

TIMOR-LESTE TRANSFORMING BELLIGERENT DEMOCRACY INTO CONSENSUS DEMOCRACY

Written by **Tempo Semanal** | Domingu, 26 Janeiru 2014 13:55



DR. Agio Pereira, Minister for Presidency of Council Minister of East Timor V Constitutional Government (right) or seated fro left side of DR. Fernando de Araujo Lasama, East Timor Deputy Prime Minister during East Timor annual Budget debate last week in National Parliament

BY Agio Pereira

ON Friday of January the 24th 2014, before the end of the first month of the New Year, the National Parliament of Timor-Leste, for the first time, unanimously approved the 2014 State (National) Budget. The total budget approved is 1.5 billion U.S. dollars, almost the

same as that for 2013. Like last year, the Parliament set up a Special Committee, comprised of 25 Members of Parliament from all four parliamentary groups, to discuss the budget in-confidence, with the Government represented by Prime Minister. With the Minister for Finance on leave, the Vice-Minister for Finance led on all issues pertaining to the ministry's role and provided support to the Prime Minister throughout the budget debate and approval process. The Special Committee worked for five days to provide the Parliament with an alternative amended proposal, with total budget remaining the same as in the original proposal. While the Committee's goal of reducing to 1.3 billion U.S. dollars was not reached, the Parliament's objective was addressed through a commitment from the Government to be available on a quarterly basis for 2014, to provide the Plenary of the Parliament with all necessary information requested by MPs.

Section eight of the amended proposal articulates this commitment, with written undertakings for the Government to follow. This section is part of Chapter V of the proposed Law and it consists of seven articles, ranging from issues such as demand for the compulsory use of the Digital System of Financial Management, the need for the Parliament to focus on the recurrent expenditure budget, the limitation of single sourcing purchases to only 10 per cent of the total budget for each ministry or secretariat of State and, perhaps the strongest political undertaking, a compulsory supplementary budget to adjust (reduce) the total budget for the year if towards the end of the third quarter budget execution falls below 80 percent and detailed justification of the use of the contingency fund according to the relevant law. One of the key reasons for this tightening of the budget execution process by the Government is, as a number of MPs pointed out, to avoid last-minute expenses in the fourth quarter of the year, which occurs with a high incidence on goods-and-services items. Another important reason is to provide the MPs with regular interaction with relevant ministries, so that their "fiscalização" or oversight role can be undertaken effectively. It goes without saying that such an interaction will also help the ministers to be better prepared in the course of their budget execution.

During the Plenary debate, the Government, through all ministers, expressed the desire to also bring back to the Parliament their Annual Action Plans (AAP) to allow discussion and consultation with all MPs. This will be of significant advantage to the Parliament itself. The practice until now had been that discussions with relevant ministries took place with the Standing Committees (SC), which was of benefit for those MPs who were members of the SC, but was not as helpful for those MPs who were not. They were not informed of the processes and had no opportunity to question, respond or even listen to the answers of relevant ministries about specific projects and their respective budget execution. The benefit of discussing the AAP of each ministry in the Plenary is that all MPs can hear questions and answers about budget execution and become better informed. This undertaking from the Government is central to the new paradigm, in which the Government and the Parliament will work closer together to ensure the Annual Budget for the country can be used optimally to produce results which benefit the people and, in turn, have a direct positive impact on the process of national development.

There are also benefits for the national political environment. As Prime Minister Xanana Gusmão pointed out in his last speech in the Plenary of the Parliament the world is regrettably full of examples which are not good for us to follow. It is true. Political belligerence, violence, street protests and financial crises are all too common nowadays. Therefore, Timor-Leste must look at this new politics of national consensus being part of its democracy, as a good example for the country and for the world, perhaps even more so for developing countries; and in particular those that are yet to break free from a cycle of violence and large-scale conflict that negatively impact on their Nation and State building processes. That governance ought to be inclusive is an important principle to ensure that all parties are, and feel, relevant in the political process. In one of his earlier speech in the same Plenary, Prime Minister Xanana Gusmão posited that democracy is a mechanism to solve conflicts; but that democracy cannot solve all problems. This is also true. Hence, the relevant national actors need to act with due responsibility so that democracy can work according to the demands of each country's specific context.

In his opening remarks, in the first day of the thirteen-day plenary, former Prime Minister Mari Alkatiri, now sitting in the Parliament as an MP for Fretilin, called the attention of the Parliament to the fact that "The World, once again, was surprised with our capacity to break ourselves from political dependencies, overcome its inherent gaps, cure the wounds and move forward towards the consolidation of Peace, Stability moving towards the path of sustainable and sustained development." He was reflecting upon the end of our coexistence with internationals who were in Timor under the umbrella of the United Nations and under arrangements with other countries such as Australia, New Zealand and Portugal, to mention only a few. He said, in exercising power politics, "We ended with the de facto union between our State (country) and the international institutions". He further reminded the Parliament that many people were expecting that Timor-Leste would return to instability and street conflicts", because of the final withdrawal of UNMIT, the United Nations Mission, and the International Stabilisation Force (ISF). While this may have happened in the past, the sustained peace in our country has led those doomsday prophets to think differently and to trust our process of Statebuilding with more confidence than suspicion about the ability of the Timorese to govern.

