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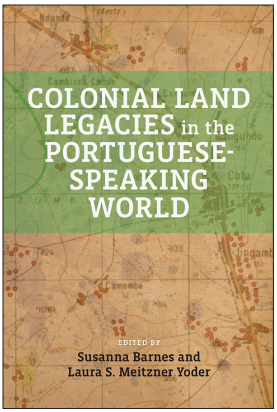

COLONIAL LAND LEGACIES IN THE PORTUGUESE-SPEAKING WORLD

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The Impact of Portuguese Development Thought and Practice on Land Relations in the Late Portuguese Colonial Period

Susanna Barnes

Introduction

Development policies and practices have a profound influence on the dynamics of land relations. In the late colonial period, the Portuguese Empire, much like other European colonial powers, pivoted away from justifications for intervention grounded in the moralizing discourse of a "civilizing mission" to embrace principles of modernization and economic development.[1] Between 1953 and 1974, the Portuguese "Estado Novo" regime (1933–74) implemented a series of development plans known as *planos do fomento*.[2] These plans aimed to organize resources from both metropolitan and overseas regions to stimulate economic growth and promote "integrated development" across the entire Portuguese "nation."[3] As the language of colonial welfare shifted to that of modernization and development, interventions in support of the plans were increasingly expected to draw on scientific knowledge and methods obtained "on the ground." Jeronimo and Pinto aptly describe this era as characterized by "repressive developmentalism," a term encapsulating a combination of "enhanced coercive strategies for governance, carefully planned development initiatives encompassing political, economic, and socio-cultural change, and the deliberate engineering of social-cultural differentiation."[4]

While the development plans implemented across the Portuguese territories shared a common ideological framework and macroeconomic vision, the actual planning and execution were intended to be determined at the local level. In the case of Timor, the development plans were increasingly driven by administrators and governors with prior experience in Portuguese Africa, and directed by scientists and technocrats who brought with them new ideas of "development" and "progress" firmly grounded in modernist discourses. Key elements of the plans in Timor included significant investments in agricultural development, particularly in the cultivation of coffee and rice. One notable aspect of these interventions was the concerted effort to restrict upland, shifting cultivation practices and establish new agricultural areas, especially in the fertile lowlands of the southern coast and the alluvial plains along the northern coast, for the cultivation of irrigated rice.

To date, there has been relatively little written about how "development" was understood, interpreted, and implemented by diverse actors in the late colonial period in Portuguese Timor. Nevertheless, the effects of these policies and plans have had an irreversible impact on relations to land and notions of "property" in Timor-Leste.[5] This work situates the land relations in Timor-Leste within their broader historical, moral, and ideological context. The chapter focuses on the fertile alluvial plain of the Nunura River in the Maliana sub-district, serving as a case study to investigate how planned agricultural development interventions shaped land access and utilization during this period and how they continue to influence claim-making practices in contemporary Timor-Leste. Through this exploration, I aim to shed light on the enduring legacy of Portuguese colonial development and its intricate interplay with land and property in the nation's history.

Estado Novo and Postwar Developmentalism

In the aftermath of World War II, as a new global order emerged and anti-colonial movements gained momentum, the Portuguese government faced mounting pressure to decolonize and recognize the right to self-determination for colonized peoples. In an attempt to evade criticism, the "Estado Novo" government revised the constitution, replacing the term "colonies" with "overseas provinces" and "empire" with "Portuguese overseas." This "semantic decolonization"[6] effectively made the metropole and the former colonies a single political and economic entity. To support integration and uphold the idea of Portuguese exceptionalism, new policies and institutions were created. Constitutional revisions and related legislation such as the Overseas Organic Law (1953) enabled the (re)legitimization of Portuguese sovereignty through the expansion of colonial bureaucracy,

scientific methods of governance, and the implementation of models of planned economic development and social and cultural modernization.[7]

If, prior to the 1940s, the relationship between the metropole and overseas possessions was marked by extraction and the civilizing mission of church and state, by the late 1940s there was a significant shift in this discourse, as the language changed to suit the demands of new developmentalism.[8] In the post–World War II era, the concept of "development" emerged as both a set of practices and an ideology that structured relationships between "industrialized, affluent nations and poor, emerging nations."[9] Portugal's colonial welfare vision readily absorbed the idea of "underdevelopment" as a problem that could be solved by technology.[10]

Between 1953 and 1975, the Portuguese government developed a series of *planos do fomento* (development plans) aimed at integrating metropolitan and overseas resources to stimulate economic growth and promote "integrated development" from "Minho to Timor" (as famously declared by Salazar). Under the leadership of the Minister for the Colonies, Marcello Caetano, colonial development referred to "the economic policy of the empire, concerned with production, commerce, industry, credit, transport, and communications."[11] And more explicitly, *fomento* was to be understood as "modernization and should require technical expertise."[12]

Modelled on similar development interventions by France, Britain, and Belgium, funds for the development plans were provided from the metropole to the now provinces in the form of interest-free, repayable loans, reimbursable depending on the resources of each territory.[13] From 1953 to 1979, four plans were elaborated. The first plan ran from 1953 to 1958, the second from 1959 to 1964, and a "mid-term" two-year plan, between 1965 and 1967, preceded the third plan, implemented from 1968 to 1973. A fourth and final plan, never implemented in Portuguese Timor, was elaborated for the period 1974 to 1979. Although these plans were homogenous, throughout the metropole and provinces, in terms of conception, policy, and macroeconomics, specific planning and programming was to be based on localized needs assessments.[14]

