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Themenschwerpunkt

## Entangled Environments in Asia

- Untangling Agricultural Ethics: Women's Collective Agriculture in India as Alterbiopolitics
- Legally Entitled or Dispossessed? Gender, Large-Scale Land Acquisitions and Agrarian Transformation in Cambodia
- At the Capitalist Frontier: Changing the Riverine Ethnic Identity in Central Kalimantan
- Integrating Organic Farming into the Indonesian Bioeconomy? Sustainable Agriculture between Productivism and Deep Ecology

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*The first harvest. A Dayak woman in Central Kalimantan, Indonesia, is harvesting rice in the swidden and wearing the uniform of a coal-mining worker.*

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# ASIEN

Begründet von Günter Diehl  
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## Editorial

# Entangled Environments in Asia

Martina Padmanabhan

For a long time, Asia attracted the European gaze and interest through its abundant and seemingly endless endowment with natural goods like timber, plants and minerals. Meanwhile, one of the most pressing issues of our time is to how reconcile the exploitation of natural and biological resources with socioecological needs. How to cultivate, appreciate and extract existing biodiversity and biomass without causing unintended social and environmental problems is a question demanding critical analysis. Among and within Asian countries, a wide range of different premises, priorities, ideas and values on the issue of development and its relationship to the natural world as well as property rights over it exists (Ribot and Peluso 2003; see Joshi this issue). National industries and policies often face resistance from society, and industrial mining, farming, forestry and fishery find themselves contested by food and environmental movements (Ye et al. 2020; see Maimunah this issue). In many Asian countries, the notion of ‘bioeconomy’ has already developed into a political project, with governmental strategies approaching key issues such as food security, energy supply and overall global competitiveness (Sheppard et al. 2011; see Keilbart this issue). As part of an international organic movement, activists in many Asian countries aim at food sovereignty, sustainable agriculture addressing issues of social and environmental justice. Challenging the global consumption of organic food and ethical symbols, thus deserves critical analysis informed by coloniality (Freidberg 2010; see Still this issue).

This field of tension presents political-economic, environmental and social challenges for countries in the region and their (re)production, utilisation and governance of natural and biological riches. These processes and the rapidly expanding web of relations accompanying them stimulate a variety of scientific approaches, theoretical concepts and perspectives. Beyond the management of natural resources, the conceptualisation of human–nature relations, values and connections to individual behaviour and collective action become of vital interest. This includes Asian perspectives on human alienation from nature, attempts at a reconciliation between human and nature (also in urban settings), and diversified conceptions of nature in traditional-knowledge systems across Asia. Taking account of the symbolic-material complexities in Asian conceptions of nature,

researchers progressively dissolve the nature/culture divide and the separation between political economy, social ecology and the study of symbolic forms and practice.

This special issue “Entangled Environments” is based on papers presented at the DGA conference held in Würzburg in April 2019. It aims at exploring the rapidly evolving field of interrelations of natural and social environments in Asia from a number of different perspectives. Bringing empirically informed case studies from India, Indonesia and Cambodia into conversation with one another, taking as well as a regional perspective therein, we aim to address the following questions with a comparative approach:

- How can we theorise and conceptualise the social–ecological nexus?
- What are dominant ideas about entangled environments and the inherent values and beliefs of their particular worldings?
- What concepts exist about the utilisation or governance of natural resources and products under a perspective of coloniality?
- What governmental and non-governmental strategies are implemented by different actors?

The notion of ‘entanglement’ lingers somewhere between the descriptive and the analytical. It points to the challenge and the recognition of the simultaneity of matter and understanding, as well as to the intimate conditionality of empirical facts and epistemological stances. This interdependency applies not only to human, non-human and more-than-human but also to the ways in which we conceptualise these entities through ontologies and how we imagine we can know about them via epistemologies, as contingent upon a historical time and place. In this special issue, entanglements between people and land are expressed in notions of property rights, between people and rivers framed around identities at the resource frontier and embedded in narratives of organic farming and bioeconomies. Though multispecies ethnographies are not at the centre of analysis, the consideration of significant others and the relational quality of gendered humans to land, water and fellow species as summarised in agriculture points to the fluid boundaries of objects. Especially farming reveals itself a rich field of close co-constitution of human and animals, humans and plants as visible in agrobiodiversity (Schöley and Padmanabhan 2016) – an outcome of close coordination and interaction between human and more-than-human.

The research stops short of the post-humanist position to ‘let things speak’ (Holbraad and Pedersen 2017), but takes the entanglement of elements, forces, natures, things, organic and inorganic material, peoples, places, concepts and imaginations seriously, turning them into matters of particular concern. People are forever immersed in lifeworlds larger than just that of the human. The multiplicity of inhabitants and the infinitude of their entangled futures, hopes and dreams (Ingold 2011) thus demands analytical focus and operationalisation, which is

answered by Tsing (2019) and Mol (2002) by a call to put practices centre stage. Nevertheless, the concept of ‘nature’ is power – and therefore politically useful as in the role of weather reports as constitutive of the modern national state, the myth of nature in environmental politics and in the idea of Planet Earth being in dire need of global action (Hastrup 2013b).

Beyond the dualism of nature/culture, Hastrup (2013b) proposes the simultaneous entanglement of analytical and empirical worlds. The deep-seated intertwinement of the natural and social, human and non-human, and of organic and non-organic forms leaves no space for science outside the world it engages in (Rossiter 2007). Instead of splitting the world into binaries, the assumed divide between nature and society comes into focus here. When the environment is seen as external to social communities this is a function of the very definition of ‘natural environment’, whereas local knowledge and sources of meaning make no sharp distinction between changing biophysical worlds and changing social ones (Cruikshank 2005). Environment gets created, when humans enter into a self-conscious relationship with their surroundings. ‘Nature’ is implicit in social and intellectual life, and complicit in the makings of it.

Though Asia is at the centre of attention here, the debates in the Americas emerging around the concept of *buen vivir* contribute to the conversation as well, as it gives epistemic significance to the integral relations between beings, knowledge and nature (Walsh 2010). With its close discursive proximity to development, *buen vivir* showcases the inherent challenge at stake: how questions of worlding, epistemology and ontology relate and lead to adaptation and hybridisation. The alternative epistemic position is prone to being co-opted and there are many obstacles for an intercultural, interepistemic and plurinational transformation. *Buen vivir* as a collective relational model stands in tension with the development idea based on individual capacities and potentials, enhanced by the state. Beyond individual responsibilities and the strong state, colonial legacies, reproductions and reconstructions in the ‘modern colonial world’ need to be taken into account. The inherent tension in a *buen vivir*-led development approach requires disentanglement of the colonial matrix of power; as Walsh suggests (2010, 20), however, this might lead to more complicated envelopment and entanglement.

The world of technoscience and indigenous knowledge is an entangled one, asking questions of an epistemological and ontological nature. The ‘one-world doctrine’ (Law 2015) privileges modern science as the authoritative means of knowing and measuring the cultural world by the standards of the Natural Sciences. Considering a world multiple (Omura et al. 2019) would embrace the complex and multidimensional realities people live in, acknowledging the entanglement of modern technoscience with other knowledges, practices, things and persons. These struggles over nature, culture and knowledge illustrate how profoundly different realities of modernity and indigeneity are interwoven with one another. How to understand this multiplicity of ontological encounters in a postcolonial sense is one

core question driving the authors featured in this special issue on entangled environments.

Going beyond the binaries of modern and traditional, but seeking the relationship between human and more-than-human, we venture away from the tight containers of the indigenous as a static cognitive framework and modern knowledge as ever progressing and therefore superior into the uncharted arena of interaction between modern, indigenous and traditional knowledges and ways to perceive life. Barad (2007) proposes to think about how the world comes into material being through entangled relationships. This creation of worlds in a material and social sense takes place within specific power relations (Otsuki et al. 2019). ‘Worlding’ can be understood as different stagings of the world which create a sense of what is deemed ‘natural’. This resonates with the endeavour of postcolonial thinkers to consider art and literature as materially generative of worlds and not just as merely representative. For example does the narrative concept of ‘haunted nature’ bring to the fore non-human agency and the ways in which humans are entangled with the non-human (Blazan 2021). Worlding builds certain relationships and ignores the possibilities of others, choosing whose affects count. Which and whose entanglement and separation matters underlines the process whereby natures and values are manufactured within diverse projects (Hastrup 2013a). They are constantly made, unmade and remade. The politics embedded in the resulting sociomaterial construction of worlds are of interest in the untangling of environmental concerns, as they reveal (non-)human concerns across Asia.

Behind the entangled environments lurk the two debates on the ontological turn, alternative makings of reality and multispecies ethnography respectively, bringing the more-than-human into social analysis. With an engaging approach, Tsing (2019) sets out to show that the presumably distinct schools of thought can be actually combined in practice. On the one side of the debate the ontological scholar highlights radical difference and is interested in how practices reveal cosmologies. On the other, the multispecies researcher values touching and coordination despite radical difference and aims to understand how practical encounters work within and beyond cosmologies in a matter of call and response. The difference rests in attention to the human and non-human: The ontological materialist brings the latter to life within the frame of human affect and is criticised for refusing to acknowledge aliveness of other beings. The multispecies lens focusses on human and more-than-human coordination and the reciprocity of response, but might ignore the larger historical framings while giving voice to the non-human via questionable categories.

Tsing (2019) identifies common ground between this two schools of thought in the work of Mol (2002), who demonstrates how cosmologies arise from practice. The touching across difference – the entanglement of environments and beings – produces encounters across a set of practices (Tsing 2005). She proposes to look for the ontological specificity of particular sets of practices and then what happens

later on when these eventually rub up against each other. This leads to Tsing's (2019) own approach: she emphasises the cosmopolitanism of connections and their historical emergence, as each ontological frame is emergent, shifting and travelling. Her focus rests on touching as a 'friction' which sets off a historical trajectory, emergent from the encounter. Taking more-than-human sociality seriously requires focus on the interface between human labour and natural resources. Such attention follows the practical arrangements and dynamic interactions of other species alongside human intended and unintended endeavours (Tsing 2015). Putting everyday practices at the centre of analysis in a more or less concrete manner unites the contributions to this issue.

The modern subject is not a given, but is formed through practices of the ordinary, the everyday and the mundane (Burchell et al. 1991). In these practices we can find possibilities of the 'otherwise' and alternative knowledge. These forms of being are enacted in worlding practices, and embody and enable forms of multiplicity within and beyond the ongoing colonialist project via entanglement (Otsuki et al. 2019, 9). Maps can be read as material-semiotic objects which in the best sense translate between different worlds, but often create distinct ideas of ownership; this Joshi shows in the case of Cambodia (this volume). Changing environments are perceived differently due to experiences of colonisation, governance and economic development. What is reduced to environment is rather the *Mitwelt* of the contemporary more-than-human and their means of coordination (Otsuki et al. 2019, 10). When exploring everyday politics, a challenge rests also in the presentation of these multiple worlds through the medium of text while simultaneously keeping them entangled.

The conceptualisation of entangled environments is informed by intersecting debates on the colonality of knowledge production and different schools of thought on human–nature relations within powerful narratives. We come across 'biosociality' (Hastrup 2014), 'technonature' (White and Wilbert 2010), 'socioecology' (Nightingale 2019) as well as socioecological relations (Jahn et al 2009) via systemic approaches spanning the inter- to the transdisciplinary (Fitz et al. 2022). The idea of nature and society as compatible entities is disturbed by the notions of feminist Political Ecology (FPE) and knowledge based on scholar activism, as well as by material ontologies and co-constitution as fellow species as discussed above.

Dissecting entangled environments relates to our reflections on teaching, research and public engagement in Southeast Asian scholarship, as presented in the Manifesto (Padmanabhan et al. 2022; see also, this issue). There we explicate our understanding of 'Critical Development Studies' as a way of recognising Development Studies as a power-laden field of knowledge production which is temporally and spatially situated, further to being rooted in colonialism. From the perspective of Southeast Asian Studies, we outline core principles as an invitation to join the discussion on how to bring Area Studies into conversation with Critical

Development Studies, and address intersectional inequalities at the university and in development cooperation. To approach the complexity of entangled environments, we promote a relational approach to the social, political and the ecological. We also recognise that the scholarly output we consume, produce and teach is ‘situated knowledge’ – in the plural. Last but not least, we aim at an institutional level to unlearn the idea of universities – as centres in the ‘colonial matrix of power’ – and problematise the materiality and immateriality of colonialism therein.

We travel along the imaginary trade winds from India to Cambodia via Kalimantan and Java in Indonesia in the following contributions, which method-wise combine engaged ethnographic fieldwork with globally spanning discourses. Insights from women’s organic-agriculture collectives in South India are juxtaposed with a discourse analysis of global reports on organic farming by an international federation. Experiences of land dispossession among women farmers rest on qualitative interviews conducted in villages in north-east Cambodia, brought into conversation with legal frameworks. Last but not least, insights from Indonesia rely heavily on a deep colonial perspective and the interaction during fieldwork with inhabitants of a Dayak Murung village, as well as on in-depth interviews with knowledge carriers in the field of organic farming.

Enid Still sets out to untangle ethics in the case of women’s collective agriculture in Tamil Nadu, South India, and conceptualises them as ‘alterbiopolitics’ – thus reconfiguring care as an ethico-political practice. Alternative narratives imply an ethical relationship to food production and consumption. While a presumably universalist approach to ‘certified organic’ food has reproduced colonial legacies in the international food system, it has also rendered the particular struggles of collective farmers, and especially women, invisible. Their claim to agriculture is compromised by their gender, caste and marital status. The collective challenging of normalised social boundaries produces ethical alternatives, sitting awkwardly with the highly regulated global world of certified organic. This more-than-human care in collective organic agriculture in South India represents a locally articulated and relationally situated practice of ecologies, cultures and politics.

Nature–culture interdependency is emphasised against the universalist assumptions and hegemonic ethics of the productivist growth of certified organic food entering global supply chains. The ethical dilemma arises in the concealing of local struggles and lived realities, when organic is reduced to non-chemical agriculture excluding all practices outside certification. The disciplining and control of organic with global ambitions and a universalist approach rests in the trajectories of development thinking. With a convincing dialogue between discourses embedded in relevant annual reports and ethnographic insight into the struggles of collective women farmers, Still demonstrates the colonial continuities of improvement in biopolitical regimes of representation.

Venturing further east to Cambodia, Saba Joshi takes up the issue of large-scale land acquisitions amidst agrarian transformation from a gendered perspective interrogating whether titles do indeed entitle or rather dispossess. Establishing the concept of 'individual property rights' fundamentally alters the relationship between rural women and men farmers vis-à-vis their ecologies. The state introduced economic land concessions, and the respective land laws transformed customary norms governing access for the purposes of extraction and agribusiness. Here, land emerges as a resource needed as an input to solely economically perceived endeavours, thus leaving aside the life-sustaining web of relations of care existing between food production, the collection of forest products and the reproduction of soil and human well-being.

Joshi shows how the narrow conceptualisation of land relations hampers in particular women's claims to ownership, as used to counter patriarchal notions and power gradients. The governance of land – with its patchy joint titling procedure, tainted by unequal procedural access based on the implicit assumption of unproductive commons – rather opens the door for the paradox of dispossession: even if titles are secured, women smallholders struggle to keep up farming as a means of livelihood in the face of immigrating farmers and masculinised logging activities infringing on the commons. Losing access to land seems to be on the increase for women farmers, when titled and acting as collateral – which might result in landlessness in the case of (joint) indebtedness. Via nuanced fieldwork, Joshi is able to bring out the conditionality of social claims to ownership over land and the resulting relations to it.

Siti Maimunah takes us from Cambodia further across the South China Sea to Kalimantan, the Indonesian part of Borneo. She frames the entanglement of socioecological worldings in the debate on consecutive waves of capitalistic frontier-making to show how the changing ethnic identity in Central Kalimantan is intimately tied to the river. Applying an FPE lens, she put the values and beliefs enacted by Dayak Murung in their everyday resistance centre stage. Paying close attention to the contestation and subversion of the dominant powers of extractivism, she uncovers the interplay of power relations between state actors, extractive companies and local elites. Ethnic identity has long been a contested issue in Kalimantan; Maimunah traces its transformation through encounters for the purposes of resource extraction from colonial times onwards.

The 'frontier assemblages' she proposes help to uncover the different layers of governance shaping the idea of an imagined wild forest. They transform it, through consecutive attempts, into multiple landscapes of extraction, be they ones of timber, rubber or coal – each simplifying the entanglements and value within the space. Different global-market economies, colonial practices and nation-state territorialisation have impacted not only the riverine landscapes in Kalimantan but reconfigured the Dayak Murung's ethnic identity by changing their ecological practices and traditional cosmology. The political mobilisation based around ethnic

identity aims to articulate entangled worldings concerning access and control, but in the logic of political decentralisation serves the Dayak elites' consolidation of power.

Spatially Patrick Keilbart invites us to follow him across the Java Sea, but links back the conversation on entangled environments to ethical considerations of organic and alternative agriculture – as explored by Still initially. Considering multiple facets of sustainable agriculture on the Indonesian island of Java, specifically in Sundanese and Javanese areas, he links these localised practices, values and beliefs to another global concept: that of bioeconomy. Unpacking the many interpretations of bioeconomy as the production, utilisation and management of natural resources, he identifies the emerging national project in Indonesia as focussed on resource efficiency and biomass conversion for products which can then be commodified. From a government perspective, organic agriculture appears to be part of a wider strategy geared at capital-intensive agribusiness aiming for economic growth and global competitiveness.

Keilbart juxtaposes this discourse with his ethnographic fieldwork among members of the organic movement – namely, social and faith-based actors – and examines their web of relations with the more-than-human here. With its aims of local food sovereignty, sustainable agriculture as well as social and environmental justice, the values of civil society actors partly overlap and partly contradict government bioeconomy strategies. Rather, the organic movement follows nuanced strategies of alignment, partial cooperation and even disengagement. As with all the articles making up this special issue, the continuation of colonial legacies shines through in many different guises, therewith continuing to challenge local values and practices of entanglement.

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**Refereed article**

# **Untangling Agricultural Ethics: Women's Collective Agriculture in India as Alterbiopolitics**

Enid Still

## **Summary**

Alternative food narratives imply an ethical relationship to food production and consumption practices. Organic food and agriculture are known as ethical alternatives since they use methods which counter dominant food systems and markets dependent on industrial agriculture and chemical inputs. The organic movement itself, although global, is locally articulated and relationally situated in ecologies, cultures and politics. However, 'Organic' is also a global brand, with global ambitions. This paper aims to tease out the discrepancies between global ethical discourse and situated ethical practice by bringing together existing ethnographic insights from women's organic agricultural collectives in South India with a discourse analysis of the joint annual reports by FiBL (Research Institute of Organic Agriculture, Switzerland) and The International Federation of Organic Agricultural Movements (IFOAM - Organics International). In problematising the inner workings of the narratives found in these reports, the paper unpacks their colonial continuities, demonstrating the biopolitical regimes of representation they help reproduce. The practice of organic collective agriculture in South India, I argue, represents an 'alterbiopolitics' which questions the universalist assumptions of IFOAM - Organics International's 'growing organic world'.