Trust is critical; not only must the people trust the institutions, which democratic processes have established to serve the State and the overall interest of the country, but the international community must also trust the leadership and politics of the country. During this budget debate, Prime Minister Xanana Gusmão also highlighted, in the Parliament, that the international community has placed its trust on us. They trust that our system works and, referring to loans from other countries such as Japan, he said that they have trust that, through our governance system, we will be able to pay our loans. In a major speech to the Plenary of the Parliament, Prime Minister Xanana Gusmão reiterated that

In this role [as Prime Minister], I undertake it with full responsibility, the same as when I came here for the very first time, about the Economic year of 2009, when together we began a very important process, in our collective effort to build the State. I am carrying this responsibility with readiness to accept frank and transparent debate in a spirit of openness, the same spirit that began in 2002, whereby this Parliament undertakes as its main objective to contribute towards the guarantee of political vitality in the day-to-day existence of our Nation, one which is about to turn twelve years of old.

In the same speech, Prime Minister Xanana Gusmão concluded by affirming that his Government will continue to improve and consolidate policies of financial management, planning processes, budgeting, governance procedures and implementation and payment processes, including working towards avoiding the use and abuse of 'virements' where ministries make internal transfers of their budget by shifting one item to another. This last commitment relates specifically to strengthening planning processes because such a practice is a clear indicator of poor planning in the course of ministry budgeting.

It is definitely correct to say that the world is surprised with the maturity of Timor-Leste. Our continuing efforts to improve the process of governance can be seen as an insurance of long-term national stability. A country such as Timor-Leste, that has come all the way from almost total destruction, to dealing with the many agencies of the United Nations and responding to the demands of a transitional administration of the United Nations; a country that, having to work towards producing a constitution to guide the system of political power, started immediately to build the institutions to make the constitutional framework viable. A country that had to deal with an era of radical change in the attitudes of the people, including the system of education; and yet achieving success in peacebuilding and now entering the Statebuilding phase, and even leading the group known as the G7+, is clearly an extraordinary global example of resilience and leadership for the international community.

This new conjuncture now gaining roots in the national politics of Timor-Leste is not unprecedented in the history of our country. Since the Carnation Revolution of the 25th of April 1974 in Portugal, and particularly throughout the 24 years of the struggle for national liberation, the key political forces of the country have, in one way or another, committed to and worked together, creating platforms of understanding to advance the political process of national liberation. While disagreements were also common, as with any dynamic political process, these disagreements were often transformed into positive elements for change and consolidation, and as such contributed to advancing our progress. Throughout this learning curve of politics and leadership, Timorese leaders learned to resolve problems in ways which safeguard the national interest, as opposed to the interest of particular groups. Short-term interests have also often been sacrificed for the sake of the long-term vision of the development of the political landscape of the country for the benefit of the people. The sacrifices of almost a quarter of a century of struggle for national liberation testify to such a noble commitment of leaders, and the people, at all levels of Timorese society. This is why this consensus is real and will prevail.

Belligerent democracy has become intrinsic to liberal democracy, in both Westminster systems as well as the semi-presidential systems born in Western Europe and which subsequently spread further afield. Power politics is mainly played between the Government and the Opposition, which also enjoys juridical status, financing and a right to access to information. In Timor-Leste, the system of government is considered to be semi-presidential, with a separation of powers as its spinal cord. There are four pillars of sovereignty. The highest is the Head of State or the President of the Republic, the second highest is the National Parliament, the third is the Government and the fourth is the Judiciary. The Government can make decree laws pertaining to its functions and the Parliament makes laws of general applicability. Both institutions must send their legislation to the President of the Republic who has the power to promulgate or to veto.

The concept of balance of power also exists, in which the President of the Republic can reject a Law sent from the Parliament and return it, but in which the Parliament can also send it back to the President of the Republic who is then constitutionally compelled, within eight days, to promulgate, if at the second time it is put before the Parliament it is voted, and the vote is carried by a significant majority. Legislation from the Government, on the other hand, can be rejected by the President of the Republic at the outset and there is no avenue to be returned in such a way that the Head of State has to promulgate. The system forces leaders to behave in ways to ensure their respective institutions can succeed in building mutual understanding, to offset potential problems, for the sake of the national interest. The impact of this consensus democracy between political forces in the Parliament and Government enhances balance of power through the lens of mutual trust and it certainly contributes towards what Prime Minister Xanana Gusmão highlighted above: contribute towards the guarantee of political vitality in the day-to-day existence of our Nation. In addition, this consensus enhances the role of the Parliament and helps the Government to achieve better results.