Scientific expertise and scientific institutions became critical to evaluating "underdevelopment" and elaborating specific technological interventions. Between 1946 and 1971, the Junta de Investigações Científicas das Colónias / Junta de Investigações Científicas do Ultramar (JIC/JIU) underwent a period of exceptional growth. During this period, "61 new entities were created, of which two were Institutes of Scientific Research, one in Luanda, Angola, and the other in Lourenço Marques, Mozambique, along with five commissions, 16 centers, 26 missions, 11 brigades and one museum (the Museum of Overseas Ethnology,

based in Lisbon)."[15] Of these, the Mission for Overseas Agronomic Studies, created in 1960, was of particular significance for Portuguese Timor.[16]

Castelo has argued that the expansion of JIC/JIU during this period is indicative of a shift away from exploitative relations between Portugal and its territories to one of investment in the economic development of places and people through public and private investments.[17] This shift was largely in response to growing international criticism, especially in relation to policies of native labour, the system of dual citizenship, and the lack of investment in education and health services for native populations.[18] In 1961 and 1962 forced labour was outlawed, in 1961 the *indigenato* regime of dual citizenship was abolished, and there was a gradual extension of education and health care. The concept of "Lusotropicalism," which held that Portugal was a multicultural, multiracial, and pluri-continental nation, emerged as a dominant discourse.[19] Yet, legislative and policy change at the "national' level did not necessarily translate into increased equality and freedoms for colonized peoples.[20]

The Five-Year Plans and "Repressive Development" in Portuguese Timor

In many ways Portuguese Timor was an outlier in the greater vision for a pluri-continental nation. Unlike other Portuguese colonies, such as Angola and Mozambique, which had large numbers of European settlers, Timor had a small population of Portuguese colonists who mainly worked in the administration and commerce. The Portuguese did not encourage large-scale settlement in Timor, and there was no significant agricultural or mining industry to support a large Portuguese settler population. Even to this day, few Portuguese consider Timor to have been a "settler colony."[21] Yet, despite its high maintenance costs and low returns, Portuguese Timor was presented as "a model of Portuguese colonization" well into the 1950s. The development of the city of Dili and surrounding townships, the building of the airport and Baucau, plantations, roads, ports, and missions were all presented as evidence of Portugal's commitment to the "civilizing project."[22] As the attitudes and language of the civilizing mission changed, however, the lack of settlement was considered, by some, the greatest obstacle to "development." For example, as Jose Alberty Correia, the governor of Portuguese Timor, pronounced in 1965, "It is no use in having technical advances and big material improvements that the people cannot understand and take advantage of."[23]

The overall assessment of the impact of the plans on the economic development of Portuguese Timor tends to be universally negative.[24] Despite the discourse of "raising the standard of living" and "providing better job opportunities," the

first development plan was largely focused on reconstruction in the aftermath of World War II.[25] Budgets for infrastructure and communications continued to outstrip investments in agriculture, and other health and social programs, in the second, mid-term, and third development plans. While there were modest improvements in public education and health care, agricultural production declined in various areas and infrastructure development, the most highly resourced sector, remained limited. Famously, between 1968 and 1970, thirty-three kilometres of road were constructed—an average of eleven kilometres per year.[26] Several authors have pointed to the lack of human and technical resources, weak administrative structures, and poor design and funding models as reasons behind the failure of the development plans.[27] But perhaps it was lack of attention and consideration of the Timorese themselves that had the greatest impact. Commenting on the first development plan, the poet and agronomist (and later ethnographer) Ruy Cinatti lamented the lack of attention to local circumstances and Indigenous Timorese knowledge and practices. He lambasted the administration for its heavy-handed interventions implemented "by the paddle-board," and the focus on cash crops and livestock over diversification and forestation.[28]

Reis notes, however, that the mid-term and third development plans did seek to address the lack of baseline knowledge of the territory.[29] The Brigades for Agronomic Research in Timor first appeared in 1959 but were later integrated into the Mission for Overseas Agronomic Research (Missão de Estudos Agronómicos do Ultramar, or MEAU). Between 1960 and 1975, some 150 scientific publications on a variety of agriculture-related topics appeared.[30] Emerging from this scientific knowledge was the idea that rice and coffee were key to Timor's "development". Under the leadership of Helder Lains e Silva, an ambitious plan to reduce maize production, strengthen coffee cultivation, and aggressively promote the growing of rice was devised.[31]

Lains e Silva and the MEAU's promotion of rice in particular was influenced by broader global and regional agricultural development trends in the 1960s, which emphasized research and development of key staple crops. This focus coincided with the establishment of the International Rice Research Institute in the Philippines in 1962, further accentuating the elevation of rice as a critical crop. While rice was already grown in Timor, the predominant cultivation was upland dry rice, rather than wet rice (irrigated/*sawah*), with maize serving as the primary staple. The implementation of irrigated rice cultivation programs therefore required not only the development and introduction of new and improved seeds and agricultural techniques but also substantial social and demographic change. Previously, "underutilized" or "uncultivated" land in lowland areas, in particular flood plains, on the northern and southern coasts were identified as areas

of potential irrigated rice cultivation and agricultural extension programs that drew on scientific methods, and trials were henceforth established. Irrigation developments opened up the possibility of cultivating high-yielding rice varieties in a number of locations, including, as will be explored in the forthcoming case study, Maliana. It is estimated that during the 1960s, approximately seven thousand hectares of land devoted to rice cultivation was established in Timor, a transformation that not only expanded irrigated rice production but also involved a significant reconfiguration of the rural landscape, livelihoods, and land relations.[32]