**Keywords:** collective farming, organic, India, colonialism, ethics, alterbiopolitics

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## Introduction

Alternative food and farming movements in South India demonstrate some of the different negotiations happening in response to dominant chemical-orientated farming practices in the country at large (Mansata 2010; Galvin 2014; Münster 2018; Singh, Kulkarni and Broome 2018). Often rooted in Green Revolution farming practices and technologies, chemical farming has contributed to the economic and social marginalisation of agricultural communities in India (Reddy and Mishra 2010; Shiva 2016). Combined with the long-term ecological effects of the Green Revolution, such as the scarcity of water and the degradation of land due to agrochemical use (Patel 2013; Shiva 2016), these entangled social, economic and ecological conditions have contributed to agricultural distress, including farmer suicides across the country (Padhi 2012; Neelima 2018).

One of the many alternatives practised in India is organic farming, which has emerged as a global movement to counter conventional, chemical-dependent agriculture. Organic food and agriculture have become known as ethical alternatives to dominant food systems and markets dependent on industrial agriculture and chemical inputs (Guthman 2003). The practice of organic or non-chemical agriculture relies on situated knowledges of local ecologies and landscapes, and involves multiple and diverse farming methods interwoven with local cultures and politics, making the political and ethical practices which inform them diverse and heterogeneous (Pande and Jha 2016; Schreer and Padmanabhan 2019).

However, 'Organic' is also a global brand, with global ambitions. The International Federation of Organic Agricultural Movements (IFOAM - Organics International) portrays a 'growing organic world' in their numerous annual reports. Yet within such universalist visions, organic farmers are condensed into narrow categories, flattening their everyday realities, rendering invisible the heterogeneity of organic agriculture and concealing the diversity of agricultural communities. In India, where agricultural communities face systemic injustices and the dominant sociolegal category of 'farmer' exclude those who fall outside of the male, landowner norm, the consequence of such narratives is to silence and reproduce these dynamics.

To address this silencing, I draw on academic literature and ethnographic insights from women's organic farming collectives in South India, which explores the ethico-political practices of more-than-human care emerging from the struggles of women farmers to be recognised, and for their agricultural practices to matter. By bringing these insights together with a discourse analysis of the joint annual reports by FiBL (Research Institute of Organic Agriculture, Switzerland) and IFOAM - Organics International, the paper aims to tease out the discrepancies between ethical discourse and ethical practice, therewith questioning the premise of global organic narratives and markets (Johnston, Biro and MacKendrick 2009).

Furthermore, in problematising the inner workings of the narratives found in these reports, the paper unpacks their colonial continuities, demonstrating the biopolitical regimes of representation they help reproduce. The practice of organic collective agriculture in South India, I argue, represents what Puig de la Bellacassa (2017) terms 'alterbiopolitics' – through which, the universalist assumptions of IFOAM - Organics International's 'growing organic world' are questioned.

### **Situating agricultural collectivity in South India**

As an alternative form of agriculture, women farmers working collectively on the land have received particular attention in the media and in scholarship over recent years (see Agarwal 2018; Chandran 2018; Rathod 2018; Leder et al. 2019). Kudumbashree initiatives in Kerala and farming collectives supported by the Deccan Development Society in Telangana have become well-known examples of alternatives to the dominant agricultural and development practices and discourses mentioned above (Agarwal 1992, 2003, 2018; Kulkarni 2018). Collectivity in farming takes a multitude of forms such as cooperatives, community-supported agriculture, self-organised collectives and Farmer Producer Organisations (FPOs). This heterogeneity is made visible in the variety of different forms, structures, principles and meanings in operation among farming collectives. As scholars in Feminist Political Ecology and Critical Agrarian Studies have shown, collectives are shaped by intersecting and historic power dynamics and situated politics, contributing to a messy and ambiguous process of unfolding agricultural relations (Padmanabhan 2008; Kunze 2017; Leder et al. 2019; Agarwal 2020; Kozhisseri and Rajan 2020). As an alternative agricultural practice, Agarwal (2003) argues, collective agriculture challenges the intersecting injustices of unsustainable farming practices and issues of gendered land entitlement and access.

As these studies show, agricultural collectivities are relationally constituted and situated in particular ecologies and cultures, yet often actively shape different social and political scales – household, state and market (Agarwal 2003). As an agricultural practice, they also exist within narratives and representations of knowledge and food, being embedded in particular histories. As Laksmana demonstrates, the embodied knowledge of farmers – although silenced by hierarchical norms in scientific-knowledge production – informs agriculture as a technoscience, where 'agricultural practice is the confluence of knowledge, both local and scientific, with material production' (Laksmana n.d., 2). Within this confluence, global food-trade regimes and agricultural markets also arguably shape processes of agricultural material production (Poerting, 2015; Patnaik and Patnaik 2017). As Freidberg (2010a) argues, these processes continue to be regulated by colonial knowledge hierarchies between imperial nations and postcolonial countries, maintaining inequities between producers and consumers – therewith often shaping the bodies and labour of food producers in subtle ways. In countries where agricultural markets have been more internally regulated, such as India, Patnaik and Patnaik (2017) argue that inequalities between temperate and tropical

or subtropical regions which map onto the colonial ordering of the metropole and the periphery still impact these internal dynamics. These ‘colonial continuities’ are therefore expressed through inequalities in market realities, and discourses about knowledge and food production which perpetuate hierarchies and dichotomies between producers and consumers, ‘developed’ and ‘developing’, north and south.

The term colonial continuities has, in relation to development and agriculture, been employed to point to imperial logics of governance, development ideals and projects, or economic policy (Nally 2010; Patnaik and Patnaik 2017; Dengler and Seebacher 2019). The ‘continuity’ part suggests linkages can be traced between contemporary places and people and colonial histories and practices. Although these linkages are never straightforward forms of control and ‘power over’ (Rao 2007), these continuities have lived consequences in the present. Understanding the inequalities of agricultural markets and the forms of knowledge and power which underpin them, Patnaik and Patnaik (2017) argue, must involve historicising the imperial logics at their root, which sustain inequities between ‘the metropole and the peripheries’ – or the so-called ‘developed’ and the ‘developing’. This exploration, I contend, is also relevant in understanding global discourses of ethical food consumption and production, which on one hand attempt to create alternative standards informed by ethical practices such as organic agriculture and moral principles such as ‘fairness’. On the other hand, the same discourse operates within global food-trade regimes and thus within the colonial continuities of agricultural markets. Such arrangements are, therefore, historically embedded in a violent ethics of colonialism, which sought the moral and material ‘improvement’ of people and landscape (Pandian 2009) and their categorisation for the purposes of administration and taxation (Appadurai 1996). This paper attempts to look at the disconnect which occurs, and the mismatch between, ethical discourse and ethical practice when they find themselves entangled in colonial continuities.

As an entry point into these entanglements, the implications of discursive and scientific representations of a ‘growing organic world’, and organic agriculture in India specifically are explored, via joint annual reports produced by FiBL and IFOAM - Organics International. These are examined in relation with the struggles of agrarian communities as well as the agricultural alternatives practiced by women’s organic farming collectives in South India. It is beyond the scope of this paper to investigate the statistical claims of the reports, nor is it the subject of my inquiry. Rather, of concern here is unravelling the ways in which sociolegal categories of ‘farmer’ intersect with the representations in such reports to further obscure the realities of agricultural communities in India. It is important to note that although the subject of critique is the narratives of global organic-food production, their ethical premise as well as the colonial continuities embedded in such discourse, I do not assume that agricultural collectives and women farmers

are producing food for global organic-food chains.<sup>1</sup> Rather, I want to argue that the inner workings of the 'growing organic world' discourse silences the heterogeneity of agricultural practices in India and other countries, obscuring complex realities – done for the purpose of generating numbers about organic produce which fulfil an ethical-consumption premise (as located in the imagination of organic consumers). The nuances of this heterogeneity and the complexity of political struggles in agricultural communities in India are exemplified by women's organic agricultural collectives and their practices.

To unpack these representations, I work with postcolonial and decolonial critiques of discursive and scientific representations that make claims about progress without historicisation of the colonial processes within which they work (Spivak 1990; Escobar 1994; De Sousa Santos 2018). I bring this analysis together with scholarship in feminist Science and Technology Studies which dissects the basis of authority behind scientific claims to truth and the representation of social and cultural worlds (Haraway 1988; Asdal, Brenna and Moser 2007). First, by contextualising the narratives of struggle and alternatives coming from agricultural communities in South India, particularly women's organic farming collectives, the paper attempts to turn 'absent subjects into present subjects as the foremost condition for identifying and validating knowledges' (De Sousa Santos 2018, 2). And, second, bringing these struggles into critical relationship with the reports, it aims to question the discursive effects of the ethical and scientific representations of a 'growing organic world'. In doing so, I do not make claims to represent or speak on behalf of agricultural communities in India; rather, I wish to explore how an intervention into knowledge claims, from the experiences of agricultural communities, can make visible and draw attention to alternatives which challenge normativities (Foucault 1980; Singleton 2007), as well as question the basis upon which ethical discourses around food and agriculture operate.

The dislocated discursive production of ethical-food discourses and the silences and inequalities they reproduce are thus the theoretical focus here. In particular, the paper looks at the way in which ethical discourses about food and agriculture have emerged in a specific setting through universalised categories which reproduce specific regimes of truth and power about agricultural practices, landscapes and communities (Foucault 1980, 86). To examine this, I will attempt to explore in what ways such discourses produce silences around the alternative agricultural practices described above, and by doing so obscure the uneven relations such discursive and market inequalities can create. This approach follows what Foucault described as an 'archaeology of knowledge' (1980, 66), whereby different systems of knowledge which produce regimes of truth are examined along three lines of questioning: What is the history of this 'will to truth'? What are its effects? How are these interwoven with relations of power?

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1 Even larger organisations such as Timbaktu Organic, who are comprised of ten collectives and over 125,000 farmers, only sell to the Indian market (The Timbaktu Collective 2021).

However, as a scholar engaging in discursive interventions and therefore part of the same process of interpretation and shaping (Haraway 1988; Nightingal 2003; Law 2004), my positionality and the colonial continuities of my own intellectual endeavours are important to note. As a PhD scholar from the United Kingdom studying in Germany and researching in India, the privileges of my social position, mobility and knowledge production as well as the histories which condition these privileges are problematic and uncomfortable to sit with. The epistemic inequalities reproduced by this arrangement cannot be solved through reflexivity and awareness alone, but they can be questioned and critically reflected upon as part of a wider collaborative process of undoing hierarchies of knowledge production (Idahosa and Bradbury 2020; Millora, Maimunah and Still 2020). As this is a conceptual paper, I cannot claim to speak to the experiences of farmers directly. Rather, what follows thinks with the situated politics and practices of organic collective farming in India, therewith exploring how colonial continuities play out through discourses and representations of organic agriculture in reports by IFOAM - Organics International. I seek to investigate to what extent such agricultural alternatives demonstrate alterbiopolitics at play. The claims in these reports about organic agriculture of global proportions, which rests upon the ethical premise of the organic movement, raises the question ‘ethical for whom?’

To begin, I discuss how the recent history of the Green Revolution in India is interrelated with the lives of widows from farmer suicides and the responses from agricultural communities, particularly the collective organic agriculture of women farmers in South India. I will then bring these histories and experiences together with the discourses and claims of recent annual reports published by FiBL and IFOAM - Organics International to think through the representations they produce and their discursive effects. Finally, I will address to what extent these reports feed into colonial continuities of biopolitical ‘regimes of representation’ of agriculture and how the situated politics of collective organic agriculture mobilise alterbiopolitics in offering ‘an alternative path in the politics of living with care in more-than-human worlds’ (Puig de la Bellacasa 2017, 130). I strive to sketch out the entangled biopolitical processes of categorisation, counting and discursive representation regarding agricultural relations, whilst thinking about how the alterbiopolitical arrangements of organic collective farming can challenge these processes. This, I suggest, is achieved through their contribution to the political and ethical recognition of, or the ‘re-mattering’ of, agriculture and agricultural communities (Puig de la Bellacasa 2017).

### **Connecting chemicals, suicides and collectivity in agriculture**

The reliance on agricultural chemicals arguably began with the Green Revolution, when a combination of post-Second World War ideologies of progress and development, scientific innovations regarding the use of chemicals against insects and fungi, and the development of agricultural technologies sought to improve crop



yield, production capacities and efficiency (Carson 1962; Shiva 2016). The use of agrochemicals has been widely adopted, but the effects have been particular – leading to various ongoing socioecological and economic effects (Patel 2013; Shepherd 2019). In her critique of the green revolution, Shiva (2016) argues, political and market forces in Europe promoted and normalised chemical use in farming as the solution to famine and food scarcity in India. This, as Mehta, Huff and Allouche posit, can be traced further through a complex politics of scarcity which ‘as a relation, is simultaneously constructed and “real”’ (2019, 2) – demonstrating how particular articulations of food scarcity have come to dominate and shape academic narratives and policies, as well as lives and livelihoods. These histories, I argue, are intimately tied to contemporary narratives and imaginations of who constitutes a farmer socially, legally and politically, and are therefore, as I will show in the next section, entangled in dislocated discourses about the expansion of organic agriculture in India.

Within 20 years after the introduction of Green Revolution technologies in Punjab in the 1970s, farmer suicides were on the rise across India (MAKAAM 2020). In her analysis of the experiences of widows in Punjab during the first decade of the 21st century, Padhi (2012) notes that the suicides are a manifestation of collapsing agricultural communities – revealing the fraught interdependencies between agriculture, caste, gender, economics and ecologies. She showed how the Green Revolution, as both an ideology and collection of practices, undermined these complex relations. Furthermore, Padhi highlights that the narrative surrounding the unfolding agrarian crisis was also shaped through the same logics of gender, caste and class hierarchies, which serve to marginalise women farmers – particularly widows. Statistical representations of suicides in narratives of the agrarian crisis do not address the incompleteness of the category of ‘farmer’ (MAKAAM 2020). The exclusion of women, landless and ‘ineligible’ suicides not only pushes the experiences and hardships faced by families further into the margins but also obscures the actual number of suicides occurring (Sainath 2010; MAKAAM 2020). As Padhi (2012) and Sainath (2015) both illustrate, the effects of the agrarian crisis do not end with the death of a loved one for ‘suicide-affected households’,<sup>2</sup> and yet the experiences of ‘those who did not die’ are characterised by their near silencing in the narratives of farmer suicides in India.

These silences are tangled up with the sociolegal category and cultural imagination of the ‘farmer’. In the Indian Census, for example, agricultural workers are counted and measured through land size and ownership – or ‘operational holdings’. Since land rights and access in India are mediated through religion-centric inheritance laws, customary practices (Wahi 2013) and patriarchal norms which influence negotiations over property ownership (Kulkarni and Bhat 2010), who gets counted

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2 This term is used by civil society organisations in India to bring recognition to the layered, multiple and ongoing social and economic effects of suicide (MAKAAM and MSCW 2016; Bais et al. 2019).

as a farmer is a socially mediated process. This contributes to a reproduction of the imagination of a ‘farmer’ or ‘food producer’ as a male land-owner, thus obscuring the different actors in agricultural communities – including women farmers, farm labourers, landless and daily-wage workers. The interweaving of these political and legal categories with ‘Brahmanical patriarchies’ (Chakravarti 1993; Rege 2013) renders invisible both women and marginalised castes, further restricting their access to land and their rights as citizens – including the rights over their own bodies and labour (Ambedkar 2014b, 23, 2014a, 107).

Women are therefore made imperceptible as farmers because their gender is not recognised as fitting the social imaginary. This is underpinned by their lack of social and legal access to land – despite related legislation suggesting inheritance is egalitarian (Ribot and Peluso 2003; Rao 2007).<sup>3</sup> This ‘frame of recognition’, drawing on Butler’s (2016) concept, is maintained by multiple intersecting powers including the state, local customs as well as caste and patriarchal norms, which mediate land rights and succession (Rao 2007; Wahi 2013). Farm widows, who either already *are* farmers or become so after their husbands’ deaths, face multiple forms of stigmatisation, through which complex and context-specific patriarchal and caste norms intersect to produce particular experiences of widowhood. As Mohindra, Haddad and Narayana (2012) demonstrate, akin to the idea of a ‘social death’, becoming a widow entails encountering multiple layers of stigma which can compound existing forms of gender and caste oppression. Furthermore, being of a higher social class or economic status as a widow does not necessarily equate to increased power or mobility. Rather, as Kulkarni and Bhat describe, patriarchies can be ‘accommodative’ (2010, 62) and multiple, often determining a widow’s status in the household, which is shaped according to the needs of the latter and to maintain the patriarchal order. For a farm widow, this layered stigmatisation directly affects her ability to cope in the aftermath of suicide and to access the schemes and welfare which could support her (Mohindra, Haddad and Narayana 2012). Moreover, these dynamic processes further make invisible her experiences, needs and voice as a farmer, with material effects on her livelihood and ability to care for herself and other family members (Ghunnar and Hakhu 2018).

In response to the agrarian crisis and the uneven experiences of ‘being a farmer’ discussed above, women’s organic farming collectives have formed as an alternative agricultural practice which challenges the intersecting issues of gendered land entitlement and access, food security and safety (Agarwal 2016; Pande and Jha 2016; Leder et al. 2019). There are various institutional arrangements through which agricultural collectivity or ‘group farming’ is negotiated and renegotiated in India: Joint Liability Groups (JLGs), Self Help Groups, FPOs as well as self-determined, self-organised collectives. Furthermore, many groups include both men and women, such as those supported by the MS

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3 This phenomenon is addressed in the European context by Prügl (2011), who unpacks the role of patriarchy and gender dynamics in European agricultural policy.

Swaminathan Research Foundation in Tamil Nadu (see Rengalakshmi and Rao 2020). The type of agriculture engaged in is also diverse: some farm organically, others use pesticides and some grow food forests and engage in agroforestry methods. However, the examples drawn upon for this paper do adopt organic farming – which, as I will discuss in the last section, is an important factor in alterbiopolitical arrangements.

In Kerala, South India, women's farming collectives have become widespread, especially since the State Poverty Eradication Mission of the Government of Kerala started to experiment with collective-farming models in 2004 under the Kudumbashree network – itself first established in 1998 (Abraham 2019). This government-led programme encouraged women farmers to form JLGs to increase 'the scope of income earning activities of rural women' (Abraham 2019, 19), to address the related issues of increasing fallow land (often being bought up as real estate) and to oversee the feminisation of a shrinking agricultural sector (Agarwal 2018; Pattnaik et al. 2018). These small farming groups of four to ten women are supported through government-subsidised loans, skills development and marketing linkages to Participatory Guarantee Systems (PGSs),<sup>4</sup> as well as local farmers markets and Kudumbashree shops which prevent exploitative practices by intermediaries (Kulkarni 2018; Government of Kerala 2021). As Kulkarni (2018) discusses in her chapter about different collective-farming groups she met in Kerala, women have come together across caste and religion to collectively cultivate food. The Kudumbashree model promotes economic empowerment and encourages self-reliance, giving the groups autonomy in terms of managing the leased land and crops (for both the market and subsistence needs), as well as regarding the organisation of labour within the group (Abraham 2019). Although organic is not a prerequisite for farming collectives in India, as already discussed, there is an emphasis on the importance of safe, chemical-free food – as articulated both by the Kudumbashree scheme and the women farmers discussed by Kulkarni (2018). Similarly, in Tamil Nadu, Pande and Jha (2016) demonstrate that farming collectives engage in organic agriculture because it improves food security and, in the long term, food sovereignty too.

