an oil-technocrat, cadre of CNRT and a member of Xanana-led maritime boundary and oil negotiator team.

⁷ See how the local elites act in authoritative ways, or how traditional authoritarian form of governance coexists and confronts liberal democracy in Uesugi, Y. (2018). Neo-authoritarian peace in Timor-

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