Scientifically based, technical solutions to the province's development "problems" required the implementation of repertoires of colonial social control and coercion not dissimilar to schemes of resettlement described in the chapters by deGrassi, Adalima, and Direito in this volume. After World War II, the Portuguese colonial government had already begun ordering local populations to move away from forested and upland areas closer to the main roads. These demands were not well-received as people were reluctant to leave their upland gardens and ancestral lands.[33] While technical reports and scientific papers on the efforts to promote rice cultivation in Portuguese Timor do not include information about how populations were encouraged to take part in the process of establishing new areas of rice cultivation, as we shall see in the following case study, it is likely that people had little choice in the matter. For example, the provincial government, via largely Portuguese and mestizo military commanders and *chefe do posto*, continued to commandeer "voluntary" labour well into the 1960s. Individuals unable to pay their tax were forced to provide manual labour as auxiliaries on plantations, building projects, and roadworks, or as *ordenanaça* (ordinaries) working as domestic staff for civil servants and local rulers.[34] Additional labour was also provided by prisoners through various "Agricultural Correction Centres" re-established after World War II and operating until at least 1960.[35]

Moreover, it is likely that local administrators and Indigenous leaders involved in these schemes were offered incentives by way of land and access to services such as education and health care for their active help in relocating the population.[36] For example, in the late 1960s, Metzner observed how "development" had led to the inequitable allocation of land to "peasants," "seasonal labourers," and "elites" in Uato-Lari, on the southeastern coast.[37] The first category was allocated one or two hectares of land to each household for cultivation. The second, at first seasonally and then more permanently, were labourers drawn from upland villages in Quelicai. The third was a small elite class of local leaders capable of extracting labour from the local population who held up to one hundred hectares of irrigated rice land.[38] As Shepherd and McWilliam argue, rather

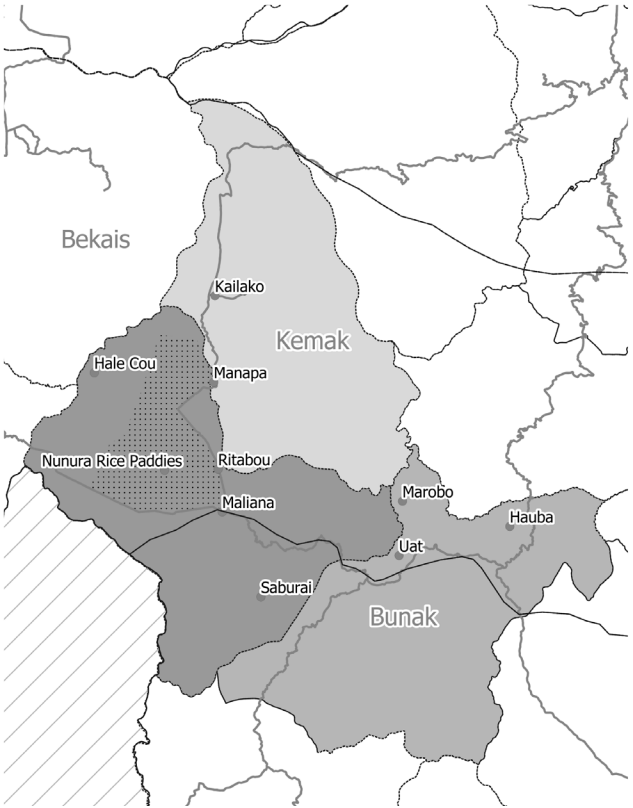
than a path to emancipation, "development tended to consolidate the power and comparative wealth of the Indigenous *liurai* and clan chiefs, whose dominance over subordinate, often displaced and landless, Indigenous households had emerged over the course of a century of Portuguese intervention into local agricultural production."[39]

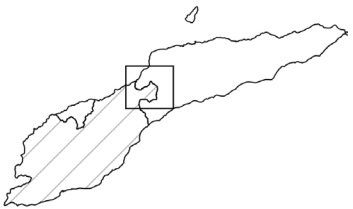
Although rice cultivation schemes on the Uato-Lari plain gained acceptance as harvests yielded results, the social and political impacts of the scheme had enduring negative effects. Technical advisers of the MEAU and elements of the provincial government at best ignored, and at worst took advantage of long-standing political tensions between local communities to develop irrigated rice-paddy production. To this day, the valuable coastal plains of Uato-Lari are the subject of land disputes. Collectively, these cases have come to represent shifting power relations between Makassae-speaking villages of Makadiki and Matahoe and the majority-Naueti population of Vessoru/Uaitame, Afaloicai, and Babulo, which is linked to respective historical alliances with FRETILIN (Frente Revolucionária de Timor-Leste Independente) and APODETI (the pro-Indonesian Associação Popular Democratica Timorense). However, these cases are not consistently divided along ethnic and political lines, nor is the actual composition of the village populations involved as homogeneous as this analysis might suggest. The risk of oversimplistic analysis is that it serves to obscure the root causes of the conflict and the way the Portuguese colonial administration ordered the development of the Uato-Lari coastal plain for rice cultivation, as well as the real or perceived use of the rice fields as a tool by the Portuguese colonial authorities to "punish" their enemies and by the Indonesian authorities to reward their allies.[40]

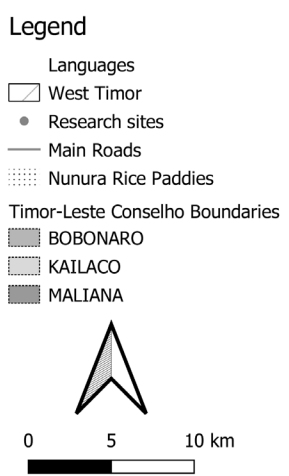
In the case study that follows I take a closer look at the implementation of irrigated rice development programs in Maliana. I draw on interviews conducted between 2006 and 2008 in the sub-district to explore how the implementation of rice development under the auspices the five-year development plans and MEAU technical expertise impacted practices relating to land and notions of "property." First, I describe local histories of land use, allocation, and apportionment prior to the implementation of the development plans. Then, I examine how development interventions unfolded across the sub-district and the how this shaped land access and use during this period. Finally, I consider the implications of development interventions on contemporary claims to land.

Map 7.1.
Map of Maliana

Source: Eigenes Werk unter Verwendung von File:Administrative map of the Bobonaro District of East Timor. png von Maximilian Dörrbecker.
Cartography:
Rui Pinto.