However, as Padmanabhan (2008) illustrates, the imposition of collective institutional structures designed to support the *economic* interests of farmers can erode existing collective activities such as seed sharing and the embodied and negotiated experiences of trust and reciprocity. The externally initiated institutional arrangements Padmanabhan (2008) observes in sustainable agriculture development initiatives in Kerala are tempered by gender hierarchies and gendered labour norms, thus contributing to silencing and devaluing women farmers'

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4 PGSs are systems for certifying organic food and are designed to incentivise farmers to grow organically. They operate on the principles of local participation and organisation, trust and transparency. However, scholars such as Poerting (2015) have pointed to the conditioning processes which evolve under PGSs in Pakistan, where farmers must adhere to particular standards to be able to sell on international markets.

knowledge about agrobiodiversity. Collectivity in agriculture, therefore, reflects the complexity of social power dynamics in agricultural relations, with farming groups often conditioned by external institutional power dynamics – especially when institutions instigate the process (cf. Leder et al. 2019). Yet, despite undercurrents of economic and land inequality, collective agriculture enables interlinked negotiations at different scales. These negotiations challenge normalised social boundaries (Pande and Jha 2016), thus offering possibilities to counter narratives dictating who is considered a farmer, who is entitled to financial support and whose voice and knowledge matters.

### **Discursive effects of a ‘growing organic world’**

The sociolegal category and cultural imagination of the male, land-owning farmer is arguably not only conditioned through patriarchy, caste and class but also scientific representations of agriculture. Despite sustained activist and academic interventions, such representations rarely consider as valid or valuable the knowledges and perspectives of farmers themselves (Kloppenborg 1991). Hegemonies in what constitutes ‘agricultural knowledge’ result, ‘Because it is reductive, abstracting, and interested in the immutable components of a phenomenon, science loses connection with variability of local systems’ (Kloppenborg 1991, 530).

Thus, science constructs universal truths – or ‘immutable mobiles’. This universalising principle, or the ‘God Trick’ as Haraway (1988) aptly describes it, makes an ethico-political claim upon agricultural knowledge. The scientific perspective is, however, assumed to be detached from politics and ecologies and can speak for agriculture everywhere, thus silencing situated, local and traceable knowledge claims. Scientific narratives of global ‘ethical’ food production, such as those that count and document organic agriculture, may therefore contribute to this process of silencing, despite their ethical intent. Although they give voice and space to alternative forms of agriculture and their associated ethical principles, they also conform to the logics of hegemonic ethics of productivism, universalism and economic growth in agriculture (cf. Puig de la Bellacasa 2015). In this section I try to tease out this seeming contradiction through a discourse analysis of annual reports on The World of Organic Agriculture.

Every year, FiBL and IFOAM - Organics International publish a report on ‘The World of Organic Agriculture’. Statistics about global organic-agriculture production, land use and markets are gathered and presented in lengthy reports, often launched at the annual BIOFACH Congress. Here, global partners and networks working in organic and sustainable agriculture and food meet and strategise to improve the production and consumption of organic food. Importantly, the reports only gather data on *certified* organic food, therefore on that which can enter the global supply chain (see Schlatter et al. 2021, 32). This does not exclude small-scale farmers who sell food at local or national levels through schemes such as PGSs, but is unlikely to include data on subsistence farmers.

In the 2018 report, data collected in 2016 showed that 40 per cent of the world's certified organic producers were in Asia (Willer and Lernoud 2018, 23). Out of the 178 countries, which formed part of their annual global survey, India had the highest number of certified organic producers in the world with 835,000, followed by Uganda with 210,352 and Mexico with 210,000. In the 2021 report, data collected in 2019 revealed that these numbers had increased; Ethiopia was now in third place with 203,602 organic producers.<sup>5</sup> The 'organic market' is, however, situated elsewhere. The most recent data from 2019 (2021 report) indicates that the United States leads with an organic market worth 44.7 billion euros, Germany is second with one worth 12 billion euros and France is third with one worth 11.3 billion euros; when compared with the previous reports, this shows significant increases year on year. The partiality of these statistics rests on a number of issues, aside from the fact the reports only cover certified organic agriculture. The report outlines some of the reasons for this partiality itself:

Reporting precise figures on the number of organic farms remains difficult as some countries:

- report only the numbers of companies, projects, or grower groups, which may each comprise many individual producers;
- do not provide data on the number of producers at all;
- include collectors in case there are wild collection areas, and
- provide the number of producers per crop, and there may be overlaps for those growers who grow several crops.

The number of producers should, therefore, be treated with caution, and it may be assumed that the total number of organic producers is higher than that reported here. (Schlatter et al. 2021, 56)

It also highlights the significant problems with shifting categorisation by governments or the institutional apparatus which measures the statistics. They account for the dramatic decrease in numbers of organic producers in Mexico thus:

There is a challenge with the number of producers in some countries, as some certifiers provide data on all producers, including smallholders, whereas other certifiers provide data on the certificates only. This problem became particularly marked in the case of Mexico, where the data source changed in 2018, and the new source did not include the smallholder farmers, resulting in a major drop of organic producers in Mexico and Latin America as a whole. (Schlatter et al. 2021, 56)

Categories such as land use become troublesome again when the report segregates out the different types thereof. In 2019, India records 2,299,222 hectares of land as 'organic agriculture' and 1,370,579 ha as 'organic wild collection' (including beekeeping areas). The land-use categories of 'Aqua-culture', 'Forest', 'Graze and

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<sup>5</sup> India recorded 1,366,226 organic producers and Uganda 210,353, respectively (Willer et al. 2021, 19).

Non-agricultural land’ and ‘Other non-agricultural land’ remain empty, as do these chosen categories for the majority of the other countries studied in this report (see Table 9, in Schlatter et al. 2021, 52-54). The empty cells, the shifting and ambiguous nature of the categories themselves and the overarching criterion of ‘certified’ organic agriculture beg the question whose knowledge of agriculture and whose perception of what constitutes ‘organic’ creates and maintains these categories?

The sources of the data drawn upon to look at global trends of organic agriculture are significant here. Statistics on organic agriculture are collected from a variety of affiliates and government sources by Ecovia Intelligence (formerly Organic Monitor), a specialist research, consulting and training firm based in London, and by FiBL, the Swedish Organic Research Institute, as well as the report’s various co-authors. For India, the statistical mappings of organic-food production are based upon statistics obtained from The Agricultural and Processed Food Products Export Development Authority within the Government of India’s Ministry of Commerce and Industry.

The accompanying narrative to these statistics describes the positive development of national certification programme ‘Jaivik Bharat’ across India, the increased adoption of PGSs and an increasing number of states such as Sikkim, Mizoram and Arunachal Pradesh, as well as districts such as Kasargode in Kerala, making a declared commitment to organic agriculture (Willer and Lernoud 2018, 191). The 2018 report goes on to note that many regions in these states are remote and their farmers poor, with therefore no or little access to chemical fertilisers. In 2020, the report highlights that ‘PGS-India certification’ is being implemented across the country by the National Centre for Organic Agriculture within a new legal framework (Moura e Castro et al. 2021, 160). In the same report, Hossain et al. (2021, 201) discuss the possible inclusion of non-certified farmers in densely forested areas of North-East India, who are ‘practicing organic agriculture by default.’ Therefore, whilst offering insights into how class and ecologies shape the adoption of organic agriculture and how the practice is being supported by different state governments and schemes, there is no further discussion about the forms of organic agriculture existing outside of certification schemes.

In giving visibility to ‘organic’ agriculture and ‘organic’ markets, these reports draw on a set of ethical principles (health, ecology, fairness and care) supposedly imbibed in organic practices and agreed upon by the organic movement.<sup>6</sup> These ethical values are reinforced through the institutions guiding or leading the process of textual production, namely IFOAM - Organics International. As described in their report, they are a member-based organisation with 719 affiliates - with 79 in

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6 The organic principles outlined and institutionalised by IFOAM - Organics International are discussed in a paper by Lutikholt (2007).

Germany, where the organisation is based (India itself has 52).<sup>7</sup> The organisation identifies their origins in the coming together of organic movements from different regions in 1972 (Luttikholt 2007), and are legitimised by their member base and their collaborative work with networks such as Fair Trade and Demeter. In 2018, IFOAM - Organics International reported they are now taking that movement into its third stage:

Now the organic movement is entering a new phase that we call 'Organic 3.0'. Organic 3.0 positions organic as a modern, innovative system that has positive impacts on global environmental and social challenges. It is the overall strategic plan of the global organic movement for further growth and sustainable development in order to increase positive impacts on the planet and the people [...]. There is a wide consensus that we need to move towards more sustainable agriculture and food systems and that business as usual is not an option any more. Agriculture, done differently, can be part of the solution [...]. Organic agriculture, a dynamic and continuously developing farming system based on the science of agroecology, is a form of truly sustainable agriculture and offers practical solutions to address major global challenges. Organic agriculture and equally sustainable systems produce healthy, nutritious food and other natural products for a growing population. They enable farmers to earn a fair living, regenerate and enhance soil fertility and biodiversity, safeguard and replenish scarce water resources, mitigate climate change, and help people, who have been negatively impacted by climate change, to adapt to it and become more resilient. (Arbenz 2018, 320–321)

The moralities embodied in the values of sustainability, fairness and resilience to climate change (Arora-Jonsson 2011; Srinivasan 2017) shares the discursive space with the values of global market development and an 'emerging markets' discourse herein:

More than a fifth of the world's organic agricultural land, 15.1 million hectares, is located in countries listed on the DAC list [...]. The organic share of the total agricultural land of the top ten countries on the DAC list is comparable to that of many European countries, and they can be attributed in part to a high production potential for, and focus on, exports. (Schlatter et al. 2021, 69)<sup>8</sup>

At first glance, these discourses on values seem to be in contradiction: the first paragraph evoking organic agriculture as a change of direction away from 'business as usual' and the second outlining the 'high production potential' for export commodities originating from organic farmland in developing countries. It is arguably this oscillation or slippage between these different narratives however, that enables the reports to make global claims. Replaying colonial histories of categorisation as a way of knowing and seeing the world from a distance (Haraway 1988), these generalisations and narratives of markets and producers arguably feed

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7 Affiliation seems to shift annually, these numbers are as per their 2021 report (Willer et al. 2021, 19). The organisation is based in Bonn.

8 DAC refers to the country list of the Development Assistance Committee, available online at: <http://www.oecd.org/dac/stats/daclist.htm>.

into a 'regime of representation' which works upon uneven flows of food and power (Escobar 1994; Freidberg 2010a) – an argument I will come back to below.

These glimpses into the discursive spaces of institutions representing and supporting organic agriculture, and the movements associated with it, illustrate how the numbers and narratives, which accompany the description of global food-trade systems can, on the one hand, absorb alternative food and farming practices (such as organic) to serve a particular ethical claim. On the other, the quantification of these flows through statistical representations, which count 'productive' bodies and land conceals a wider understanding of the struggles and lived realities of agricultural communities. As feminist scholars of commodities and agriculture, Ramamurthy (2000) and Freidberg (2010) have demonstrated, the partiality of the narratives created has little to do with supposedly apolitical market rationales or apolitical shifts in government categorisation of farmers. Rather it has more to do with political regimes of representation, geopolitical manoeuvring and gendered and racialised production norms helping maintain cheap labour and high consumption rates (on the political and ethical negotiations over the trading of sugar between Europe and the Caribbean, see Richardson-Ngwenya 2012).

Teasing out the entanglements of French green-bean commodity chains between Burkina Faso, Zambia, Paris and London with inscribed colonial histories of taste and freshness, Freidberg (2010b) highlights how and why these continuities continue to condition food export markets. Furthermore, she notes the extreme levels of control supermarkets have over processes of food production (Freidberg 2007). The concept of freshness, she argues, is a recent phenomenon which coincided with global refrigerated-transport means and advertising campaigns for 'healthy', vitamin-rich foods such as lettuce and oranges. However, the global food chains through which 'fresh' produce travelled were themselves not new but were well-trodden trade routes from the colonial-era (Freidberg 2010b).

These dynamics point to the ways in which uneven historical processes affect social meaning-making in relation to food and farming. Arguably, the meanings and values of FiBL and IFOAM - Organics International's annual reports, although rooted within the ethical values arising from 'organic pioneers', continue to work within uneven economic systems which obscure the caring labour of close and distant others (Tronto 1993, 114), the labouring bodies and landscapes cultivating food. In India, the discourse of a 'growing organic world' therefore sits uncomfortably with a deepening agricultural crisis occurring there (see Pandey and Sengupta 2018) – the extent of which is made visible through the voices of widow and women farmers (Padhi 2012; MAKAAAM and MSCW 2016; EPWEngage 2018; Bais et al. 2019; MAKAAAM 2020). Furthermore, this ethical premise of 'organic' is brought into a universalist frame of recognition, thus producing a discourse which silences agricultural heterogeneity and the situatedness of organic farming as a diverse practice.



Bringing together the discursive representations of the report with the struggles of India's agricultural communities highlights the contradictions that arise when celebrating and making visible a 'growing organic world' without questioning the uneven flows of knowledge and power upon which its ethical claims rest. Without wanting to overstate the discursive power of these reports, this paper sheds light on the ways in which such ethical discourses about food and agriculture can contribute to acts of silencing, collapse historical power dynamics and therewith help maintain unequal global food-trade networks (Richardson-Ngwenya 2012). Their use of narrow categories, as discussed above, demonstrates how the heterogeneity of organic farmers and knowledges is flattened through such discursive manoeuvres. These processes, I argue, can be understood as biopolitical regimes of representation (Escobar 1994).

### **Biopolitical regimes of representation**

'Regimes of representation' seek to legitimise colonial and developmentalist logics and worldviews (Escobar 1994), which maintain the 'frames of recognition' through which bodies, places and practices come to matter (or not) (Butler 2016). Agricultural regimes of representation in India, as Bhattacharya (2019) shows, are shaped by colonial imaginations of the 'agrarian' and related processes of ordering, counting and controlling people and landscapes. These forms of 'knowing', and the practices that emerged from them, were not only about the 'improvement' of agriculture but also intimately entangled with the perceived moral 'upliftment' of colonial subjects (Pandian 2009).

Motivated by the exploitation of distant lands, humans and non-humans, these processes continue to echo in contemporary economic imperialisms, such as via the persisting inequities in food production and consumption between the Global North and Global South – as discussed by Patnaik and Patnaik (2017) – as well as in imbalances of power in trade agreements – as discussed by Richardson-Ngwenya (2012). Although the narratives of an organic world discussed here perhaps do not structure trade agreements, I argue that they continue to produce universalisms about agriculture, which are embedded in an ethical premise and yet echo colonial ways of seeing. More specifically, they render invisible the heterogeneity of agricultural practice in India, as well as the struggles of its farmers. Thus what 'comes to matter' as a result of these narratives are the numbers illustrating a growing organic world and not the lives of farmers themselves.

Colonial practices of counting, categorisation and seeing have long been identified and analysed by postcolonial and feminist scholars, who have untangled the layers of disciplining and control these processes enabled (Mohanty 1984; Appadurai 1996; Mbembe 2003; Nandy 2009; Lugones 2010; Said 2016). Such forms of counting and categorisation involved various techniques like cadastral mapping, anthropological surveys and population censuses (Pels 1997; Rabinow 2014). These land- and human-mapping techniques demonstrate the centrality of the

numerical gaze in the colonial imagination, which, as Appadurai (1996) contends, flattens human experience – obscuring complex agricultural relations, and disciplining bodies and landscapes into subjects of a seemingly ordered colonial regime. These critiques, and the centrality of numbers and categories in the colonial gaze, illustrate how statistical representations form a key part of colonial histories. Of course, this is not to say that *all* statistical representations are colonial. However, in relation to contemporary processes shaped by histories of colonialism (such as food trade and agriculture) they continue to reproduce imperialisms in the economic relations established between the Global North and Global South (Patnaik and Patnaik 2017).

I refer to ‘biopolitics’ here as the entangled webs of power relations that negotiate shifting constellations of power over life, or the regulation of ‘bios’ in particular contexts or a given milieu (Foucault 2003, 245). Complex and historically constituted, these relations, Foucault (2003, 243) argues, configure human populations as a political problem, which requires regulation. Building on this, Mbembe (2003) articulated the concept of ‘necropolitics’ to understand the colonial logics that underpin a perceived ‘right to kill’, perpetuating a notion of sovereignty based upon a morality exclusive to imperial nation states – one which continues in contemporary justifications for war. This necropolitics is interwoven together by colonial logics and imaginaries, as Mbembe describes:

*Colonial occupation* itself was a matter of seizing, delimiting, and asserting control over a physical geographical area—of writing on the ground a new set of social and spatial relations. The writing of new spatial relations (territorialization) was, ultimately, tantamount to the production of boundaries and hierarchies, zones and enclaves; the subversion of existing property arrangements; the classification of people according to different categories; resource extraction; and, finally, the manufacturing of a large reservoir of cultural imaginaries. These imaginaries gave meaning to the enactment of differential rights to differing categories of people for different purposes within the same space; in brief, the exercise of sovereignty. Space was therefore the raw material of sovereignty and the violence it carried with it. Sovereignty meant occupation, and occupation meant relegating the colonized into a third zone between subjecthood and objecthood. (Mbembe 2003, 24-25)<sup>9</sup>

This confluence of control over space and bodies is also reflected in Nally’s (2010) argument about state-led food provisioning: namely, that the Foucauldian axis of ‘make live’ (colonisers and natural resources deemed useful for expansionism) and ‘let die’ (colonial human and non-human subjects) was biopolitical in that it violently excluded forms of life not considered part of *the* population (see also, Cavanagh 2014). If we turn again to the paper’s overarching context, biopolitics can, therefore, be understood as denoting the web of power relations which entangles and regulates food (and bodies), subtly shaping how this commodity is produced, traded and consumed. The maintenance of these power relations

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9 Emphasis in original.

arguably rests on a necropolitics which sustains racialised hierarchies within the global food-trade system, as informed by processes of social, spatial and legal division – particularly between what was considered ‘human’ and ‘in-human’ in the colonial gaze (Yusoff 2018).

These colonial continuities in global food-trade and economic systems are reflected in the category of ‘Producers’ in the FiBL and IFOAM - Organics International reports, because they sustain a biopolitical regime of representation which benefits from homogenous and quantifiable people and agriculture. In doing so, these categories – and the reporting they enable – silence both the struggles of agricultural communities and the multiplicity of agricultural alternatives, therewith reproducing normativities that condition who is considered a farmer.

Although the embodied experience of ‘farmer’ is framed by multiple intersecting social positions (including gender, class and caste), the FiBL and IFOAM - Organics International reports refer to the category of certified organic ‘Producers’ and in India they are grouped into two forms of production: ‘Agriculture’ and ‘Wild Collection’. Although the reports warn us of incomplete numbers, there is no discussion on who is considered a farmer in India (or elsewhere). As exemplified by the experiences of women farmers discussed earlier as well as the ongoing work of grassroots organisations, due to women being excluded from this sociolegal category, the numbers presented in the report are doubly dubious. Arguably, if read the reports from a feminist perspective, the numbers and categories reveal more about who they exclude than about who they count.

However, whilst these biopolitical regimes of representation around food, farming and global trade condition the utilised categories for people, thereby governing who and what constitutes a ‘productive organic farmer’, farmers, traders and consumers also shape how these categories play out in everyday life. Thinking with biopolitics beyond a process of *governing* and *regulating* life, are there other constellations of power which can challenge how states and societies shape what forms of life come to matter? In rejecting a biopolitics based upon layers of exclusion and exploitation, is it possible to imagine one acknowledging and informing multiple modes of living *with* human and non-human life, not simply control *over*? For Puig de la Bellacasa, an alterbiopolitics displaces ‘contemporary biopolitics’ reduction to the preservation of human life’ and confronts dominant ‘biopowers by creating different forces of world-making relationalities’ (2017, 165). Although scholars such as Cavanagh (2014) have argued that biopolitics is about the interrelation of species and is thus a more-than-human assemblage, the concept of alterbiopolitics offers a reconfiguration of *care* as an ethico-political practice within more-than-human worlds.