The cliché “the government can only be as good as its opposition” is valid, but surprisingly enough, consensus democracy can produce the same or, even better results, because there is a profound moral duty from both institutions – Government and Parliament – to work in a productive way to ensure results. One reason for this is that the Government has the authority to propose the National Budget for each financial year, but it is the responsibility of the Parliament to approve it, either in its entirety or in part, with the power to make changes before the final and overall vote. The Government, in turn, can claim it cannot execute the budget as amended by the Parliament if, for instance, because the budget does not reflect the capacity of the Government or the priorities as envisaged in the mandate of the five-year government program that the Government is obliged, by the Constitution, to present to the Parliament as soon as it is established. This is *checks-and-balances* at their best. And this correlation of powers between pillars of sovereignty is an important safeguard to ensure there is no abuse of power.

Let's now turn to the issue that is on everyone's lips and in everyone's mind. The fact that this vital leader of the country, Kay Rala Xanana Gusmão, is standing aside, away from government, is a matter of national concern. It is clear that people perceive national stability and Xanana Gusmão as interconnected. Therefore, standing aside from government leads to concerns about national stability. It is also reasonable to conclude that the result of last general election, in 2012, which gave CNRT the majority, ahead of Fretilin, is related, to some degree, to concerns about national stability. Voters believed that only Xanana Gusmão can guarantee national stability. Similar to every Nation, particularly those in the developing world, peace and stability are the most important issue or asset for the majority of the people. Other issues, each family can deal with, but national stability and peace, need to come from the political forces and their respective leadership, prioritising them as the ultimate goal of governance. There are those who believe that when Xanana Gusmão distances himself from the centre of power, law enforcement and defence and security could be weakened; a pessimistic view but, nevertheless, a reasonable assertion of the fragility perceived as being intrinsic in nascent states and nascent democracies; and Timor-Leste, about to turn 12 years as an independent sovereign Nation-State, can be perceived as still being part of this spectrum.

By the same token, one can argue that this new conjuncture, in which Fretilin and CNRT converge on major issues of national interest, can benefit Fretilin in the next election. This is because of improved leadership but, above all, because consensus, rather than belligerency, will allow people to feel more confident about national unity and stability; and more focused on who can best lead on the road towards national development, with an emphasis on benefits for the people. This is a dilemma for CNRT. The trump card, Xanana Gusmão, becomes a neutral element of political debate and CNRT has to provide the electorate with sufficient reasons to be elected, so to continue to lead the road towards national development for all. For Xanana Gusmão, succeeding in the goal of national development is crucial, but this can only be done by nurturing new leaders. He has often said, new leaders need to earn the trust of the people, by working hard, by showing integrity, by delivering results, so that the people can be convinced that these new leaders deserve to be elected and receive legitimacy from the governed. For the sake of national interest, as Xanana has been guided by during the struggle for national liberation, he won't look for the stamp of political parties as a pre-requisite. Any Timorese can become a new leader. New leaders, he argued, are those Timorese, regardless of party affiliation, or lack of it, that have good ideas, as well as the ability to transform them into reality, to free the people from poverty. And poverty has been declared, in Timor-Leste, as the new national cause, for the sake of the consolidation of national independence and sovereignty.

Once all is said and done, the 2014 National Budget, in terms of expenditure, is no different from the previous years' budget. If last year's budget was not executed to a satisfactory level, one of the key reasons was because it was only activated in March 2013; not because of any weakness of the Parliament or Government, but because of continuing changes to the legal system for the sake of improving performance. The adjustment to the newly improved financial management system caused the delay of a quarter of the year in 2013. What is new, is that this year, a pattern of consensus was generated with a higher degree of confidence that such consensus will hold in the years ahead. If societies need to develop their leaders before such individuals can lead their society, this process of political debate in the Parliament is producing such future leaders, as each day the debate progresses towards a more convergent leadership. It is easier to be negative. It is much harder to be constructive, particularly within the realm of power politics in liberal democracy. Therefore, this new and innovative political dynamic is, ultimately, the germ of leadership that only Kay Rala Xanana Gusmão can instigate, for the sake of national interest; a more discipline, stronger consciousness of national interest, in spite of the partisanship of politics. In this political mode, Timor-Leste can face the future with more confidence now, than ever before.

One political observer raised these two very pertinent questions: Why is this trend of political progress in Timor-Leste important to the world? What is there for the region and the world as a whole?

The answer is simple. To sustain global security, one of the major tasks of the international community is to overcome the Failed-States syndrome. Regions with failed States are more likely to be insecure than those without them. When Prime Minister Xanana Gusmão expressed concern about this global (in) security phenomenon, he was simply relaying the message that we must watch-out. Do not think it will never happen to us. Although we are going well, in the right direction, with the right pace, if we succumb to the temptations of short-term political gains and ignore the long-term challenges of consolidating democratic processes according to our own reality, culture and tradition, and within the globalised and increasingly interconnected world, we may, unwittingly, join the club of Failed-States, which are those that can no longer provide services to its citizens, provide security and protect the Nation's sovereignty. By ensuring that Timor-Leste moves away, preferably further away, from the path of failing States, the main political forces of the country are helping the stability of the immediate region, as well as providing the best possible contribution towards global security.

Congratulations Timor-Leste!

Dili, January 24, 2014