The Impact of Rice Development on Land Relations in Maliana

Today, the sub-district of Maliana has a total population of 28,908 and comprises seven administrative villages.[41] While the people of the villages of Saburai, Tapo/Memo, Holsa, and Odomau are predominantly Bunak-speakers, the villagers of Ritabou, Raifun, and Lahomea are mainly speakers of Kemak. Generations of proximity and engagement mean that there are many bilingual individuals and families, and in Maliana town in particular there are numerous ethnically mixed families where Tetum is spoken as the lingua franca. In the immediate aftermath of World War II, the then *posto* of Maliana was comprised of 3 *reinu*, 6 *sucos*, and 21 hamlets.[42] The vast majority of settlements were located in the upland areas to the east and south of the Nunura flood plain.

The dominant form of agriculture in Portuguese Timor at the time was "bush fallowing."[43] This included two modalities identified by Metzner, *lere rai* and *fila rai*. *Lere rai* interspersed crop rotation with fallow periods of varying lengths; it was used in forested areas where loose soil required no tillage and preferably areas with scrub and low trees, and which did not require the felling of large trees. *Fila rai*, on the other hand, was labour-intensive soil-tillage technique that required turning over the soil with rudimentary hardwood tools called *ai-suak*. *Fila rai* was understood to have come about due to population pressure leading to reduced availability of land suitable for *lere rai* shifting cultivation.[44] Meztner recorded that, "While Timorese peasants unanimously agreed that *fila rai* fields usually yield far higher results than *lere* fields, the labour input of the former is tremendous."[45] He added that evidence of *fila rai* in an area, because of the labour required, was likely to be an indicator of population pressure.[46] During the late 1950s and early 1960s populations were relocated from upland villages to the newly established Maliana town and specific sites on the expansive Nunura flood plain that were targeted for planned development interventions, in particular the cultivation of new irrigated rice varieties.

Interlocutors from Maliana suggested that prior to the implementation of "development" initiatives in the area there were two ways to gain access to land. The first was based on ancestral histories of land settlement and use, where access to land was determined by house membership. Ancestral houses (*uma lisan*) are a fundamental unit of social organization in Timor-Leste. Houses are comprised of living house members and their ancestors. Each house traces its origins genealogically or through histories of migration and settlement to an ancestral founder. House land generally includes areas of land believed to have been first cleared, burned, and cultivated by distinct house-based groups, as well as land

belonging to other houses related through marriage.[47] The second is involves the clearing of "new" or "unused" areas of land. If land was "new," never previously farmed, and did not fall within the territory, authority, or claim of another house-based group, then access and use was determined through the enactment of necessary rituals required to appease the spirits of the land (*rai nain*). If the land was "unused" but fell within the territory, authority, or claim of another house-based group, then access and use had to be negotiated with the relevant landholding group.

For example, interlocutors from Uat, now part of the village of Ritabou, acknowledge that the land on the Nunura flood plain fell under the jurisdiction of ancestral houses from the areas of Saburai to the west and Kailako to the east. In Uat oral histories, members of the houses of Duas Mali and Lua Laben first ventured into the lowlands:

> Balik ulu
>
> Sesa be ka, dudu ma loa
>
> Sama teho, napa gh'e nu
>
> (Open the path by throwing the spear
>
> Spread out, open and broaden
>
> Tread and trample [the eucalypt] underfoot)[48]

Members of these houses claim they were granted access to some land on the Nunura plain by the landholding houses of Atxu and Atxu Plaza, and in exchange were expected to pay tribute. Described in Uat narratives as an offering of palm wine and part of the harvest, this tribute is commonly referred to throughout Timor-Leste as *rai te'en*, the "waste" of the land (*kakata te'e, sura ra'a* in Kemak ritual language).[49]

> Tere bale, lape bale
>
> Datxu bale, prio bale
>
> Dia Duas Mali, Lua Laben
>
> Mara de'ena, m'ghen dia luro
>
> Imi hodi tate, imi hodi toi

(We ask you, we give to you this land

This is the garden, this is the palm wine

Duas Mali, Lua Laben

Use it, the end is ripe, the head is yellow

When we come, give us part of the cob, pour us some of the wine)[50]

Beginning in the mid- to late 1950s, several interlocutors from different villages described how the local population started to graze animals and later cultivate crops on the plain. In the adjacent sub-district of Manapa, home to the landholding houses of Atxu and Atxu Plaza, corn and some "dry rice" was already being cultivated at this time. Coconut plantations existed in and around present-day Maliana town, but these are likely to have been planted at an earlier time.[51]

During fieldwork it was common for people from the predominantly Kemak-speaking villages of Raifun, Odomau, Lahomea, and Ritabou to say that their fathers or grandfathers came to the plains "hodi karau luhan," to build animal enclosures, or "halo to'os" (Tetum), which refers both to the cultivation of permanent gardens as well as shifting plots. During this time, my interlocutors suggested that people built makeshift structures in their fields or enclosures but continued to live in their upland settlements. Some asserted that this movement of people was spontaneous as land became scarcer in the uplands due to population pressure.[52] Others suggested that, already in the 1950s, they were part of planned interventions of the Portuguese administration. Although the MEAU was actively promoting the development of rice farming, coconut cultivation, and cattle breeding at the time, most interventions occurred in the eastern parts of the province.[53]