This practice assists in the earlier-mentioned re-mattering of worlds and things, which have until now been devalued as inert, inhuman or an exploitable substance (Puig de la Bellacasa 2017, 23). This re-mattering runs counter to ‘the hegemonic ethics’ of a technoscience which legitimises narratives of progress and practices of

exclusion, moving towards an ethics ‘embedded in the basic aspects of sustaining and fostering life at its most corporeal levels of naturecultural interdependency’ (Puig de la Bellacasa 2017, 22). Alterbiopolitical possibilities can be exemplified, Puig de la Bellacasa (2017) argues, in alternative forms of agriculture such as permaculture, which challenge the pace and ideologies of dominant market-orientated and technoscientific food production. Therefore, permaculture as a ‘naturecultural’ practice begins from an ‘an awareness of their more-than-human dependency’ (Puig de la Bellacasa 2017, 167), thus decentring human bodies and the ‘focus on the perpetuation of life *as human*’ (Puig de la Bellacasa 2017, 22). Similarly, Kozhisseri and Rajan argue that nomadic agricultural practices can be understood as a ‘feminist politics of the earth’ (2020, xx), consequently unravelling dualisms of nature/culture, human/non-human and challenging the dominant norms of sedentary agriculture.

Rather than a new or novel way of being in the world, alternative farming practices such as permaculture, nomadic agriculture or collective organic agriculture – ones which in essence relate to slower, more circular workings of time (or ‘soil time’) and relational practices of care – have been devalued and made invisible by technoscientific logics of time, food production and progress (Puig de la Bellacasa 2015). It is arguably because these alternatives operate within modes of slowness, mutuality and interdependency, and thus sit in opposition to expansionism and individualism, that they have been silenced by colonialism, capitalism and developmentalist logics. The consequences of which are now seen in the endurance of uneven power dynamics within global food-trade systems.

In South India, collective organic farming practices arguably offer a window onto the ways in which women farmers are contributing to the re-mattering of agricultural knowledges and labours, which are concealed by the different layers of biopolitical regimes of representation discussed here. Farming collectives in South India have, as noted, diverse organisational structures and motivations, operating for both the market and to meet subsistence needs and growing both organically and with chemicals. Therefore, farmers’ ethical relationships with the land and the food they grow differ, reflecting the heterogeneity of agricultural practices. *Organic* agricultural collectives however, I argue, in particular contribute to a re-mattering of agriculture through using organic and collective practices. Combined, this constellation of political and ethical acts challenges the norms serving to subjugate women farmers, particularly widows, denying them recognition as a farmer. As Pande and Jha (2016) demonstrate, organic agriculture is adopted by women’s farming collectives because it improves food security and safety for them and their families, as well as due to awareness of the ethical concerns related to the environments in which they live and work.

Although collective engagements are not innocent, being enmeshed with ambiguities and hierarchies (Leder et al. 2019), heterogeneous agricultural and collective practices question patriarchal, caste and economic systems. Thus, they

counter the sociolegal category of the male, landowning 'farmer' and challenge normative notions of 'agricultural practice', such as the individual farmer and dependency on chemicals to produce food. This mutuality of care for social and ecological life in collective organic agriculture is not a dichotomy, even if it may seem so when reproduced on the page. Rather, it is a naturecultural, ethico-political entanglement of farmers, the landscape and food consumption, one cultivating an alterbiopolitics of food; a re-mattering of agricultural communities and landscapes.

## Conclusion

This paper began with the struggles of agricultural communities in India, particularly women farmers. Bringing organic agriculture collectivity to the forefront of analysis, I attempted to situate the discourse of a 'growing organic world' within the ethico-political practices of 'absent' forms of agriculture and 'absent' farmers, which I argue are silenced through biopolitical regimes of representation (Escobar 1994; De Sousa Santos 2018). In thinking through the inner workings of the statistical and narrative representations of the annual reports issued by FiBL and IFOAM - Organics International, this paper has attempted to elucidate tensions which go beyond a report and into historic sites of struggle and exploitation, and then back again to the current struggles of communities in South India. In doing so, this paper sought to weave together critical analysis of global ethical-food discourses with insights from situated ethical practices of agricultural communities in South India. In thinking *with* the alterbiopolitics of women's farming collectives, the silences scientific and ethical discourses produce were examined – demonstrating the importance of interrogating who decides exactly what comes to matter; what is considered ethical.

The narratives and numbers of global organic markets illustrated in these reports paint a 'growing organic world' which connotes an ethical 'good' and yet flattens complex agricultural realities, ignores the entangled food histories of colonial exploitation and potentially silences ongoing agricultural distress. The ethical claims imbibed in these narratives only make the contradiction more visceral, which led me to ask the question 'ethical for whom?' In highlighting the colonial continuities within these narratives, practices of counting and ways of seeing and knowing, the paper demonstrated how narratives which hide the complexity of agricultural alternatives and struggles feed into biopolitical regimes of representation. This potentially makes invisible diverse agricultural practices, particularly small-scale, marginal farmers – including women and widowed farmers who often do not produce for global markets and are not certified organic.

This brief archaeology of an ethical discourse of organic food and agriculture has enabled a comparison with the local discursivities which have been subjugated through such regimes of representation (Foucault 1980, 85). Further work on a genealogy of these knowledges would be necessary to understand their historical constitution. This would also enable a closer look at their importance in

denaturalising ‘claims of a unitary body of theory which would filter, hierarchise and order them in the name of some true knowledge and some arbitrary idea of what constitutes a science and its objects’ (Foucault 1980, 86). In order to conceptualise what constitutes the ethical in relation to food and agriculture I followed Puig de la Bellacasa, who argues that the frame ‘alterbiopolitics’ enables us to think beyond the ethical – ‘[as] arising out of moral principles – such as contracts or promises – to be embedded in vital material forces involved in the constraints of everyday continuation and maintenance of life’ (2017, 22).

Collective forms of organic agriculture in India aim to tackle systemic injustices, attending to the multiple layers thereof, which women as well as other marginal farmers often face. Through various constellations of collective labour, agricultural practice, as well as government or non-governmental organisation support, collectives are simultaneously farming the land, producing food and questioning the dominant narratives and categories articulated by the state, the market and industrial agriculture. The multiplicity, messiness and heterogeneity of these situated agricultural practices and socioecological relations signal a constellation of alterbiopolitics which constitutes a re-mattering of these ethical practices and relations, serving to counter dominant biopowers of categorisation and exploitation in agriculture – despite the narratives and representations which exclude and silence them.<sup>10</sup>

Subsumed within a global food-trade system maintained by colonial continuities, the ethical narratives and categories of ‘organic agriculture’ feed into biopolitical representations of a ‘growing organic world’. This obscures the agricultural communities which give life to the very idea. As an ethico-political practice, collective agriculture challenges the systemic injustices at the nexus of colonialism, patriarchy and capitalism, which continue to devalue agriculture and more-than-human caring practices. This, I argue, represents a re-mattering of the care and situated knowledges that constitute agricultural worlds; a re-mattering of agriculture.

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10 Although I have discussed the ethico-political practices exemplified by the particular women’s organic farming collectives featured in the existing ethnographic work drawn upon for this paper, further work is needed into the everyday ethical dynamics of collective farming in India, which this paper has not been able to give justice to.

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Refereed article

# Legally Entitled or Dispossessed? Gender, Large-Scale Land Acquisitions and Agrarian Transformation in Cambodia

Saba Joshi

## Summary

Over the last decade, large-scale land acquisitions for the purposes of natural resource extraction and agribusiness have expanded in several countries, particularly in the Global South. In Cambodia, large-scale land acquisitions were enabled through Economic Land Concessions (ELCs) under the 2001 Land Law, which also transformed customary norms governing land access. Between 2001 and 2012, while smallholders' access to land shrank considerably, the Cambodian government is estimated to have leased more than half the country's arable land to private investors for agro-industrial development. This article focuses on the gendered implications of large-scale land acquisitions by mapping shifting agrarian livelihoods against reforms enacted under the 2001 Land Law. I argue that though the current legal framework governing land in Cambodia includes the provision of joint titling of private property, it simultaneously transformed access to the "commons." This shift, alongside the contestations inherent in legalizing property, are key to transforming agrarian livelihoods in Cambodia, experienced through locally specific gender relations. I support my arguments using qualitative interviews conducted in villages bordering ELCs in two provinces in northeast Cambodia.

**Keywords:** gender, Cambodia, land reforms, large-scale land acquisitions, dispossession

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## Introduction

In the aftermath of the 2007–2008 world food crisis, which significantly intersected with crises in global finance and climate change, many countries in the Global South witnessed a boom in large-scale land acquisitions (LSLAs) for agro-industrial development. Some estimates suggest that between March 2008 and April 2009, nearly 40 million hectares—20 times higher than the average annual rate of land transfer in the preceding four decades—were involved in land transfers (Wolford et al. 2013). The striking rise of LSLAs over the last decade has produced mixed reactions from scholars and policy makers. Some have emphasized their inimical impacts on smallholders, indigenous peoples and other land users (Hall et al. 2015; Borras Jr and Franco 2013), dubbing these acquisitions “land grabbing” to underscore the violent, asymmetrical power relations implicated in these transactions (Borras Jr and Franco 2012). Others have suggested that LSLAs can yield a number of developmental benefits, including job creation, infrastructure development and improved agricultural productivity (Cotula et al. 2009; Mirza et al. 2014).

In Southeast Asia, Cambodia has emerged as a regional “hotspot” of land grabbing and scholarship resoundingly suggests that LSLAs have caused social and environmental harm that exceeds their purported developmental benefits (see for e.g. Scheidel, Giampietro, and Ramos-Martin 2013). The legal framework governing LSLAs emerged under the 2001 Land Law, which enabled the Economic Land Concessions (ELCs) policy alongside other significant reforms, such as Social Land Concessions (SLCs), thus transforming access to and ownership of private land. The policy allowed the Cambodian government to transfer large swathes of state-held land to private businesses in the form of concessions and was mired in controversy from the outset due to the conflicts spurred between the state and private companies, and previous land users and inhabitants. Much of the discussions on LSLAs in Cambodia have thus emphasized issues such as the state’s use of violence, force, and intimidation against smallholder farmers and indigenous peoples that have been dispossessed of their agricultural lands and homes across the country (United Nations Human Rights Council 2012, 47; ADHOC 2015).

In this article, I move away from narratives of land grabbing centered on state violence to focus our attention on other power hierarchies embedded in these processes, namely gendered social relations. Land grabbing is thus understood here through the lenses of everyday gendered experiences produced at the intersection of land dispossession and agrarian transformation. In the existing literature on Cambodian land grabbing, gender has generally received limited attention, with the exception of women’s resistance activities against ELCs (Park 2018; Lamb et al. 2017; Park and Maffii 2017). This article adds to scholarship on land grabbing in Cambodia by investigating the gendered materialities of changing land access against the legal framework that enabled LSLAs in Cambodia. To do this, I draw

on qualitative interviews with women and men living in Kratié and Ratanakiri provinces in northeast Cambodia conducted over multiple visits in 2015, 2016 and 2017.

Framing my discussion on intersectional, gendered experiences of land privatization and dispossession, I argue that while the 2001 Land Law aimed to provide joint titling for women and men in households, it also simultaneously dispossessed them of other forms of land access, particularly to communal forests, producing distinct gendered consequences. This—coupled with the fact that both private and communal land titling have not been implemented uniformly across the country—exposes the complex interactions between market-friendly land reforms, agricultural commercialization, and gendered political economy. This firstly shows that the agrarian transition accompanying LSLAs in Cambodia is refracted through gendered power relations determining access, entitlement, and roles in production. Secondly, these complex interactions indicate that such relationships are further mediated by structures of power such as indigeneity and class relations, as well as local histories of land use and production. In this article, by contrasting experiences from two provinces, both comprised of distinct groups of indigenous minorities, varied in histories of land use, and patterns of migration and land commercialization, I discuss the commonalities and variances in gendered experiences.

This article is structured as follows. The next section presents the methods used in this study. Following this, I provide a discussion on the gendered dimensions of the 2001 Land Law, highlighting two key elements—first, the provision of joint titling in households and second, the transformed access to “the commons”—enacted by these reforms. Taking these two aspects as the starting point of my discussion, I turn to feminist writing in the fields of critical agrarian studies and political ecology to disentangle gendered questions at stake in discussions on joint titling, communally accessed forests, and large-scale land acquisitions. Finally, I use data from qualitative interviews conducted in Kratié and Ratanakiri to sketch gendered experiences of land commercialization driven by privatization of land and large-scale land acquisitions.

## Methods

This article draws on qualitative interviews conducted over multiple field visits to Ratanakiri and Kratié provinces in northeast Cambodia in 2015, 2016 and 2017. I visited these areas with a group of Cambodian researchers working for a non-governmental organization (NGO) as part of a larger research project studying the relationship between gender, land commercialization and food security.<sup>1</sup> During

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1 The project, titled DEMETER (*Droits et Egalité pour une Meilleure Economie de la Terre*), is based in universities and NGOs in Switzerland, Ghana and Cambodia. For further information see: <https://r4d-demeter.info/>.

the period of our research, political sensitivities over land grabbing were heightened. As forced evictions and other human rights violations linked to land grabbing in the country gained national and global visibility (see for example United Nations Human Rights Council 2012), the ruling Cambodian People's Party (CPP) government was increasingly concerned by the role of civil society organizations in highlighting the regime's egregious role in enabling dispossession (LICADHO 2016; 2020). Rising political tensions necessitated attentiveness to boundaries for our research—both with respect to areas we could visit and the questions we could ask our interlocuters concerning their experiences of dispossession. As a non-Cambodian Asian woman employed by a university in Europe, I was also aware that my presence invited additional curiosity and risks of surveillance during field research. In response to some of these issues, our research team chose to work in villages where my Cambodian colleagues had longstanding research links and felt secure conducting interviews. Additionally, to protect the identity of our interlocuters, the names of respondents and villages we visited are not mentioned in this article.

With the help of interpreters in Khmer and indigenous languages, I conducted 72 semi-structured interviews in Kratié and Ratanakiri, in a total of 14 villages, 7 in each province. Table 1 summarizes information on research participants. As the article discusses later, the dynamics of land dispossession and land commercialization are linked with the politics of migration, while ethnic divides overlap with class and gender to produce different patterns of access to land.

In each village, I first spoke at length to community leaders and village chiefs, before approaching households for interviews. Household research participants were selected through a combination of purposive and snowball sampling techniques. My interviews were based on a semi-structured interview guide that touched upon diverse issues relating to livelihoods, resistance against land concessions and gendered relations in households and communities. These interviews were later transcribed and coded using the qualitative data analysis software Nvivo 11. My coding protocol included a mix of inductive and deductive methods. Following an initial round of coding, the categories and codes that emerged became the foundations upon which I performed subsequent rounds of coding. Since the interviews were carried out over repeated field visits to the same locations, coding and data generation were integrated processes.



**Table 1. Summary information on interviewees**

Ethnic group	Number and percentage of interviews by province and sex								
	Kratie			Ratanakiri			TOTAL		
	Female	Male	TOTAL	Female	Male	TOTAL	Female	Male	TOTAL
<b>Charai</b>				16	12	28	16	12	28
<b>Khmer</b>	5	5	10	2	1	3	7	6	13
<b>Khmer Islam</b>	5		5				5		5
<b>Stieng</b>	10	4	14				10	4	14
<b>Tampun</b>				5	7	12	5	7	12
<b>TOTAL</b>	20	9	29	23	20	43	43	29	72

## Gendered dimensions of land acquisitions: Rights, access, and livelihoods

This study is centered on a question raised in several inquiries on gender and development: How have women's property rights and access to land been transformed in relation to large-scale land acquisitions and other market-oriented reforms? To answer this question, in this section I first present a background on the Cambodian land reforms in the twenty-first century. Following this, I discuss insights from feminist studies on land rights and dispossession and connect these to Cambodia-specific literature pertaining to land rights.

### Background: Cambodia's land in the twenty-first century

The restructuring of property rights was a key feature of Cambodia's transition to a neoliberal, free-market economy in the 1990s from the socialist regimes that previously ruled the country. Under the brutal Khmer Rouge regime (1975–1979), private property was abolished, and agriculture was collectivized. Following the Vietnamese intervention, which established the People's Republic of Kampuchea (PRK) between 1979 and 1989, collectivization of agriculture continued under the *krom samaki* (meaning "solidarity group") system, where groups of 10–15 families used land, agricultural equipment, and animals collectively (Diepart 2015, 10).

After reintroducing private property rights in the 1990s, the Cambodian government created a comprehensive legal framework for land ownership, underpinned by the ideologies of market-oriented development, in 2001. Drawing on colonial law developed during the French protectorate in Cambodia (1862–1941), the 2001 Land Law recognizes three main categories of land: state land (divided into two sub-categories: state public land and state private land), private land, and communal land, including the collective ownership rights of indigenous peoples.

Under Article 59 of the 2001 Land Law, the state is allowed to lease land to private individuals or business entities as ELCs on state-held private land for 99 years.<sup>2</sup> Breaking from preceding property laws in the country (such as the 1992 Land Law), the 2001 Land Law put an end to possession rights based on occupation i.e. usufructuary rights to land for those cultivating crops as a source of livelihood. This meant that the customary practice of clearing land and using it for agriculture, which bestowed ownership rights on users, was disallowed from 2001 onwards (Diepart 2015, 16).

The clash between these two facets of the 2001 Land Law, i.e., the changing legal implications of customary land-use practices and the legalization of large-scale concessions on agricultural and forest lands in the form of ELCs, has since become the center of political contention over land in Cambodia. Given the lack of transparency in ELC allocation, these concessions have largely served as instruments of state patronage to the CPP's business and political allies. Not only have ELCs openly violated the laws and regulations under which they were to be governed (Un and So 2009), rural households have often laid claim to several parts of the lands granted as ELCs.

The lack of transparency in allotting ELCs, matched with the failure of various land titling processes, further aggravated land conflicts. Programs such as the multi-donor funded Land Management and Administration Project (LMAP), and the Land Administration Sub-Sector Program (LASSP), were both mired in controversies and effectively failed to ensure equitable and even access to land titles for existing land users. The complicated processes of registering and titling land in the country mean that most smallholders affected by such overlaps did not have official documentation or measurements of their plots (So 2009, 117, 183). This led to forced evictions, dispossession and other human rights violations against smallholders across the country (United Nations Human Rights Council 2012). Civil society groups estimate that between 2000 and 2015, more than 830,000 Cambodians were affected by land grabbing (FIDH 2015). In 2012, it was estimated that 2.1 million hectares of land, more than half the arable land in the country, had been granted as ELCs to Cambodian and foreign companies.

An important gendered dimension of the 2001 Land Law concerns the provision of joint titling for women and men. This aspect of the 2001 Land Law did not represent a major break from historically established customary practices wherein Khmer and indigenous women in Cambodia possessed the right to inherit property and retain it after divorce (Mehrvar and Chhay 2008). According to a survey conducted by the government's Ministry of Planning and Ministry of Health, 54 percent of Cambodian women are estimated to be landowners and in rural areas 37 percent of women hold land through joint ownership (National Institute of

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2 Under the same law, SLCs were also established. SLCs were intended to enable landless and poor people and groups including veterans and persons with disabilities to access housing and farming land (Neef, Touch, and Chiengthong 2013).