It was not until the mid-1960s that people recalled the systematic "opening up" of areas of land on the Nunura flood plain for rice cultivation. According to the mid-term development plan (1965–7), during this time "agricultural camps" (*campos agrícolas*) providing agricultural extension services were established in Hale-Cou and Mau-Coli.[54] Under the orders of the local administrator (*administrador do posto*), local rulers (*liurai*), village (*chefe do suco*), and hamlet chiefs (*chefe da povoação*) were recruited to organize the population to work on schemes aimed at "developing" the Nunura plain for agriculture. This process of "development" involved villages not only from the *posto* of Maliana but also Bobonaro and Kailako. For example, interlocutors from Hauba (Bobonaro) described how in 1965, or when "katuas liurai sei ukun" (when the *liurai* ruled),

they came down to the lowlands around the area of Hale Cou, where they established rice fields.[55] Similarly, people from Marobo also came to work on the plains. In 1967 they were involved in establishing irrigated rice paddies in an area of land called Mau-Mali.[56]

The implementation of development schemes on the Nunura flood plain occurred at the command of the Portuguese authorities, and certain groups also explicitly acknowledge the involvement of the colonial Agricultural Department.[57] A number of local village heads and members of the sub-district administration considered that, during the immediate post–World War II period, the vast majority of the land on the Nunura plain was uncultivated, or forested land that had never been cultivated or had long been abandoned. Consequently, they deemed this land to be property of the state at the time.[58] It seems likely that under the direction of the colonial administration, then, plots of land were simply allocated to village and hamlet heads, who organized their communities into work groups. The language used to describe this allocation of land included words such as "placed" (*koloka*), "ordered" (*haruka*), and "allocated" (*fahe rai ba*).[59] Some civil servants during the Portuguese period claimed that the authorities actually "measured out plots," suggesting the formal apportionment of land.[60] However, when discussing how access to land was negotiated at the time most villagers I spoke to emphasized the role played by local *liurai*, their *chefe suco*, or *chefe da povoação* in land allocation. Some claimed that these local authorities negotiated access to land directly with local landholding groups on behalf of the community. For example, a representative of the group of people from Marobo who worked on the irrigation scheme in Mau-Mali claimed that the negotiated access with the landholding groups of Atxu and Atxu Plaza "according to custom" (Indonesian: *secara adat*). Others involved in clearing new plots of land considered the thick eucalypt forest (*ai bubur laran*) to be *rai lulik* (Tetum, meaning sacred land) because it was old-growth forest that had not been farmed.

Echoing Metzner's observations on the Uato-Lari plain on the southern coast, a common perception among my interlocutors was that "development" on the Nunura plain benefited some groups more than others. Accusations of "favouritism" were levelled at certain individuals and groups, in particular certain hereditary chiefs (*liurai*) and those deemed "close to the administration."[61] At the time, "assimilated" and mestizo Timorese, the sons and daughters of certain *liurai* and *chefe do suco*, or civil servants were given preferential access to education, housing, and in some cases were free from the burden of head tax.[62] These categories of people were often deemed to have been given preferential treatment in terms of size and quality of land parcels. One interlocutor stated that, in the 1960s, civil servants were the first to be allocated plots of land by the

administration "as a top-up, because their wages weren't sufficient" (*tamba vencimento la to'o*). Representatives of the community of Manapa, Kailako, suggested that their land was handed over to the *liurai* and three *chefe do suco* of Marobo because they were close to the "colonialists." In a dispute that occurred in 1967 or 1968, the *administrador do posto* was reported to have said that the people of Marobo "deserved" the land because they were more hard-working.[63] A common criticism was that the descendants of former *liurai* and some *chefe do suco* responsible for organizing village and hamlet work groups to open up the land were now making claims to land cleared under their orders.

There is a striking contrast between the neutral language of the development plans and technical reports of the MEAU and the complex social, political, and economic environment in which they unfolded. Metzner lamented in the late 1960s that there was little reliable information regarding day-to-day activities from the districts or sub-districts,[64] and more archival work and investigation into other Portuguese and Timorese sources (e.g., military and civilian personnel stationed in the *concelho* of Bobonaro or *posto* of Maliana) is required to reconstruct the details of the implementation of development plans on the Nunura plain. However, there are some things that we do know. Today there are numerous land disputes that have their origins in how "development" schemes, including irrigated rice cultivation, in Maliana were rolled out. Some are grounded in the politics of punishment and reward meted out by the Portuguese authorities that shaped how individuals and groups gained access to land. A number of disputes have become entrenched at a communal level between hamlets or villages over areas of irrigated paddy first established in the late 1960s. Often these disputes are inseparable from political tensions arising from Portuguese strategies of *divide et impera*, and which were later projected onto political parties during Timor-Leste's brief and tragic "decolonization" process and persisted through the Indonesian occupation.[65] Others are directly related to how the land was physically "opened" and cultivated in work groups, making individual claims "to own, access, or trade" land difficult to ascertain.[66]

A case in point is the village (*suco*) of Ritabou. During the late Portuguese period the village comprised four hamlets: Uat, Ritabou, Dai Tete, and Meganutu. In the late 1950s and early 1960s, the population of these hamlets was mobilized by their *chefe suco* and *chefe povoação* to work on schemes initiated by the colonial authorities in order to "develop" the Nunura plain for agriculture. Although this presumably occurred under the auspices of the colonial Agricultural Department, few informants describe working on these fields in terms of taking part in a state initiative. Most informants referred exclusively to the role played by their *chefe suco* or *chefe povação* in "opening up" the land. Some informants

claimed that the local authorities negotiated access to land directly with local landholding groups (see above) on behalf of the community at the time. Others consider the vast majority of the land in and around present-day Maliana town was, during the post–World War II period, uncultivated, or forested land, which had never been used or had long been abandoned. Consequently, this land was deemed property of the state by the Portuguese administration, and it seems likely that local authorities, under the direction of the colonial administration, simply identified areas of land and allocated plots to the members of the work groups.

The process of "breaking in" land is critical to customary claims to land based on precedence in Timor-Leste.[67] In narratives of origin, this process is often represented as involving a human or blood sacrifice to the non-human entities that enliven the land, creating a bond of reciprocity between original settlers and the land.[68] Informants' claims to land based on these grounded practices aimed at "opening the land" in Maliana were reinforced by reference to a blood sacrifice made by one of the workers from Uat. Informants from Uat claim that work groups involved in first clearing an area of land called Ai-Kiar came from the hamlets of Uat, Meganutu, and Dai Tete. They had to work hard to clear the land, which they described as thick eucalypt forest (Tetum: *ai bubur laran*). Those involved in clearing the land considered this forest to be sacred land (Tetum: *rai lulik*) because it was old-growth forest that had not previously been farmed. It was prohibited to eat river shrimp in the waterways of the Nunura plain that ran through the land they were clearing, However, one of their group disregarded the prohibition and subsequently died. His death was conceptualized as a "blood sacrifice" to the "keepers of the forest," the non-human entities that enliven the land (*rai nain*) and originally inhabited the area. Maintaining these claims based on customary principles of land access and use requires effort and work; it also requires the support of, or at the very least a lack of opposition from, politico-legal authorities and institutions.

Lack of clarity around who "owns" the land today sometimes manifests itself in the "enrolment"[69] or mobilization of what Li refers to as "inscription devices"[70] that serve to actively (re)shape (or reassemble) what land means and represents at any given time. These include mobilizing histories of grounded practices such as those described above or material representations including tax receipts, land surveys, notices published in the Portuguese-era *Boletim de Timor*, or even physical objects connecting people to the land. For example, in one land dispute documented in Maliana dating back to the Portuguese period, one of the parties to the conflict appeared before the Directorate of Land and Property in possession of a Portuguese-era hoe as proof that their family had been involved in Portuguese-era agricultural schemes. Yet, items such as these are insufficient

in themselves to establish legal rights to land. Officials from the Directorate of Land and Property stated that, to their knowledge, only two land titles were ever issued in the *posto* of Maliana during the late Portuguese period. Two individuals were granted *alvará de aforamento "com motivo da criação do animais*." Both were reported to be local businessmen, who, if they were able to obtain title for their animal enclosure, could apply for loans at the bank—so there was an incentive for them to do so.

There are several reasons why many individuals and groups failed to register or obtain title to land at the time of opening the Nunura plain to agriculture in the late colonial period. First, it is possible that neither those involved in the planning and programming of the development interventions in Portuguese Timor, nor the local authorities responsible for enacting the plans, anticipated that land farmed under these schemes was anything but state land. Second, many of those actively involved in farming the land were likely unaware of changes in the legislation that could have provided a basis for land title. For example, the concept of "indigeneity," or *indigenato*, that distinguished *indígenas* (natives) from *civilizados* (Portuguese citizens), as well as the intermediate category of *asimilados*, was abolished in 1961–2, triggering changes to land-related legislation in the province of Timor. Legislative Diploma 865 on the Complementary Regulation of the Occupation and Concession of Land in the Timor Province, which came into effect in 1965, refers to Indigenous peoples as "residents" (*vizinhos de regedorias*); it also provided protections for customary land rights and permitted the delimitation of communal property "used and ruled" according to customary practice.[71] Even if people were aware of the law at the time, they would not have qualified under the ten-year occupancy rule.[72] And finally, even if individuals or groups had wished to register their land, the process was likely inaccessible to the majority of the population of Maliana, who did not necessarily have the education (the ability to read or write in Portuguese) or resources (the ability to pay for legal expenses and taxation).[73]

Ultimately, however, in the process of developing land for irrigated rice cultivation during colonial rule, the colonial authorities did not prioritize addressing potential land-ownership disputes. Their focus was primarily on the economic benefits of expanding rice cultivation, and they often overlooked or disregarded the complex issue of land claims that could arise as a consequence. This oversight reflected a broader pattern whereby colonial administrations prioritized economic development, which often had significant social and cultural implications for the Indigenous populations affected.

Conclusion

In this chapter, I have sought to draw attention to the lingering impacts of late-colonial developmentalism on land claims in Timor-Leste. It is crucial to emphasize that contemporary land tenure systems are not solely shaped by land legislation and policy; they are profoundly influenced by development policy and projects, as well as their implementation. While land laws and regulations provide a legal framework for land ownership and use, the practical application of these policies, particularly through development initiatives, plays a pivotal role in determining how land is accessed, allocated, and managed. Development policies and projects, whether initiated by governments, international organizations, or other stakeholders, often bring about significant changes in land relations. These interventions can include agricultural projects, infrastructure development, urbanization efforts, and more. The way these projects are conceived, planned, and executed can have profound and lasting effects on local communities and their land tenure systems. The historical legacy of late-colonial developmentalism in Timor-Leste continues to influence land claims and disputes to this day. The idea of "economic development" supported by increased public investments, and technical solutions based on scientific knowledge envisaged and enshrined in the five-year development plans and the work of institutions such as the Mission for Overseas Agronomic Research, have left a lasting impact on how land is perceived, accessed, and contested by local populations. In drawing on local recollections and histories of the time, I have sought to highlight how development interventions affected local experiences and meanings of land access and use. Rather than being submissive and passive recipients of "development," my interlocutors demonstrated how people engage with the experiences and challenges of "development" to give meaning to the changes in relations with the land and others. My intention with this exploratory essay has been to recognize that any development intervention is part of a history of interventions that have been proposed and implemented at the local level, and to emphasize that these interventions have shaped and will continue to shape local relations to the land and concepts of land use and access. It is imperative to recognize that the intricate interplay between land legislation and development policy is what shapes the contemporary landscape of land tenure systems. Land laws provide the legal framework, but the implementation of development projects defines the practical realities on the ground. To fully comprehend and address land-related challenges in any region, we must consider both the legal and the practical aspects of land governance, recognizing that the latter often has a more direct and immediate impact on the lives of local communities.