Statistics, Directorate General for Health, and ICF International 2014, 246–47). At the same time, it is important to note that tenure security—in the form of access to official land titles—remains fragile in the country. It is estimated that more than two million landowners do not have land titles in Cambodia (ANGOC and Land Watch Asia 2019, 25).

In June 2012, as conflicts over land were at their height, Cambodia’s Prime Minister Hun Sen declared a moratorium on granting ELCs—a measure that is still in force. Simultaneously, he announced a rapid titling policy ostensibly aimed at ending conflicts between peasants and concessionaires called Order 01, also known as the “Leopard Skin” policy (Milne 2013).<sup>3</sup> This much-publicized measure, implemented prior to a closely contested national election, sought to “return” disputed lands (putatively 1.8 million hectares) to smallholder farmers. Studies have found that Order 01 was not only unevenly implemented—meaning that many smallholders involved in disputes did not receive land titles (Grimsditch and Schonenburger 2015)—but also opened up new exclusions and displacements in the course of its operation (Work and Beban 2016). Following the general election, land titling under Order 01 was suspended.

### **Feminist perspectives on land rights**

Women’s access to land and its significance in empowering their positions in both farming processes and intra-household decision-making has been a longstanding feminist concern. But while mainstream development discourses have more unequivocally embraced the agenda of promoting women’s land rights (World Bank, FAO, and IFAD 2009, 125–27; FAO, IFAD, and ILO 2010, 89), some feminist scholars remain apprehensive of “one-size-fits-all gender and development prescriptions that still advocate a blanket policy of ensuring women’s land access through titling” (Razavi 2003, 6). In this regard, feminists have debated the centrality of land ownership for ensuring gender equality (see for e.g. Jackson 2003). While some view joint land titling as problematic for women because control over property continues to be tied to their conjugal status (Agarwal 2003), others point out that individual titling does not circumvent the problem of patriarchal structures outside the household, as women accessing individual titles in certain cases may be met with social disapproval and discrimination (Walker 2003). Scholars have also demonstrated how colonial and modern attempts at overhauling customary land tenure arrangements and introducing individual land titling have restricted women’s claims on land that were stronger under the previous system (Whitehead and Tsikata 2003). Overall, there seems to be a consensus that possession of a title (joint or individual) under (formal or

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3 The Prime Minister’s 2012 rapid land titling campaign was evocatively dubbed the “Leopard Skin” (*sbaik klar*) policy, conjuring an image of the agrarian landscape where small farms resemble proverbial leopards’ spots surrounded by large tracts of concession territories.

customary) land tenure arrangements is only one step towards ensuring gender equity in agrarian economies (Razavi 2003, 21).

In Cambodia, the limitations of linking land titles to marital status have been noted. Firstly, while divorce and separation are common practices and are permitted under customary law, registering both marriage and divorce with local authorities is uncommon among rural households (Mehrvar and Chhay 2008). As a result, in cases of separation/divorce between couples, joint titles may impose an additional complication and in some cases tenure insecurity for ex-spouses, since changing legal documentation of ownership is often too costly and tedious for poor households. Baaz et al. found that “while de facto marriages were acknowledged, de facto separations were not” (Baaz, Lilja, and Ostlund 2017, 217), implying that even where women did not want their partners’ names included on the land titles, they may be pressured by local authorities to include them.

As natural resources in agrarian societies are accessed in gendered terms, studies also highlight that the loss of such resources is also experienced differently by women and men. Michael Levien’s (2017) comparative study of gendered impacts of dispossessions in five cases in varied geographical and historical contexts finds that due to women’s higher dependence on common resources, the enclosure of commons hurts women’s livelihoods more than men’s. He also finds that women’s labor was marginalized or increasingly exploited, contingent on the economic opportunities that replaced dispossessions; but in both situations, patriarchal social relations were strengthened (Levien, 2017, p. 19). In the context of global land grabs, scholars argue that when common resources are targeted by investors, women are more likely to be affected by these transactions (Daley and Pallas 2014; Tsikata and Yaro 2014). For example, in Southeast Asia, a study on the indigenous Dayak Hibun community in Indonesia, where smallholder farmers gave up their land (under customary tenure) to an oil palm plantation company in exchange for access to smallholder plots, found that “modernization has been accompanied by masculinization of ownership and access to resources” (Ben and Julia White 2012, 1013–14). In this case, the loss of access to forest resources for food and income-generating activities, such as basket weaving for women, were not replaced with more sustainable or lucrative livelihoods (Ben and Julia White 2012, 1011).

In Cambodia, studies have parallelly shown how changing access to communal resources due to large-scale land acquisitions and privatization has produced distinctly gendered impacts. Studies among indigenous communities in Ratanakiri—where communally managed forests formed the basis of agrarian livelihoods until the 1990s—have shown how gender division of labor is transformed in the wake of land commercialization (Joshi 2020) and “women’s identity, status and autonomy as agriculturalists are eroded” (Park and Maffii 2017, 16). In lowland Cambodia, gender roles have also transformed due to the disappearance of forests. Women as food providers are now dependent on markets

to fulfil their households' dietary needs—a change that relates both to their food security and their decision-making roles in households (Reysoo and Suon 2017).

While feminist perspectives in agrarian studies often reveal differential impacts along gender lines, scholars like Razavi (2003) urge us to consider the locally specific ways in which gender shapes macro-structural changes such as agricultural policies and land reforms. In this regard, it is important to ground gender analyses in local histories of production and ownership, as well as to understand gender as intersecting with other hierarchical social relations. For instance, in the discussion on LSLAs, Elmhirst et al. (2017) draw on feminist political ecology to propose a conjectural and intersectional approach. They argue that gendered dimensions of land grabbing—in fields such as employment, decision-making, labor arrangements and access to and control of land—are shaped by agro-ecological, historical, cultural, and political contexts as well as other markers of social identity such as age, marital status, ethnicity, and class. Their study on oil palm plantations in Indonesia reveals that different modalities of incorporation and resistance to oil palm production are shaped by contrasting socio-ecological histories and in turn influence “gender relations around resource access” (Elmhirst et al. 2017, 1137).

The feminist interventions discussed above highlight that women's livelihoods are dependent on a variety of sources, private as well as communally held (Razavi 2003, 29). The question of how access to common resources vs. private resources was transformed through the changing configuration of property relations is thus an important axis on which the gender dimensions of the 2001 Land Law can be perceived. At the same time, feminist political ecology perspectives demonstrate how even within a single country context, variation in agro-ecological and historical factors such as patterns of land use and migration, and other axes of power/difference such as race and ethnic identity inflect gendered experiences. In this way, we can expect the reforms under the 2001 Land Law in Cambodia and ELCs to produce multiple gendered subjectivities that are situated in their local histories and shaped by intersecting identities.

## **Gendered experiences of agrarian change in northeast Cambodia**

### **Kratié and Ratanakiri: Contrasting local contexts**

Situated in the northeast of the country, the two provinces studied in this article, Kratié and Ratanakiri, bordering Vietnam, are characterized by the presence of indigenous communities. The rich, red soil found in these provinces has made them major targets for large-scale agricultural concessions, particularly for rubber production. In both provinces, the villages I visited between 2015 and 2017 have been directly affected by ELCs in the last 10 to 15 years.

According to government sources, 30 large-scale and 19 small-scale ELCs were registered in Kratié as of 30 December 2010, covering 22 percent of the province's

territory (Neef, Touch, and Chiengthong 2013)<sup>4</sup>. Snuol district in Kratié, from whence data for this article was generated, is among the districts with the highest numbers of land concessions in the country (Schoenberger 2017) and has thereby also become a site for increased political contention over land. In Snuol, I visited villages comprised of indigenous Stieng populations and Khmer migrants, including one settlement of a Muslim minority community known as “Khmer Islam.”

Ratanakiri is home to the largest population of indigenous people in the country (National Institute of Statistics, Ministry of Planning 2013). Indigenous populations in Ratanakiri traditionally practiced a shifting form of cultivation until the mid-1990s (Bourdier 2009). With dense forest cover found in the highland region of Ratanakiri, non-timber forest products (NTFP) were also an important source of households’ livelihoods. As of 2012, Ratanakiri had 22 ELCs, of which 18 used rubber as the main or sole investment crop (Gironde and Senties Portilla 2015). I visited two of Ratanakiri’s easternmost districts, Andong Meas and O’Yadav.

In both provinces, ELCs have been the source of conflict between local populations that lost access to agricultural land and/or communal access to forests on the one hand, and the government, and ELC-holding companies on the other. Figure 1 presents a national map of Cambodia displaying the prevalence of land concessions in Kratié and Ratanakiri provinces.

All the villages studied in this article have faced conflicts with ELCs in the last five to seven years, resulting in the loss of agricultural and/or forest land. Among the households interviewed, 15 stated that they owned no agricultural land. These households were entirely dependent on wage labor, small-scale businesses, or environmental incomes for their livelihoods. Aside from these landless households, many households interviewed owned between 1 and 5 hectares of land.

Patterns of smallholder migration have also resulted in growing pressure on land in north-eastern Cambodia in the last decade. In the years following the 2001 Land Law, the movement of communities from the land-scarce, lowland central plain areas to the forested provinces in the northeastern and northwestern parts of the country (Diepart 2015, 19) have had a lasting impact on these provinces’ indigenous populations. In Kratié and Ratanakiri provinces, both characterized by sizable indigenous populations, the concession boom was accompanied by an increased inflow of Khmer migrants, speculative land markets and illegal clearing of forested land (Baird 2014; Ironside 2013, 261). Between 1998 and 2008, Kratié and Ratanakiri’s populations grew by 1.93 percent and 4.67 percent respectively, while Cambodia’s average national growth rate for this period stood at 1.54 percent (National Institute of Statistics, Ministry of Planning 2013, 17).

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4 The lack of more recent, publicly available figures on land concessions in Cambodia is related to, and indeed indicative of, the illegality, controversy, and political tensions over land governance in the country.



Contrasting patterns of migration and land access also carry important gendered implications, particularly in the realm of inheritance and marriage practices. In Ratanakiri, our Charai and Tampun interviewees spoke of inter-marriage between Khmer men and indigenous women as a driver of land dispossession, arguing that migrant Khmer men were marrying indigenous women to take over the land these women received through inheritance (field notes, 2015). One respondent in Ratanakiri mentioned:

My mother just shares the land so that I can work on it. She dare not transfer land to me because I got married to a Khmer man. She is afraid that my husband would leave and sell the land. (Woman, 25, Charai, Ratanakiri, 2020)<sup>5</sup>

Traditionally, Charai and Tampun communities are matrilineal clans, where valuable assets and land are inherited by female descendants, with the youngest daughter usually inheriting the family home (Bourdier 2009). In both groups, marriages are not arranged and both women and men have the right to choose their own spouse. In this regard, we see that in the statement above, increasing pressure on land and suspicion over Khmer migration into Ratanakiri has an impact on indigenous women's customary rights to land through inheritance and their freedom to choose a spouse (see also FAO 2019). In Kratié province, where there is a longer history of migration from lowland areas, inter-marriage among Khmer and indigenous Stieng groups is more common and less contested.

### **Gendered access to land**

The status of land titling in the villages I visited in Kratié and Ratanakiri was highly uneven. Systematic land titling has never occurred in these areas and only some parts of the districts received land titles under Order 01. In both Snoul and O'Yadav, our interviewees recounted that those areas facing conflict with ELCs were not accorded titles and, in some cases, villagers received titles only for their house plots, but not their farming lands. Access to land titles during Order 01, according to some villagers in Snoul, was politically motivated.

The side of the village where soldiers, the village head and the police had land conflicts with the ELC received titles. My land was situated in an area where poor people had their plots, so I didn't get a land title. (Man, Stieng, 50s, Kratié, September 2016)

In Andong Meas in Ratanakiri, most households did not have land titles due to ongoing conflicts with Vietnamese rubber companies. Women in these households stated that they would like to have land titles to protect their lands from the company or "rich people from the city" that may lay claim to them. In this way, class and political connections are thus significant features determining access to land titles for inhabitants in the villages I visited. Here, women's lack of political

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<sup>5</sup> Interview data, DEMETER 2020. This interview was conducted as a follow-up visit to the same villages by members of the DEMETER project.



and social capital marked their inability to secure their lands. In an interview with a recently separated single mother, she said that obtaining a land title meant negotiating webs of patronage.

I want to get a land title, but I don't know how much it costs to ask the village head. If officials ask me for extra money, I wouldn't be able to pay it. (Woman, Charai, 30s, Ratanakiri, August 2016)

The value of official documentation is also significantly linked to access to microfinance loans, which are frequently collateralized by land titles in rural Cambodia. Several micro-finance institutions (MFIs) were active in the areas we visited, and our household interviewees indicated that they accessed loans. In this regard, cycles of indebtedness and land repossession that increasingly characterize Cambodia's agrarian landscape due to a largely unregulated microfinance sector (see LICADHO 2019) were a palpable source of stress and coercive land sales for households in our study areas.

Class differences based on land ownership played an important role in determining the need for microfinance. Women in households with medium to large farming plots (5–10 hectares) and those with smaller plots (<5 hectares) presented contrasting reasons for borrowing from MFIs. Those in the former category stated that they accessed MFI loans to hire labor, while for poorer women access to loans was the only means of buying food during the “lean season” of the agricultural cycle. Unlike previous periods where land—both privately cultivated and communally accessed—was a source of food for households, commercial crop production, land commodification and the enclosure of the commons have transformed the role land plays in ensuring social reproduction. Instead, we see that for the poorest households in Cambodia land's value is increasingly borne against microfinance debt to match the increasing cost of food and the social reproduction of the household under agrarian commercialization (Green 2020).

While women from indigenous households in both provinces cited inheritance as the main means of accessing land, what was also evident was that in many cases women were not equally involved in decision making on cropping and land sales. In Ratanakiri women in seven landless households attributed their situation to distressed land sales made by their husbands due to gambling. A woman whose ex-husband (a Khmer man) sold the land she had inherited from her parents recounted:

I didn't want to sell my land. But people my ex-husband lost money to kept coming to my house. I was forced to sell the land because there was no way out. (Woman, Tampun, 20s, Ratanakiri, 16 August 2016)

Such narratives suggest that land ownership in the form of jointly or individually held property, in and of itself, does not ensure women's control or decision-making ability. We see through examples of distressed sales relating to gambling how unequal gendered power relations within households, shaped by the intersecting

categories of class and ethnic difference, come into sharp focus as land value is more tightly linked to circuits of exchange.

### **Gender and wage labor activities**

The women I met in both provinces emphasized that owning land was an essential component for ensuring their livelihoods. The preference for farming one's own land rather than being employed on a farm belonging to others was common among the women we met. A crucial reason for this is the difficulty of managing wage work and domestic responsibilities, particularly childcare. The preference for farming and wage labor activities was also reiterated by male respondents. The inherent inequality of wage labor arrangements instead of doing one's own farming was an important concern. As an elderly respondent from the indigenous Charai community observed:

When we sell our labor, the person with the farm gains the most and I just get some small change. (Man, Charai, 50s, Ratanakiri, 17th August 2016)

In cassava farms, women and men receive \$5 USD per day as wage laborers. However, more lucrative non-farm jobs such as construction work and transport are reserved for men. Jobs in the ELCs surrounding the villages I visited were also limited. According to the villagers in both provinces, companies managing ELCs hire Khmer migrant workers from the lowlands and from across the border in Vietnam to work on their plantations. The migrant Khmer workers (male) that had previously worked as full-time employees of the ELCs described working conditions and wages as sub-optimal. A young man in Kratié said that he received around \$110 USD per month for planting, weeding, and watering in a rubber plantation ELC, but these wages were not enough for him to support a family once he was married. "Even after working four years at the company, I didn't save any money," he commented (Khmer man and Stieng woman, 20s, Kratié 19th September 2016).

On rubber plantations, the more lucrative rubber tapping jobs (paid around \$230 USD per month in Kratié) were challenging, because they involved working from midnight to the early morning, which according to employers was the best time to tap rubber trees. These timings also mean that women are largely not hired for these tasks due to concerns for their security. Such practices suggest that gender importantly shapes access to income-generating activities created through large-scale land acquisitions. The narratives above indicate that higher paying jobs at rubber plantations are *de facto* "men's jobs" as women bear the brunt of the potential threat of gender-based violence in the workplace.

Among the indigenous communities, there are clear gender differences in seeking business or wage labor opportunities outside the village. Indigenous men in both Kratié and Ratanakiri, particularly younger men, are typically more likely to find wage labor and business opportunities in neighboring villages and district centers, while women cited their lack of education and language skills as problems when

interacting with Khmer-speaking migrants. In contrast, Khmer women migrants in villages in Ratanakiri that operate small businesses did not cite gender-based challenges in their interactions with indigenous “outsiders” (Khmer woman, 30s, Ratanakiri, 14<sup>th</sup> August 2015). Overall, while both Khmer and indigenous men predominantly access lucrative jobs in the district centers, including small government jobs, businesses or services, the perception that Khmer migrants have higher skills and access to social and financial capital to secure such jobs was commonplace.

Migrating for work outside the province is not practiced at all among both men and women in the villages studied in Ratanakiri. A young woman interviewee who mentioned that though her family was in serious need of more income, the option of migrating for work was too risky because she feared being trafficked for sex work (Charai woman, 20s, Ratanakiri, 12th August 2015). In Kratié, where there has been a greater exposure to Khmer migration, several indigenous Stieng women and men in the villages studied have travelled outside the province to seek factory jobs in Phnom Penh or in neighboring Thailand.

### **Changing access to forests**

Given the expansion of ELCs in the areas I visited, lack of access to forestry has been a major feature of transforming livelihoods. Differences in access to food has been the most significant consequence of losing access to forests.

Our biggest expense is food. When we lived in this village earlier, we had enough to eat because of the forest. The quality of the rice was also better then. We didn't need to buy food in the market. (Woman, Tampun, 60s, Ratanakiri, August 2016)

In villages that successfully fought back against concessions granted on forested lands, “community forestry” or locally managed forested areas continue to provide an important source of income from NTFP, particularly for women. In Kratié, women mentioned collecting wood from their community forest and selling it as charcoal in the district center market as an extra source of income. However, community forestry only served a purpose when it was located within walking distance of the village. Women in O'Yadav, Ratanakiri mentioned that because of domestic responsibilities and lack of access to household motorcycles (which were mostly used by men), they were unable to go to community forests in neighboring villages or districts. With the transformation of the agrarian landscape, the remaining pockets of communal lands for household food requirements thus do little to help the daily social reproductive work of women in such cases.

During my interviews, I found that the view that maintaining communally managed forests is beneficial for the village was alluded to in several interviews but was by no means uniform. The increasing need for cash has made timber extraction a lucrative activity for some villagers. In four villages in Kratié, young men in their 20s and 30s, particularly in households that had lost (partial or entire)

access to their farm lands due to ELCs, mentioned illegal logging of neighboring forests or in other provinces as an important source of additional income for their families. As one village chief from a Stieng community argued:

We cannot blame anyone [for cutting down the forest]. Those that dared to cut the forest, got land [...] If we didn't do it, someone else would have. Then, they will have land, and we would be laborers. (Man, Stieng, 60s, Kratié, 21 September 2016)

## Conclusion

In this article I have discussed the gendered implications of the increasing commercialization of land and agriculture, with a focus on the tensions between access and property, entitlement, and dispossession. Based on interviews conducted with rural women and men in land concession affected areas in Kratié and Ratanakiri provinces, I found that access to land titles is uneven. This uneven access, alongside the orders of legitimation in the form of “hard” or “soft” land titles, reflects the ways in which claims on land are enmeshed in webs of power, wherein gendered hierarchies further fracture women’s access. Such hierarchies, as I have shown, are significantly textured by ethnic and class differences, which further shape the power relations that determine access to and use of land.