NOTES TO CHAPTER 7

1 Cláudia Castelo, "Developing 'Portuguese Africa' in Late Colonialism: Confronting Discourses," in *Developing Africa: Concepts and Practices in Twentieth-century Colonialism*, ed. Joseph M. Hodge, Gerald Hödl, and Martina Kopf (Manchester University Press, 2014), 63–87.

2 The final plan due to be implemented for the period between 1974 and 1979 was cut short by the Carnation Revolution and the end of the Salazar regime in April 1974. In Timor-Leste, accelerated decolonization and a power vacuum left by the Portuguese created a situation of political unrest and violence. On 28 November 1975, the Frente Revolucionária de Timor-Leste Independente unilaterally declared independence in the face of increasing threats of invasion from Indonesia. Independence was short-lived, and the Indonesian military launched a massive invasion operation on 7 December 1975. Timor-Leste was brutally occupied by Indonesia until 1999.

3 For an overview of the plans, see Luís Manuel Moreira da Silva Reis, "Timor-Leste, 1953–1975: O desenvolvimento agrícola na última fase da colonização portuguesa" (master's thesis, Universidade Tecnica de Lisboa, 2000).

4 Miguel Bandeira Jerónimo and António Costa Pinto, "A Modernizing Empire? Politics, Culture, and Economy in Portuguese Late Colonialism," in *The Ends of European Colonial Empires: Cases and Comparisons*, ed. Miguel Bandeira Jerónimo and António Costa Pinto (Palgrave Macmillan, 2015), 51–80.

5 Daniel Fitzpatrick, Andrew McWilliam, and Susana Barnes, *Property and Social Resilience in Times of Conflict: Land, Custom and Law in East Timor* (Routledge, 2016).

6 Jerónimo and Pinto, "A Modernizing Empire?," 56.

7 Jerónimo and Pinto, 51, 56, 59; Cláudia Castelo, "Scientific Research and Portuguese Colonial Policy: Developments and Articulations, 1936–1974," *História, Ciências, Saúde-Manguinhos* 19 (2012): 391–408.

8 Christopher J. Shepherd, *Development and Environmental Politics Unmasked: Authority, Participation and Equity in East Timor* (Routledge, 2013), 86.

9 Frederick Cooper and Randall Packard, "The History and Politics of Development Knowledge," in *Anthropology of Development and Globalization: From Classical Political Economy to Contemporary Neoliberalism*, ed. Marc Edelman and Angelique Haugerud (Blackwell, 2005), 126.

10 Shepherd, *Development and Environmental Politics Unmasked*, 84.

11 Castelo, "Developing 'Portuguese Africa' in Late Colonialism," 67.

12 Castelo, 67.

13 Reis, "Timor-Leste, 1953–1975."

14 Castelo, "Developing 'Portuguese Africa' in Late Colonialism"; Reis, "Timor-Leste, 1953–1975."

15 Castelo, "Scientific Research and Portuguese Colonial Policy," 6.

16 Shepherd, *Development and Environmental Politics Unmasked*, 93.

17 Castelo, "Scientific Research and Portuguese Colonial Policy," 6.

18 Jerónimo and Pinto, "A Modernizing Empire?"

19 Cláudia Castelo, "Prefácio à presente edição," in Gilberto Freyre, *Um brasileiro em terras portuguesas: Introdução a uma possível lusotropicologia acompanhada de conferências e discursos proferidos em Portugal e em terras lusitanas e ex-lusitanas da Ásia, da África e do Atlântico* (*É realizações*, 2010).

20 For example, in the eyes of the Estado Novo, "development" increasingly required either assimilation or white settlement. See Castelo, "Prefácio à presente edição." See also chapters by Adalima and Direito in this volume.

21 Marisa Gonçalves, personal communication, 2021.

22 See reference to Dr. Mario Moreira Braga's speech "Timor: A Model of Protuguese Colonization" in Shepherd, *Development and Environmental Politics Unmasked*, 86.

23 Tillman Durdin, "Portugal Pours Money Into Development of Timor," *New York Times*, 13 December 1965.

24 By the 1970s, 80 per cent of the population of Portuguese Timor remained illiterate, the vast majority of the population experienced intermittent hunger, and taxes were high and often had to be paid through labour. Under these circumstances, resentment toward the colonial administration and its allies expressed itself in passive and active resistance. See James Dunn, *Timor: A People Betrayed* (John Wiley and Sons, 1983); Geoffrey C. Gunn, *Timor Loro Sae: 500 Years* (Livros do Oriente, 1999); Estêvão Cabral, "Timor-Leste 1974–1975: Decolonisation, a Nation-in-Waiting and an Adult Literacy Campaign," *International Journal of the Sociology of Language*, no. 259 (2019): 39–61, https://doi.org/10.1515/ijsl-2019-2038.

25 Reis, "Timor-Leste, 1953–1975," 39.

26 Guerra 1970 cited in Reis, "Timor-Leste, 1953–1975."

27 Gunn, *Timor Loro Sae*; Reis, "Timor-Leste, 1953–1975"; L. Thomaz, "O programa económico de Timor," *Revista Militar* 26, no. 8 (1974): 1–10.

28 Cinatti in Peter Stilwell, "Um plano do fomento agrário para Timor (1958)—texto inédito de Ruy Cinatti," *Povos e Culturas*, no. 7 (2001): 117–32.

29 Reis, "Timor-Leste, 1953–1975."

30 Shepherd, *Development and Environmental Politics Unmasked*, 91–3.

31 For an interesting discussion of the geopolitical dimensions of rice promotion in Portuguese Timor, see Shepherd, *Development and Environmental Politics Unmasked*.

32 Shepherd, 95.

33 Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*, 165.

34 Susanna Barnes, "Customary Renewal and the Pursuit of Power and Prosperity in Post-Occupation East Timor: A Case-Study from Babulo, Uato-Lari" (PhD diss., Monash University, 2017); William G. Clarence-Smith, "Planters and Smallholders in Portuguese Timor in the Nineteenth and Twentieth Centuries," *Indonesia Circle* 20, no. 57 (1992): 15–30; Douglas Kammen, "Metaphors of Slavery in East Timor," *Portuguese Literary and Cultural Studies*, nos. 17–18 (2010): 257–79; Christopher J. Shepherd and Andrew McWilliam, "Cultivating Plantations and Subjects in East Timor: A Genealogy," *Bijdragen tot de taal-, land-en volkenkunde / Journal of the Humanities and Social Sciences of Southeast Asia* 169, nos. 2–3 (2013): 326–61.

35 Jill Joliffe, *East Timor: Nationalism and Colonialism* (University of Queensland Press, 1978).

36 Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*, 256–60.

37 Joachim K. Metzner, *Man and Environment in Eastern Timor* (Australian National University, 1977).

38 Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*; Metzner, *Man and Environment in Eastern Timor*; Shepherd and McWilliam, "Cultivating Plantations and Subjects in East Timor."

39 Shepherd and McWilliam, "Cultivating Plantations and Subjects in East Timor," 341.

40 Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*, 256–7.

41 *2015 Timor-Leste Population and Housing Census* (Direcção Nacional de Estatística, 2016).

42 Kevin Sherlock, *East Timor:* Liurais *and* chefes de suco*: Indigenous authorities in 1952* (Kevin Sherlock, 1983).

43 Metzner, *Man and Environment in Eastern Timor*, 117.

44 Metzner.

45 Metzner, 121

46 Metzner, 121.

47 Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*, 177–205.

48 Abel Pereira, personal communication, 2007.

49 As a performative act, these ritual words serve to legitimize the claims of members of the houses of Duas Mali and Lua Laben to access and use land on the Nunura plain. They reflect a customary understanding of land as part of the cycle of life, and the reciprocal relations that exist between the living and the world of the ancestors. Access here is conceived of as the "ability to benefit" from land. Access to resources is gained and maintained through people and institutions that control the land, but it does not imply any possession.

50 Abel Pereira, personal communication, 2007.

51 This resonates with the testimonies of several civil servants who asserted that the area around present-day Maliana town on the fringes of the plain were, during the 1950s and early 1960s, coconut plantations.

52 Exact figures for *posto* Maliana are required but there was a considerable rise in overall population in the postwar period from 442,378 in 1950 to 517,079 in 1960 and 555,723 in 1965. By 1968, the population had increased to 591,000. Gunn, *Timor Loro Sae*.

53 Reis, "Timor-Leste, 1953–1975."

54 By the end of the 1960s, the Hale-Cou project covered 90 hectares of land and 85 farmers, while Mau-Mali covered 152 hectares of land and involved 123 farmers. See Reis, "Timor-Leste, 1953–1975," 180

55 A. S., catechist. According to Sherlock, in 1952 the *liurai* of Hauba was Bau Mau. The *chefe suku* of Manapa said his name was Manuel Barros. Sherlock, *East Timor*.

56 Some suggested that they were "paid" by the Portuguese Agricultural Department to do this.

57 Interlocutors tended to use the term "Agricola" to describe colonial agricultural officials and extension workers, including those associated with the MEAU.

58 Bernardo Ribeiro de Almeida, *A Sociolegal Analysis of Formal Land Tenure Systems: Learning from the Political, Legal and Institutional Struggles of Timor-Leste* (Routledge, 2022), 62.

59 For some interlocutors there was definitely an element of coercion involved. For example, references were made to the *administrador do posto* (Vitor Sana) declaring that the Timorese were "lazy" (*baruk tein*) and should be put to work.

60 The Indonesian phrase *sukat rai* is used to describe how individual land plots were surveyed during the occupation under the auspices of various land registration programs. See Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*.

61 This was particularly true in relation to those who had supported the Portuguese during the war. As elsewhere in in Portuguese Timor in the immediate aftermath of World War II, the Portuguese authorities went about rewarding those who had steadfastly supported them during the war and punishing those accused of collaborating with the Japanese. See Gunn Geoffrey, "Timor Loro Sae."

62 Gunn Geoffrey, "Timor Loro Sae."

63 Interestingly, one of the main protagonists from Marobo recounted that the then *liurai* of Maliana had provoked the people of Marobo to work hard by announcing that they (the people of Marobo) "would never be able to bring water to these fields and that they would have to piss in the channels."

64 Metzner, *Man and Environment in Eastern Timor*, xxviii.

65 See Fitzpatrick et al., *Property and Social Resilience in Times of Conflict*.

66 Fitzpatrick et al., 192–204 and 50–6.

67 Fitzpatrick et al..

68 Barnes, "Customary Renewal and the Pursuit of Power and Prosperity in Post-Occupation East Timor."

69 Nicholas Blomley, "Performing Property: Making the World," *Canadian Journal of Law & Jurisprudence* 26, no. 1 (2013): 39.

70 Tania Murray Li, "Practices of Assemblage and Community Forest Management," *Economy and Society* 36, no. 2 (2007): 289.

71 de Almeida, *A Sociolegal Analysis of Formal Land Tenure Systems*, 61–2.

72 de Almeida writes that, "According to Du Plessis and Leckie the Portuguese authorities issued 2,709 formal rights." See de Almeida, *A Sociolegal Analysis of Formal Land Tenure Systems*, 62. Da Cruz reported a total of 2,843, with more than half referring to land in the Dili district. See Daniel Fitzpatrick, *Land Claims in East Timor* (Asia Pacific Press, 2002), 148.

73 David Graeber, *The Utopia of Rules: On Technology, Stupidity, and the Secret Joys of Bureaucracy* (Melville House, 2015).