Accessing a land title or legitimation of ownership is a process mediated by capital—economic, political and social—which in turn affects the potential to benefit from farmland, as well as other livelihood resources such as micro-finance loans. As Sikor and Lund assert: “property relates to authority because property claims require support by politico-legal institutions in a position of authority” (Sikor and Lund 2009, 9). Viewed from a gender perspective, women’s claims on land must also be viewed in relation to their access to politico-legal authority. Secondly, the examples of distressed land sales made by women’s spouses highlight the importance of access control, which is also a form of contestation over meanings and values of resources (Ribot and Peluso 2003, 159). Patriarchal relations within the household, as feminists have long argued, are an important site for such contestation (Agarwal 1997) and evidently mediate control over resources.

For households dispossessed of land, where their claims on land lost out to competing claims made by the state or private companies, wage labor and environmental incomes are salient. However, access to both these resources is also mediated by hierarchies, capital and conflicting interests. Gendered patterns of access to wage labor demonstrate that women earn less and must balance such jobs with unpaid care work, which is not always feasible. This confirms patterns seen in other contexts, where loss of livelihoods from common resources were not equally replaced by wage labor or non-farm incomes for men and women. Income from forestry continues to play an important role in supporting rural women’s livelihoods in some areas, particularly for food and sometimes extra cash. However, masculinized activities such as illegal logging and clearing of forests are

also embroiled in claims over natural resources and are at loggerheads with preserving forests for communal use. These examples help highlight that the 2001 Land Law in Cambodia therefore not only changed the structures of property and entitlement but also the value, meaning and control over resources. Understanding the gendered consequences of the 2001 Land Law by studying gendered experiences therefore ultimately speaks to questions of whose interests, whose claims and whose power shapes access, ownership, and control.

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**Refereed article**

## **At the Capitalist Frontier: Changing the Riverine Ethnic Identity in Central Kalimantan**

Siti Maimunah

### **Summary**

Ethnic identity has long been a contested issue in Kalimantan, the home island of the Dayak in Indonesia. This paper draws on fieldwork in a Dayak Murung village to trace the evolution of Dayak ethnic identity – understood as a process of transformation through encounter – in response to successive waves of territorialisation for the purposes of resource extraction, as occurring from the Dutch colonial period to the present day. I use the concept of ‘frontier assemblages’ to explore the process of transforming ‘wilderness’ to extractive landscapes and simplifying the meaning and value within the space. In the frontier landscape, encounters with the globalised commodity economy, state territorialisation, colonial and state-imposed changes to religious beliefs and practices, and changing riverine landscapes are all reconfiguring Dayak Murung identities and undermining their traditional cosmology. Political decentralisation – which had seemed to offer a way forwards for a broader-based ethnic political mobilisation around the key issue of access to resources – is used by the Dayak elite to consolidate their power. Using feminist Political Ecology, the paper uncovers the complex interplay of power relations between state actors, the extractive companies and local elites. Therewith it explores the intersectionality of Dayak Murung everyday resistance, especially how those concerned contest and subvert the dominant extractivist powers.

**Keywords:** ethnicity, frontier, extractivism, coal, resistance, feminist political ecology

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## Introduction

Ethnic identity has long been a contested issue in Kalimantan, the home island of the Dayak ethnic group in Indonesia. The province of Central Kalimantan was created in 1957, carved out of the existing province of South Kalimantan in order to give the Dayak in Kalimantan a home (Klinken 2006, 27). Similarly with Kaharingan as spirituality, the worldview of the Dayak – as embedded in their ethnicity and customs – is an arena of contestation in dealing with the oppression of the state regarding the local religion under authoritarian governments. It was strategically categorised by the Indonesian government as an offshoot of Hinduism, and as such is commonly referred to as ‘Hindu Kaharingan’ (Baier 2007, 173). However, the reconfiguration of ethnic identity is intertwined with political economy and landscape change over time.

Ethnicity assumed a more prominent role in national life and political discourse after the fall of Soeharto, and, specifically in 1999, involved the transfer of power to the provincial and district levels. In Central Kalimantan, Dayak elites demanded that the governor of the province should be a Dayak (Aspinall 2011, 298). This goal was achieved when Agustin Teras Narang, a Ngaju Dayak, was elected governor for the period 2005–2015. Also, in response to pressure from local Dayak elites, Murung Raya was created as a new ‘Dayak’ district, separate from North Barito District (of which it had been a part).

This paper explores evolving ethnic identity in Central Kalimantan in the context of changing economy and frontier landscapes, opening up areas of natural-resource exploitation for the global market. This has entailed an ongoing process of state territorialisation, whereby customary forest is classified as ‘state forest’. This provides an institutional framework for the state to grant permits for logging, mining and oil-palm plantations, under the guise of development projects. As of December 2018, there are 438 mining concessions in Central Kalimantan (ESDM Propinsi Kalteng 2019). In interview with JATAM, a national leading non-governmental organisation, it was mentioned that there are 215 coal-mining concessions covering a total of 1,517,603 hectares in Central Kalimantan.<sup>1</sup> These extractive concessions grant licence holders rights of control and access over *adat* (‘customary’) forest, in order to dig up sub-bituminous coal to supply global-market demand. Located in the remote upriver landscape and containing an abundance of natural resources, Murung Raya District has become a frontier of resource extraction (Geiger 2009, 33), as a mean of capitalist frontier-making (Tsing 2003, 5100). Since the 1970s, extractive projects promoted as development ones have brought physical infrastructure to the district, transformed the landscape, and accelerated far-reaching social change. Engulfed by the advancing capitalist

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1 Interview on 20 March 2020.

frontier, the lives and identity of the Dayak Murung are becoming ever more interconnected with and dependent on the extractive economy.

The process of decentralisation after 1999 was hoped to strengthen the political voice of Dayak, and was dominated by Dayak elites based in the provincial and district capitals. However, decentralisation also created a new terrain for indigenous people to negotiate and contest access to and control over resources (Henley and Davidson 2008, 833). In 2013, the Indigenous Peoples' Alliance of the Archipelago (Aliansi Masyarakat adat Nusantara, AMAN) won a case filed at the Constitutional Court in Jakarta to review chapters in the Forestry Act No 41/1999 (Rachman and Siscawati 2016, 238). By 'The Constitutional court decision Number 35/PUU-X/2012' (known as 'MK35'), *adat* forests were no longer included in the category of 'state forest'. This ruling recognises indigenous people (Masyarakat Hukum Adat) as rights-holders and indigenous territorial owners (Rachman 2014, 30). In Kalimantan, MK35 became a milestone in the revival of the *adat* organisations which upheld customary laws and strengthened the demand for recognition of *adat* laws and territories. The dominations of elites using ethnic politics made the challenge to *adat* forests' recognition more complex (Aspinal 2011, 291). Still, 'everyday forms of resistance' (Scott 1986, 22) and 'the quiet encroachment of the ordinary' (Bayat 2000, 545) were part of these political struggles over access to resources.

This article draws on ethnographic field research over the period of six months in 2019–2020, when I lived with the Dayak Murung inhabitants of Sungai Murung<sup>2</sup> village in Murung Raya. I use a Feminist Political Ecology (FPE) lens which focusses on human and more-than-human relations alongside the concept of 'frontier assemblages' to explore resource extraction along the Lalang River and how this is shaped by, and contributes to, the reconfiguration of ethnic identity, and vice versa. I start by showing how, historically, frontier-making was driven by colonial expansion, state formation and expanding global demand for commodities. Then, I examine how the Dayak's ethnic identity is bound up with their relations with the river ecosystems, giving rise to what I term 'riverine ethnic identities'. I reflect on how frontier-making and resource extraction are undermining these relations, driving a wedge between humans and the more-than-human in the surrounding natural environment. I describe how the Dayak Murung are deploying their riverine ethnic identity as a 'tool' in the struggle to maintain access to customary forest resources through multidimensional forms of resistance. Thus, I argue, ethnicity is not an inert category but is undergoing a process of transformation through encounter within changing political economy and ecological relations. Ethnicity is one of the core dynamics and the most complex aspect of such frontier assemblages.

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2 The names of the village and the river have been changed for the purposes of anonymity.

## Understanding ethnic-identity configuration and frontier assemblages

Ethnicity in Kalimantan is not a given, nor is it a neutral category of difference. The social origin of the ‘Dayak’ dates from the end of the nineteenth century and is rooted in European colonialism. The colonial authorities coined the term ‘Dayak’ to distinguish non-Muslim people from the interior of Kalimantan from Muslim Malays living in lowland coastal areas (Cleary 1996, 19; Sillander and Alexander 2016, 97). At the beginning they named themselves after the rivers, for example Oloh Kahayan, Kapuas, Barito, Katingan and so on. ‘Oloh’ means ‘people’. ‘Oloh Kahayan’ means ‘people from the Kahayan River area’ (Mahin 2009, 119). In Murung Raya, this custom manifests in the naming of the ‘Murung Dayak’ – which means Dayaks who live in the Murung River watershed. ‘Dayak’ was thus a disparaging term, used by the colonial occupiers to describe people of the interior of Borneo with connotations of backwardness and primitiveness (Grossman et al. 2017, 14).

Three Dayak ethnic groups make up the majority of the population in Murung Raya district: the Murung, who are settled on the banks of rivers; the Siang, who live inland, away from the river (Harrington 2014, 42); and the Bakumpai, who originate from South Kalimantan. Thus, initially the identity of these ethnic groups is determined by their place of origin. The social relations among Dayaks are moulded by their relations to nature, meaning rivers and forests, through the co-configuration of local customs and belief practices, settlement patterns and livelihood strategies. In the contemporary world, Dayaks are encountering changes in political economy and landscape. This gives rise to a diversity which belies the simplistic labelling of all these different ethnic groups as ‘Dayak’. Thus, ‘ethnicity is a process of transformation through encounter’ (Sillander 2016, 113) which encompasses political, social, cultural and psychological dimensions (Brubaker 2002, 167). In this sense, ethnic identity in Kalimantan (as elsewhere) can only be understood to result from processes from ‘above’ and ‘below’. What happens at the micro level is as important for the configuration of ethnic identity as the broader political context (Brubaker 2002, 170; Sillander 2016, 113).

I use, as noted, the concept of frontier assemblages (Cons and Eilenberg 2019, 11) to understand events and processes which have shaped the reconfiguration of Dayak ethnicity since colonial times and continue to do so in contemporary Indonesia. I explore frontier-making across time and place as ‘a process of radically simplifying the meanings of a space to, primarily, the things valued within it. This simplification implies that the relationship between resources and spaces is anything but incidental’ (Cons and Eilenberg 2019, 12). I examine the materiality, actors, cultural logics, spatial dynamics, ecologies and political-economic processes finding themselves intertwined in the production of particular places – each with its own unique characteristics – on the resource frontier (Cons and Eilenberg 2019, 2). What Tsing (2003) calls the ‘capitalist frontier’ transforms

wilderness into a productive landscape, taking advantage of this ‘opening full of promise’ for states, extractive companies and interested actors. Under the capitalist frontier, landscape change is intertwined with the reconfiguration of ethnic identity.

Finally, in examining the power relations entangled and imposed in the process of frontier assemblages and the reconfiguration of ethnicity, I adopt the concerns of FPE to consider how the changes to the landscape and relations between humans and the more-than-human are also affecting gender relations, understood as intersecting with other aspects of social identity (Crenshaw 1991; Elmhirst 2015; Colfer et al. 2018). In focussing on the political significance of the mundane actions of people’s everyday lives (Jenkins 2017; Mollett 2017; Jonsson et al. 2021), FPE also directs attention to the ways in which indigenous people live around the forest and how they are resisting encroachment on their rights of access and control (Rachman and Siscawati 2016, 233). These multidimensional forms of everyday resistance (Scott 1986; Johanson and Vintangen 2014) include a form of the aforementioned quiet encroachment of the ordinary as a subaltern urban politic in a globalising world. Brought together, these conceptual frameworks provide the tools for understanding the complex interplay of power relations between actors and extractive companies, and enable exploration of how the Dayak Murung, in their intersectional relations, incorporate everyday resistance so as to contest and subvert the dominant powers of extractivism.

## From colonial to capitalist frontier

Remoteness is a key feature of frontier landscapes (Geiger 2009, 3), as is the case in Murung Raya – where the journey from the provincial capital Palangka Raya to the Lalang River can take more than 15 hours, and requires three different modes of transport. In frontier landscapes, geographical remoteness is combined with economic potential for human exploitation (Geiger 2009, 8; Cons and Eilenberg 2019, 12). Roads are signifiers of frontier-making, simultaneously reducing remoteness and making the landscape accessible for exploitation. In Murung Raya, an 80-kilometre-long road serves as a spectacular symbol of development and accumulation used for transporting logs and coal onwards, opening up marginal lands to various forms of extraction and control (Choi 2019, 147).

Frontier assemblages are dynamic. In Murung Raya, *adat* forests were first transformed into the family holding of rubber plantations, then to the logging concessions. The rivers were places of livelihood, but now equipped to serve their new function as a means of transporting logs. Today, only a few of these logging concessions remain in operation. In November 2020, I visited a family who are charged with maintaining an abandoned log pond and taking care of the old, decay-heavy, rusty logging machines. All the property is still owned by the logging company; it has now left the area, however, and moved to another district. Now this area is surrounded by mining concessions. I see these relics of bygone resource

extraction as markers of stop and expand, and evidence of the permanent reconfiguration of the frontier landscape (Geiger 2009; Rasmussen and Lund 2017, 13).

As the above example illustrates, frontier landscapes are spaces under ‘overlapping rule’ (Cons and Eilenberg 2019, 15), where multiple interests intervene and compete for control – a process which is steered by the intervention of the state. In 1967, at the start of the Soeharto regime, the Indonesian state passed a series of laws designed to centralise power and boost economic growth, including the Foreign Investment Act 1967, Forestry Act 1967 (later replaced by the Forestry Act 1999); Mining Act 1967 (replaced by the Mining and Coal Act 2009, and the Mining and Coal Act 2020) and National Investment Act 1968. These acts reclassified *adat* forests as state forest and gave the state the power to grant concessions for extraction of timber or coal from areas of customary forest. These concessions authorised private companies to exclude and displace indigenous peoples from these areas, through the process known in Indonesia as *negaraisasi* (‘state-isation’) (Rachman 2014, 29). *Adat* forests were transformed into what Vandergeest and Peluso call ‘political forests’ (1995, 2015), as part of efforts by the Indonesian state to promote the territorialisation of all forest lands.

Political forests and territorialisation are not new phenomena in Indonesia. In 1870, the colonial Dutch East Indies published the ‘Domain Verklaring’, which established the principle that all land in the colony without proven ownership rights belonged to the state (Henley and Davidson 2008; Hauser-Schäublin 2013; Van Vollenhoven 2013). The colonial government acknowledged the existence of *adat* forests and law (*adat rechtskringen*), but these were not considered to confer property rights and were subservient to the Western law enshrined in the Civil Code. Thus indigenous inhabitants had no legal defence when their land was taken from them to meet the global-market demand for spices and agricultural products towards the end of the nineteenth century (De Jong et al. 2017, 333). The village head of Sungai Murung village told a story from his grandfather about how rubber trees were introduced to the area by Dutch officials (March 2019). Around the turn of the century, these officials came to the village and ordered the community to cultivate rubber in the forest alongside the Lalang and Murung Rivers. Rubber as a socionatural commodity (Peluso 2012, 18) subsequently became established as a successful commercial crop in the area. It was widely planted after Indonesia’s independence in 1945, and continues to be cultivated by local farmers alongside fruit trees in forest gardens (i.e. mixed agroforestry plots) known as *kebun*, where a few more than 50-years-old rubber trees can also still be seen.

The introduction of rubber ushered in profound changes affecting the landscape, economy and lifestyles of local people. Previously the Murung had practised swidden agriculture on plots known as *ladang* and identified themselves as *peladang* (‘smallholders’). With the widespread establishment of family-holder rubber plantations (*kebun karet*), many Murung assumed a dual identity: as

*peladang* but now also as rubber tappers (*pemantat*). These family-holder rubber plantations also introduced land ownership and accumulation into the area, as well as new forms of work discipline, the division of labour and the cash economy, laying the basis for the formation of social classes (Dove 2011, 73–99). To accommodate the rubber plantations, the rotational cycle of the *ladang* was truncated from five-to-seven years to two-to-three, after which the land was given over to rubber cultivation. The subsistence economy based on the *ladang* enabled the rubber-based cash economy to flourish.

Thus rubber was the driver of colonial frontier-making, and the related market was at the core of the first frontier assemblage in Murung Raya, leading to the co-constitution of new ecologies, landscapes, economies and ways of life. However, the colonial frontier shaped the Murung's Dayak identity mainly because the introduction of rubber was accompanied by a forced change in the Murung's belief systems from Kaharingan to Christianity. Sang,<sup>3</sup> the head of the village consultative body (Badan Perwakilan Desa, BPD), recalled how the introduction of rubber came along with the obligation to follow this Western religion – initially as a means of consolidating Dutch rule and overcoming the resistance of Murung leaders. Thus while rubber was transforming the economy and the landscape, Christianity was changing the Murung's imaginary of the world and ushering in new ways through which people related to nature: namely, the earlier-mentioned riverine ethnic identity.

Often commodities have a restricted life cycle (Cons and Eilenberg 2019, 11), but rubber proved very durable and has continued to play an important role in the local economy even into the beginning of the present century. According to Mama Sri,<sup>4</sup> a rubber farmer, the price thereof peaked in 2010, about 65 years after the end of the colonial period. In the postcolonial era, with the logging-industry decline before coal mining's arrival, rubber has been an important source of income. A Murung woman told me of the unforgettable 'golden year' of 2010, when the price of gum rubber was 1.1 euros per kilogram, the best price ever. Everyone was looking for rubber to sell. Using the proceeds of her rubber sales, she was able to take her family on holiday to Jakarta and Central Java. However, the boom was over after only a few months and, since then, the price of rubber has fallen steadily – reaching 0.35 euros per kg in March 2020. The Murung abandoned their rubber trees and *kebun*. Coal mining arrived as the next global commodity to reconfigure the frontier landscape (Rasmussen and Lund 2017, 393).

Coal mining entered the Murung area in the year 2000, and has given impetus to the next round of capitalist frontier-making to serve the global hunger for fossil fuels – when, once again, consumers on the other side of the world remain ignorant of how the resources they consume are 'traumatically produced' (Tsing 2003, 5001). The colonial frontier did not disappear, but was merely integrated. The coal

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3 Interview on 24 November 2019.

4 Interview on 10 December 2019.

has provided materiality for the next wave of frontiers – both land and labour – and their integration into the global market; they are thus overlapping frontiers.

### **Commodity extraction and capitalist frontier-making**

Increasing global demand for food and natural resources is a key driver of the configuration of the capitalist frontier (De Jong et al. 2017). Following independence, the new Indonesian state embraced the colonial territorialisation programme, both in spirit and practice (Peluso and Lund 2011, 673). The legal measures implemented to facilitate the granting of coal and mining concessions mentioned above were accompanied by an intensification of boundary-mapping and development projects (Rasmussen and Lund 2017, 393). Under Soeharto, most forested areas in Indonesia were registered as state forests under the control of the Forestry Ministry. The colonial government was gone, but the assemblage of the frontier under the New Order meant that it remained present in spirit – as a manifestation of the coloniality of power (Mignolo 2007, 156).

As explained above, frontier assemblages incorporate multiple dimensions of change, including political shifts, evolving patterns of resource extraction, infrastructure development, the reconfiguration of landscapes and economies, and the presence of new actors. Table 1 below is a schematic representation of how frontier assemblages along the Lalang River have overlapped and become intertwined over time. Rubber slowly gives way to logging and then coal; river transportation is augmented by road construction; and the landscape fragments into a complex overlapping mosaic of logging and mining concessions, *kebun*, *ladang* and the remnants of *adat* forests. The logging and mining companies are powerful new actors in the area, who transform the rivers into transport infrastructure and who are cooperating in the development of the growing road network which is spreading across the landscape. Since 2000 the old logging road, owned by the responsible company, has been widened to three times its original size to accommodate vehicles of the mining company transporting coal from source to stockpiles on the banks of the Barito River. The roads owned by logging and mining companies in the area between the Lalang and Barito Rivers now have a total length of around 270 kilometres.



**Table 1: The dynamics of frontier assemblages in different times and spaces in the Sungai Murung village and villages along the Lalang River**

	Colonial period (1800–1945)	Postcolonial period	
		Centralisation period (1967–1998)	Decentralisation period (1999 to present)
Commodities	Rattan, timber, amber and illipe nuts, and other non-timber forest products (NTFPs); rubber introduced from ca. 1900	Timber, rubber	Coal, timber, rubber
Infrastructure	The river	River, road, log pond, camps	Expanded road network, river, stockpiles, camps
Political structures	Dutch colonial government	Centralised Indonesian state government	Shift towards decentralisation
Family	Extended family ( <i>rumah betang</i> )	Extended family and nuclear family	Nuclear family
Religion	Kaharingan, Christianity introduced from ca. 1900	Christianity on the increase; introduction of Hindu Kaharingan	Christianity is the dominant religion
Economic structures	Subsistence economy based on collecting of NTFPs and on <i>ladang</i> . Introduction of rubber starts transition to a dual economy ( <i>ladang</i> and <i>pemantat</i> )	Expanding extractives economy (timber); in the communities: dual economy transitioning to wage-labour economy	Dominant extractives economy (coal and timber); in the communities: increasing consumerism and growing reliance on wage labour with dual economy persisting
Actors	Community, <i>adat</i> authorities, colonial government	Community, <i>adat</i> authorities, immigrants and settlers, Indonesian state government agencies, timber companies	Community, decentralised government agencies dominated by Dayak elite, immigrants and settlers, mining and timber companies, land brokers (controlled by Dayak elite)
Landscapes	<i>Adat</i> forest, <i>ladang</i> , riverine villages; <i>kebun</i> from ca. 1900	<i>Adat</i> forest, <i>ladang</i> , <i>kebun</i> , timber concessions	Timber and coal concessions with diminishing <i>adat</i> forest, <i>ladang</i> , and <i>kebun</i> ; roadside villages; increasing waste and water scarcity

These ‘private’ roads have a hybrid function, supporting capitalist frontier-making not only by transporting commodities for the corporations but also by connecting local people to markets and facilitating the adoption of a ‘modern’ lifestyle. For villagers, the road is a symbol of development and modernity, and many who used

to live on the river bank have moved to live closer to the road. The latter opens up multiple opportunities to the villagers: to connect with other villages; to trade on local markets; to access public facilities (such as schools, healthcare centres and government offices in villages and the district capital); to transport produce to and from the *ladang* and *kebun*; and to access areas of the forest where they can open up land for new *ladang* and *kebun*. In two of the villages, half of the community decided to uproot and move nearer to the road. This has changed profoundly how the Murung relate to the river. The main road has become the ‘front yard’, and the river is now the ‘backyard’. The road has also opened the door to an influx of consumer goods, as villagers embrace the consumptive lifestyle – purchasing trendy gadgets, electronic goods, sports motorcycles as well as processed food and drink. This new lifestyle creates inorganic waste which accumulates in the landscape and pollutes the river. Food packaging and disposable goods (including diapers) end up in the river, where they join the accumulating sediments and other waste products of logging and coal-mining operations.

After years of logging, forests in the area have been cut down and most of the related companies have moved away, leaving behind a forest in ruins – most of the big trees with bees’ nests are gone. In their place, coal-mining companies have moved in, driving a further reconfiguration of the frontier economy to avert collapse (Cons and Eilenberg 2019). Coal is extracted 24 hours a day from open pits close to the river, on abandoned logging concessions and in customary forests, *ladang* and *kebun* – including in mining-concession areas claimed as state forest.

However, recent political changes have been accompanied by shifting local attitudes towards logging and mining extraction (see Table 1 above). This is especially true since 2000, when decentralisation and the system of direct elections opened up opportunities for local actors to assume leadership positions in district and provincial governments. Many candidates standing for election focussed their campaigns on indigenous peoples’ rights, and especially rights of access to *adat* forests and to compensation from mining companies whose concessions encroach on the latter. Local people received compensation for the first time when the logging road was enlarged to enable transportation of coal and the mining company agreed to pay compensation for destruction of land and trees.

It has since become standard practice for companies to pay compensation when their operations encroach on individually owned land, or on customary forests and other communal land. Decentralisation opens up opportunities for the Murung to claim *adat* forests and force the company to pay for compensation, which further embeds Murung people in the monetary economy. Often, instead of ‘paying compensation’ the company use a practice known as ‘show compassion’ (*tali asih*), by giving ‘gifts’ of money or through the offering of a job with the mining company. Offering *tali asih* is a strategy to avoid the ownership claim of the *adat* forest; thus, the land is considered state forest. By accepting payment, the people are considered to have relinquished their ownership of the land. The massive

amounts of land required for coal mining has created opportunities for the enrichment of local elites and their families, at the village, district and provincial levels – often being the principal beneficiaries of compensation settlements. The practice of paying compensation has disrupted relations between the Murung, the land and the forests, which are increasingly valued as a source of financial capital rather than for their social and ecological functions. Compensation paid for 1 ha of land ranges from 20 to 35 million rupiahs (around 1,250–2,200 euros) depending on its condition and the resources (e.g. rubber or fruit trees) it contains.

**Image 1. Logging and coal-mining companies use the same road which was initially built in 1970 by the logging company**



Photo: Siti Maimunah (CC BY-SA)

The declining price of rubber is one factor motivating local people to accept compensation from the mining company, especially when this comes together with opportunities for employment in its mines. It is becoming more and more difficult for families to make a living from the *ladang* and *kebun*, especially since new provincial regulations were introduced prohibiting the burning of forest to open up new areas for cultivation. Under the expanding capitalist frontier, the living space of the Murung along the Lalang River is shrinking, leaving local people no alternative to integration into the mining economy.

In summary, the transformation of political and economic structures from colonial to postcolonial ones informs ecological change and the actors involved. The latter serve the global-market shift from rubber cultivation to forest extraction and then

later to coal mining. The continuity of frontier assemblages is intertwined with social change on the individual and family scales, shaping Murung identities and relations to nature.

## **Riverine ethnic identities and ever-changing frontier assemblages**

Amidst the changing social, political and ecological dynamics of the frontier assemblage in Central Kalimantan described above, riverine ethnic identities have also undergone a transformation. The Murung's relationship to the river and the forest shapes the way they see the world and react to it. The river was their first encounter in the area, and since then their life rhythm has been shaped by the river ecosystem. The names of villages evoke the river, or refer to a nearby landmark or event. Sungai Murung village is one of the oldest in Laung Tuhup, a subdistrict of Murung Raya. The name of the villages are derived from Murung words, such as: the name of big rattan vines; the river and river tributary; or the name of the tree found growing near the river.

The order of establishing the villages followed the direction the river took heading downstream. The predecessors to today's inhabitants reached the area in a series of migrations across hills and along rivers sequentially, being people looking for a decent area for food cultivation and settlement where they would be safe from Dayak headhunters (Maunati 2004, 64). The river was the main source of clean water, while river fish together with game meat from the forest were the main source of protein. Today, the river water is no longer drinkable, and the Murung have to collect water from creeks – located far from the village – or buy it. Some of the Murung live in floating houses along the river, known as *lanting*. These *lanting* are most often simple structures, consisting of large tree trunks lashed together and with a small hut and pig cage on top. In the morning and the evening, most activities of the Murung – such as bathing, washing clothes and dishes, collecting clean water, mooring the boat and many others besides – take place on the *lanting*. The *lanting* may also be understood as a metaphor for Murung cosmology, as an imaginary bridge between the land and the river – symbolising the relationship between the Murung and the riverine ecosystem on which they depend. This, as noted, I call their riverine ethnic identity.

The forest is the abode of the Murung, in both life and death. They believe that the forest is home to the souls of the dead. It is also the source of livelihood which provides timber, game meat and NTFPs such as rattan, resin and many others. The forest frontier provides access to new areas of land for *ladang* and *kebun* (Fisher and Van der Muur 2020, 63). The villages are surrounded by the forest and, almost invariably, located on the banks of a river, which is (or was until recently) the villagers' 'front yard'. In the past, the Murung lived in longhouses or *rumah betang* which, as in most Dayak settlements, were constructed to lie parallel to the river (Maunati 2004, 178). Living in the longhouses was part and parcel of a way

of life based on commonality, co-operative exchange of labour and shared responsibility for taking care of children, parents and widows. The longhouse symbolised communal life and mutual support within the extended family. However, the last longhouse in Sungai Murung village was abandoned in 1999. This also symbolised the collapse of *rumah betang* as an institution. It marked a shift in which the nuclear family replaced the extended family as the principal social-production unit, a development which has had profound effects on the control, distribution and accumulation of land among community members, as well as giving rise to new areas of contestation over access thereto (Kumoro 2020, 15).

The Murung cosmology is poorly documented. However, there are some similarities to the religious system of the Dayak Siang and Dayak Ngaju. Most of the Siang people live inland, away from the Barito River. They believe that humans and nature were created by Mohotara-Lobata, the supreme deity who split in two: Mohotara rules the upper world while Lobata rules the underworld, ensuring the Earth remains in balance (Harrington 2014, 46). Ngaju people live in the estuary of the Barito River, the Kahayan River; Katingan and Kapuas believe that Ranying Hatalla Langit and Jata Balawang Bulau created humans and the universe, symbolised respectively as hornbill and dragon (Schärer 1963; Mahin 2009). While, as noted, the Murung call their super deity Mohotara-Lobata, it is also mentioned as being the unity of Ranying Hatalla Langit and Jata Belawang Bulau. In colonial times, the Murung were forced, as mentioned, to abandon Kaharingan beliefs and convert to Christianity, a process which accompanied the forced transition from a subsistence (rice-based) economy to a dual economy with the introduction of rubber. Christian doctrine contradicted the Murung belief system, and replaced the multidimensional Kaharingan cosmology with a simple vertical relationship between God 'above' and humans 'below' (Chua 2012, 516).

### Image 2. A *lanting* on the Lalang River



Photo: Siti Maimunah (CC BY-SA)

After Indonesian independence in 1945, belief in one God was declared to be one of the five pillars of the national ideology, Pancasila. Under the authoritarian government of Soeharto, having more than one God was thus considered an act of defiance against the state (Mahin 2005). In order to be considered equal and avoid state repression, Kaharingan religious and intellectual figures decided to affiliate with Hinduism, after having failed to obtain recognition as a ‘formal religion’ (Schiller 1997, 116; Mahin 2009, 167). This affiliation gave birth to a new religion recognised by the Indonesian state, known as Hindu Kaharingan (Baier 2007). As the official Indonesian version of Hinduism, Kaharingan moves to privilege monotheistic religions which require a singular God. In accordance with this requirement, the male Ranying Hatalla Langit was declared to be God (Mahin 2005, Baier 2007) Central Kalimantan now has the second-largest Hindu population in Indonesia.

Within the Murung cosmology, the *ladang* has a special significance as the site of ‘human–spirit exchange’ (Dove 2011, 309). It is here that rituals are performed to honour the existence of plants and the more-than-human habitats. The cycle of swidden rotation, from forest clearance to harvesting, is accompanied by rituals to prevent disturbances, ensure good harvests and maintain the well-being of family members. The opening up of forest starts with the ceremony of ‘soul exchange’ (*sarodiri*), expressing the Murung’s reciprocal relationship with nature. In this ceremony, figurines of a human couple made of rice flour are placed in the area together with other offerings to persuade the forest-dwelling souls to leave and move on. The principle of reciprocity is central to Dayak cosmology, and ceremonies such as these serve to replenish the mutual well-being of humans and the more-than-human and ensure the sustainability of life over time (Schiller 1997, 38).

The reciprocal relationship with more-than-human is similarly expressed in the rituals which accompany the planting and growing of rice. Rice seed is considered to be a living entity which possesses a soul. At the moment when the seed is planted, the Murung believe it sets out on ‘a sailing journey on the river’. When the soul of the seed feels happy with the rituals it is able to complete the journey and return home to the *ladang* at harvest time with an abundant harvest. Rice rituals also symbolise the collaborative use of land and labour which is an essential part of the swidden system, ensuring an equitable distribution of wealth and a shared commitment to protecting the land (Kumoro 2020, 1).

Like ethnicity, Murung beliefs encounter social and political change. The Murung cosmology started to shift when the colonial encounter introduced a new religion to replace Kaharingan. Most in the Sungai Murung village are Christian. This transition weakened the attachment of the Murung to *adat*, since conformity to the new religion required them to simplify or even abandon some of their rituals – in particular funeral rites and birth rituals, through which *adat* traditions were manifested as maintaining the relationship between human and more-than-human.

In line with the change of belief, the introduction of rubber as a commodity is an important step in starting the Murung's integration with the global market and capitalist system. In the early 1970s, the arrival of logging companies in the area around the Lalang River initiated the process of integrating the Murung into the capitalist frontier. These companies provided a handful of jobs for the Murung and hundreds for other workers, whose arrival in the area stimulated the local economy – therewith exposing the Murung to new cultures, religions and lifestyles too.

In 2000, when the logging industry started to collapse, the mining companies moved in. Mining provides few employment opportunities for locals, since it requires specific skills and a certain level of education while mostly employing young, male graduates too. Opportunities for women are limited to a handful of jobs in administration, laundry work and catering. When there myself in March 2020, around 40 men from Sungai Murung village worked at the nearby mining site but only two women: one in the administrative division and the other in the canteen. Local people are employed in the mine by a subcontractor offering short-term contracts initially for a trial period of three months, which can then be extended to six months and up to no longer than two years. If the subcontractor's contract with the mining company ends, mass lay-offs follow; employment in the mines is, as such, always precarious (Watts 2018, 482).

On the capitalist frontier, logging and mining companies' operations have changed the gendered division and system of labour. The extractive economy is subsidised by *ladang* and *kebun*, as the dual economy of the Murung. The companies pay minimal compensation for occupying customary forest, *ladang* and *kebun* which belong to the Murung. They employ cheap labour which is sustained by the unpaid reproductive and domestic labour of Murung women (Bauhardt 2013, 364; Dunaway 2014, 7). Most of the mine workers from Sungai Murung village are educated young men whose families paid for their education from the proceeds of the dual economy. Men working in the mines have little time or energy for community activities and their absence has created a gap in the political life of the village. Many social and political positions formerly filled by men are now taken up by women, including the church committee and the BPD – both of which are dominated by women. It remains an open question to what extent increased formal representation in these official bodies has given women greater influence over decision-making processes in the village.

In summary, I have shown that under the capitalist frontier the area along the Lalang River is both an ecological and a social space as well as how both aspects change over time. Landscapes are co-constituted with the (re)configuration of riverine ethnic identity. Like landscapes, ethnicity is neither given nor static: '[It is] a dimension of social relationship' (Fenton 2011, 11) in which people affirm their positionality and distinguish themselves from others. It is also a process of transformation by encounter. The ever-changing frontier assemblages shape the reconfiguration of Murung ethnic identity, and vice versa (Sillander 2016, 113).

## Multidimensional resistance on the capitalist frontier

As a dimension of social relationships, ethnicity is not a fixed identity but rather responds to and is intertwined with political and ecological change. To fully understand the Murung's encounters with colonialism and capitalism, I examine the changing colonial and capitalist frontiers through a FPE lens. FPE is interested in politics not simply as affairs of the state; rather, it is concerned with understanding politics in a wider sense, therewith encompassing everyday forms of resistance in which gendered meanings are operationalised at multiple and interconnected sites of struggle over access to resources (Hart 1991, 95; Elmhiirst 2015). The Dayak Misik Movement is a medium for the Murung to contest the power relations of the provincial–national scale, meaning that the resistance arising is multidimensional in nature.

The change in the nature of Indonesian politics initiated following the resignation of Soeharto in 1999 – namely, decentralisation – provided an opportunity for local actors to contest the political and economic dominance of the state. Ethnic identity was mobilised as a powerful tool in related struggles over representation and access to resources (Aspinall 2011, 29), sometimes with violent consequences. This was the case in the ethnic conflict between Dayaks and Madurese which took place in West and Central Kalimantan around the turn of the century (Sillander and Alexander 2016, 97). However, ethnic fragmentation and predatory elites within ethnic political movements have enabled the central government to forge powerful compromises with ethnic leaders, thereby largely maintaining the status quo to date (Aspinall 2011, 291).

In 2013, not long after the Constitutional Court decision (MK35) recognised the rights of indigenous people over customary forests, the Dayak Adat Council of Central Kalimantan set up the Farmers Group Coordination Forum, popularly known as Dayak Misik ('Dayak Wake Up') (Grossman 2019). Dayak Misik was based in Palangkaraya, capital of Central Kalimantan, and led by its founder Siun Jarias, who was the regional secretary under Governor Narang. Dayak Misik opposed the acquisition of *adat* lands by large development projects – meaning not only logging and mining ones but also state-led transmigration projects. At the same time, they called for the central government to grant 5 ha of land to each Dayak family and allocate 10 ha of land in each village to the village forest. To press for these demands to be met, local Dayak Misik organisations were established – including in Murung Raya district, where communities saw affiliation to the Dayak Misik scheme as a promising strategy to advance their struggle for the recognition of their rights of control and access over *adat* forest (Grossman 2019, 11). This was the case in Sungai Murung, where villagers were trying to protest and prevent one of the largest Indonesian coal companies from mining in an area which they claimed as customary forest.

Dayak Misik deploys a dual strategy by acting as a branch of the provincial government while at the same time building up a grassroots movement at the



district level, including in Murung Raya. At the provincial level, in 2008 the government adopted a regulation authorising *adat* leaders to issue 'land ownership letters' (SKTAs) as a means of certifying ownership of customary forest which bypassed the cumbersome and expensive official land-registration process (Setiawan 2017, 77). At the same time, Dayak Misik publicised the benefits of SKTAs in order to recruit new members at the grassroots level, including in Sungai Murung and other villagers along the Lalang River.

Initially, Dayak Misik seemed to offer a way forwards for the ethnic political movement through broad-based electoral mobilisation around the key issue of access to resources (Hart 1991, 95). However, the organisation was too reliant on the support of Dayak elites and top-down decision-making; grassroots mobilisation, meanwhile, was primarily used as a means to consolidate power at the provincial level – to gain 'the political power and resources' (Aspinall 2011, 290). The top-down organisational structure was reproduced at the district and village levels. In the villages along the Lalang River, local Dayak Misik organisations were led by elites, such as the *adat* leader (Damang), the head of the village and members of the BPD. Although Dayak Misik had around 1,200 individual and family members in six villages in the area, the top-down approach made local organisation dependent on the central leadership; this was its undoing. When Jarias failed in his bid to replace Narang as provincial governor and was unable to elicit the support of the new governor, Dayak Misik lost political ground.

However, in everyday life the Murung are facing the power of corporations and local elites over access to and control of resources. The arena for everyday forms of resistance is sustained along the 80-km-long haulage road. The latter is a contested space, over which the state, extractive companies, local people and even animals assert competing claims. Local people make frequent use of the road, sometimes accompanied by their pets or livestock, thereby encroaching on the companies' use of it to deliver logs and coal to the global market. For these companies, the road plays a vital role similar to the veins of the human body. Just as when blood stops flowing metabolism ceases and a person is likely to die, when coal and logs no longer move along the road the companies' most vital functions shut down, since they can no longer deliver goods to the market. In the hugely unequal struggle between them and local people, the road is a weak spot in the company body which the Murung have learned to exploit. The road is where most everyday resistance in all its multidimensionality takes place.

This is illustrated in the following examples, with descriptions taken from my field notes. The following story dates from March 2008, and tells how Tami, a Murung woman, set up a roadblock on the coal haulage road to demand customary compensation (*jipen*) after her dog was run over and killed by a coal truck: Tami, a 43-year-old Murung woman, is standing in the middle of the haulage road, waving her hands and getting the coal trucks to stop. She is wearing the *ladang* 'uniform': T-shirt, long-sleeved jacket and trousers, with a hat on her head and a machete

hanging from her waist. Her dog was accidentally hit by a coal truck. The company promised to pay her compensation, but since then nothing has happened. Tami decided to set up a roadblock on the haulage road. Her action has stopped the trucks (owned by one of the mining company in the area) going to and from the mine. After an hour, there is a long queue of trucks unable to get past. Two hours later, a company representative comes and agrees to pay the compensation.

The second story is about group protests by company employees over transportation issues and better working conditions in 2011: Pundit is 50 years old and Seki is 35 years old, both are male. They are neighbours, and both have experience of working for the mining company. They recount how they participated in several roadblock protests. According to Pundit, villagers are now able to use company infrastructure and facilities such as the road, and the students can catch the bus to go to school because of the protests and roadblocks set up by villagers. Seki, meanwhile, took part in a strike to demand the improvement of transportation facilities for workers and students from the villages along the Lalang River.

The third story was told to me in December 2019, when I visited Ranga<sup>5</sup> in her *kebun* next to the coal haulage road: Ranga, a 47-year-old woman, is in her forest garden, which is about 2.5 km from her village. She is showing me her *kebun*, which she visits once every two days to collect fruit and vegetables to sell. The garden also provides her with staple food, fodder for livestock, medicinal plants, firewood and many other useful products. She shows me the sawang trees along the border of the garden. She explains the sawang are the marker of *adat* land, and no one is allowed to occupy it without her consent. The land is a legacy from her parents, but until 2017 her family were not able to take care of the garden. Now a coal company is interested in acquiring her land, in order to widen the haulage road. The Dayak land broker and her brother, who is the leader in her village, made plans to sell the land to the company on the sly. To prevent this from happening, her family decided to grow food in the *kebun* by cultivating vegetables, corn and cassava, stocking it with pigs and chicken, and occupying it for as long as possible.

The three stories depict events which form part of a multilayered interplay of power relations changing across space and over time. In their daily lives, the Murung navigate a multidimensional web hereof during encounters with the state (from the national to local level), the logging and mining companies, the Dayak elites and with community leaders – all of which are shaped by the intersectional relations community members of kinship, religion, class, gender and age (Crenshaw 1991, Colfer et al. 2018). A focus on gender and intersectionality helps us to understand the complex interactions between multiple actors across different contexts which give rise to, and reconfigure, power structures in the capitalist frontier landscape of the Lalang River. The Murung are caught up in multiple

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5 Names changed for anonymity.

relations of power, domination and submission (Bayat 2000, 534; Johansson and Vingthagen 2014, 423). In response, it is difficult for people to engage in life-long collective action (Scott 1986, 14). However, the kinds of sporadic everyday resistance described above can not only a form of exercising power and be effective in resisting oppression, but may also be creative and transformative (Ortner 1995, 191).

In the experiences of Tami, Pundit, Seki and Ranga, there is no dichotomy between real resistance and incidental activities (Scott 1986, 24). Tami's protest appears incidental but it sets a precedent which has a transformative effect by obliging the companies who operate along the Lalang River to respect local *adat* law on *jipen*. From now on, every single vehicle which hits pets or livestock are obligated to pay this compensation.

Tami uses her body as a roadblock which is able to temporarily stem the flow of 'the veins of the corporation' and forces it to offer *jipen* for the death of her dog. This brings a new dimension to ongoing everyday resistance where, from a FPE perspective, the female body becomes the arena of resistance (Johansson and Vinthagen 2014, 425). By contrast, the everyday resistance of Ranga takes the form of a quiet, feigned ignorance – apart from when, in conversations with her neighbours, she launches into slanderous, mocking attacks on her brother, who, as noted, is also one of the village leaders. By reclaiming *kebun* bordering the haulage road, she is combining formal and incidental resistance against the power of the coal-mining company, its land-broker agents and her brother.

The struggle of Pundit, Seki and the mining workers is a 'negotiation' over expanding their living space, gaining access to the road and vehicles belonging to the company, and thereby ultimately over improving their mobility. This is distinct from the struggle for survival through acts of everyday resistance. Bayat (2000) draws attention – via his aforementioned notion of the quiet encroachment of the ordinary – to similar acts of resistance by the urban poor in Third World cities who, in seeking to expand their living space, challenge established notions of urban order, where modern cities are governed by urban elites. Indeed, the inhabitants of the remote rural communities situated along the Lalang River have acquired some notion of (previously unheard-of) urbanity through their exposure to cultural diversity and 'modernity' since the logging and mining companies entered the area.

Similar to the urban poor, the Murung practice 'street politics' because they have learned that the street is the best – and possibly the only – place to contest the encroachment on 'their space' by the authorities and extractive companies. The haulage road becomes the arena for the performance of individual or group protest, where those involved complain about water pollution and the failure to pay compensation, demand jobs, seek improved working conditions, advocate for the implementation of corporate social responsibility programmes and chase access to clean water. The haulage road is also the setting for small daily acts of defiance which are unorganised and, unlike in the examples given above, performed without

any coherent ideological intent behind them, as explained by Bayat (2000, 546). Such acts include collecting gravel from the road for building work at home, chatting on the phone by the side of the road via use of the companies' telecommunications tower, hitching free rides in company vehicles, setting up a small store at the side of the road and ignoring attempts by the authorities to control these activities. The more-than-human also lay claim to the contested space of the haulage road, such as the dogs, pigs and chickens belonging to the village members who live along the side of it.

On the provincial–national scale, the Murung are involved with Dayak Misik as a political movement. To respond to the Constitutional Court's recognition of indigenous people as rights-holders and territorial owners, Dayak Misik reclaims their customary forests. On a more local scale, forms of everyday resistance are sustained by various methods including using their bodies. The company road being an arena of contestation and the quiet encroachment of the ordinary both demonstrate the multidimensionality of Murung resistance, who trouble the capitalist frontier with their acts.

## Conclusion

Overlapping frontier-making has transformed the landscape along the Lalang River, as native forest and swidden agriculture were replaced by family-holder rubber plantations and then the extractivist economy: first logging then open-cast sub-bituminous coal mining. Through Feminist Political Ecology perspective, I have argued extractivist activities are subsidised by the dual economy of the Murung (swidden and family-holder rubber plantation). This provides low-cost access to land formerly occupied by *ladang* and *kebun*, and cheap labour, as made possible by discounting the contribution of women's reproductive roles in the household and in the community.

In the processes of 'frontier assemblages', the Dayak Murung encounter the global-market economy demand, colonial and state territorialisation, different kinds of extractivist projects, new religions, large infrastructure-building and changing riverine landscapes – all of which reconfigure Dayak Murung identities. Landscape changes to service evolving global demands, together with state-imposed alterations to Kaharingan, have undermined the traditional cosmology of the Murung and affected their relations with the more-than-human. This occurs as the community becomes more integrated with the extractive economy.

Bringing together frontier assemblages, the reconfiguration of ethnicity, and FPE perspectives has allowed me to elucidate how the Dayak Murung are caught up in a complex interplay of power relations between state actors, extractive companies and Dayak elites. In response, they have formed a connection with the Dayak Misik political movement for the recognition of customary forests at the provincial–national scale, sustaining therein forms of everyday resistance multidimensional in nature.

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Refereed article

# Integrating Organic Farming into the Indonesian Bioeconomy? Sustainable Agriculture between Productivism and Deep Ecology

Patrick Keilbart

## Summary

The production, utilisation and management of natural and biological resources, and the rapidly expanding web of relations accompanying them, are increasingly conceptualised as a ‘bioeconomy’, or as multiple bioeconomies. Various interpretations of the concept set different premises and priorities. In Indonesia, the bioeconomy as a national project aims to improve resource efficiency and to find new ways to convert biomass into a diverse and comprehensive range of products. As an object of government strategy and part of the bioeconomy, organic agriculture is directed at capital-intensive agribusiness, economic growth and (global) competitiveness. At the same time, organic farming is evolving as a social movement which aims at local food sovereignty, sustainable agriculture as well as at social and environmental justice. The values of civil society actors, and their objectives, encapsulated in the organic movement, partly overlap with and partly contradict government strategies, and present potential alternatives for the bioeconomy. Focusing on Indonesia, this study addresses the political-economic and socioecological challenges in integrating organic farming into the bioeconomy. Conceptualising organic farming and sustainable agriculture as situated between productivism and deep ecology, the paper contributes to the debates over food-policy discourses in general and organic farming in Indonesia in particular, and to theorising sustainable agriculture at the social–ecological nexus.

**Keywords:** Indonesia, bioeconomy, organic farming, sustainability, values, productivism, deep ecology

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## Introduction: Reframing the Indonesian bioeconomy

The production, utilisation and management of natural and biological resources, and the rapidly expanding web of relations accompanying them, are increasingly conceptualised as a ‘bioeconomy’ (Pavone and Goven 2017), or as multiple bioeconomies. Various interpretations of the concept set different premises and priorities. Bioeconomy as a biotechnological-innovation economy puts focus on biotechnology and the generation of economic output, in accordance with the Organisation for Economic Co-operation and Development’s (OECD) ‘Bioeconomy to 2030 Project’. This version of the bioeconomy has been criticised for its neoliberal, economic and technological bias, and the disregard of risks, ethical issues and socio-political problems (Hilgartner 2007; Parry 2007; Pavone and Goven 2015). Similarly, the concept of bioeconomy as biomass economy builds on substitution for fossil fuels and other non-renewable inorganic resources, and is presented as environmentally sustainable. Critics of this approach point out the disregard for environmentally destructive and socially unjust effects from the increased use of biomass (Smolker 2008; Asveld et al. 2011; Sheppard et al. 2011).

A different, rather critical approach is the theorisation of the bioeconomy as a form of capitalism, focussing on the local and global economies being built around bio(techno)logical materials, products and processes, and the generation and appropriation of value. With such a lens, different potential sources of value are recognised, and ‘value’ itself is understood in various different ways – including both economic and non-economic aspects. Birch and Tyfield (2012) distinguish between a political-economic use of the term value, referring to economic or market practices (profit and share-holder value), and a more ethical framing of the term, which rather refers to values (ethics, meanings). They argue for the emergence of an asset-based economy – in contrast to the commodity-based one related to Marxist thought – and put emphasis on assets – tangible or intangible resources – as a determinant of value. Similarly, economists have further developed the model of the value chain, and noticed a new logic of ‘value constellations’ (Normann and Ramirez 1993), which emerge through the interactive creation and (re)invention of value by producers and consumers.

Against this backdrop, bioeconomies emerge as political projects with institutional transformation a key aspect of them, involving conflict, struggle and resistance. The production and appropriation of value takes place in relation to the emergence of new subjectivities (Pavone and Goven 2017, 13). Therefore, this paper examines how value is generated, appropriated, attributed and distributed in the Indonesian bioeconomy. Moreover, it examines questions of values: that is, how value systems evolve with societal negotiations over food. Integrating further sustainability dimensions like social justice and local food sovereignty, this extends the concept of the value chain to value constellations. On this basis, related new notions of self and community, and the (re)production of new social categories, cultural patterns

and economic arrangements, are all investigated. To illustrate the different values, strategies and practices of civil society actors, I draw on ethnographic material – including semi-structured interviews – from Central and West Java, Indonesia.

In Indonesia, the bioeconomy represents a national project which aims to improve resource efficiency and to find new ways to convert biomass into a diverse and comprehensive range of products. Besides bioenergy, the national agro-industry is the second area politically fostered as part of the bioeconomy's development. With the 'Grand Strategy of Agricultural Development 2015–2045', the government formulated a long-term agricultural- and rural-development plan which seeks to respond to current societal challenges and trends. With a view to a bio-based economy, the Ministry of Agriculture (MoA) integrated the vision of transitioning to 'a sustainable agricultural bio-industry system to produce diversified healthy foods and high value-added products from tropical agriculture and maritime resources for food sovereignty and farmers' welfare' (MoA 2015). The foundations for a sustainable agricultural bio-industry were to be laid in the period 2013–2015 and further strengthened by 2019. The agricultural-development strategy focusses on upgrading: namely, a transition from primary agriculture to an integrated bio-industry based on local resources, sustainable (small-scale) agriculture and the creation of a favourable infrastructure for bio-businesses. The plan also encourages the development of a sustainable bioeconomy in rural villages throughout the country. In the 'Strategic Plan for 2015–2019', a policy mix is proposed which ranges from increasing crop yields, fostering clusters and capacity development for marketing to sustainability monitoring.

In the twenty-first century, organic agriculture in Indonesia began to enter the phase of standardisation and expansion towards large-scale production and trade, following a dominant agro-economic trajectory. As part of government strategy, organic farming is directed at capital-intensive agribusiness, economic growth and (global) competitiveness. At the same time, one of the aims defined by the National Standardisation Agency (Badan Standardisasi Nasional, BSN) is 'to create agriculture that is socially, ecologically and economically sustainable' (BSN 2002). To realise these sustainability goals, it is of vital importance to incorporate an integrated, participative approach on organic agriculture into the bioeconomy set out in the Grand Strategy. Organic farming in Indonesia has developed from a form of resistance towards conventional farming to a government strategy for food sovereignty. Resistance among civil society actors to some extent still exists today, and different strategic directions have been developed for solving the challenges they face. Despite different strategic approaches, knowledge- and belief systems, all actors face similar tensions and trade-offs between their respective values on the one hand and practices which are linked to the market and institutional structures of the agro-industry on the other. In sharing the values of a deep agro-ecology and organic lifestyle, and promoting eco-friendly small-scale production and consumption of local 'healthy' food, it becomes particularly challenging to reconcile socio-ecological ideals and market expansion. This fuels the societal

contestation of organic farming – between farmers’ welfare and local food sovereignty on the one side and an export-driven outwards orientation and national food sovereignty on the other.

From a normative perspective, acknowledging different values and approaches on organic farming, and considering alternatives to the national framework of standardisation, certification and open trade, is essential for inclusive development of the organic sector. Such a view is crucial for the integration of organic farming into the Indonesian bioeconomy and the establishment of an agricultural system which is socially, ecologically and economically sustainable. In analytical terms, the concept of value constellations serves to help us understand more comprehensively the dialogic, interactive process of creation and (re)invention of value, beyond the economic. Tracing historical and current developments in the agricultural sector and analysing emergent value constellations, the paper shows that both state and civil society actors gradually balance their concepts on sustainable agriculture. Drawing on ethnographic material from Central and West Java, this process of balancing and redefining notions of sustainability becomes more comprehensible. I argue that within the political project of the Indonesian bioeconomy, values of deep ecology-oriented organic agriculture are incorporated into the productivist regime, while (at least some) organic practitioners make attempts at reconciliation of socioecological ideals with economic markets and profit. On closer examination, recent local tensions and different values in organic agriculture illustrate where Indonesia stands in the global trend of emerging bioeconomies. Conceptualising organic farming and sustainable agriculture at the nexus between productivism and deep ecology is presented here as a framework which integrates economic and social justice for organic practitioners, and nurtures a more inclusive development of the organic-agriculture sector.

## **Historical foundations: From Green Revolution to bioeconomy**

The beginnings of organic agriculture in Indonesia go back to the 1970s, when initial approaches were developed in response to the so-called ‘Green Revolution’. Indonesia’s Green Revolution programmes were initially developed in the 1960s, to modernise agriculture by improving rural infrastructure, supporting agricultural extension and providing farmers with high-yield rice varieties, synthetic pesticides and fertilisers. Over the ensuing decades, Suharto’s ‘New Order’ regime expanded the Green Revolution through a series of mass-guidance and mass-intensification programmes which successfully produced high yields and helped contain recurring food shortages in Indonesia. However, these mass-intensification programmes had various negative social and ecological consequences, such as land degradation, water pollution or shortages, biodiversity loss, health impairment and the suppression or loss of indigenous agricultural practice and knowledge. Under Suharto’s authoritarian rule, the Green Revolution worked as a system of social differentiation and control to reinforce and maintain the established power

relations. The mass-intensification programmes disproportionately benefitted wealthier rural residents, who used the resources and technologies provided by the state to increase production. At the same time, the rural elites increasingly neglected their obligations to women and poorer farmers, and deprived them of land-use rights. The resulting agrarian-class differentiation contradicted an equitable distribution of resources – technology, land and capital – while nurturing the state’s cultivation of patron–client networks. As Welker states: ‘Ruling national parties supplied rural elites with agricultural subsidies; rural elites, in turn, acted as the state’s “agents in the countryside”: policing villages, distributing development goods to loyal followers, and preserving the preternatural rural stability over decades of authoritarian rule’ (2012, 392).

From the 1970s onwards, civil society initiatives throughout Indonesia tried to develop more sustainable and balanced forms of agriculture, as an alternative to the Green Revolution’s industrialised system thereof. Inspired by the growing international environmental movement, national and international non-governmental organisations, religious representatives and committed individuals independently launched the organic movement in Indonesia. One of the most important pioneers was the Bina Sarana Bakti (BSB) foundation, a centre for organic-agriculture development established by Reverend Agatho Elsener in 1983. BSB was the first organic farming training centre in Indonesia to educate and support farmers and organisations all over the country (Jahroh 2010, 2). Between 1985 and 1990, BSB implemented a large-scale ‘Integrated Pest Management’ (IPM) programme which helped decrease the use of synthetic pesticides by 90 per cent. In this programme, farmers were trained to revert to ‘natural’ biological, physical and chemical forms of pest control, including weather, habitat modification and the protection of beneficial predators and parasites. In 1986, devastating losses of rice crops (due to extensive plant-hopper infestation) led to a partial shift in government policies; by means of a presidential decree, Suharto restricted the use of synthetic pesticides in rice cultivation, phased out pesticide subsidies and adopted the approach of training farmers via IPM. From 1989 on, with support from the United Nations’ Food and Agriculture Organization (FAO), farmer trainings were held in field schools, drawing on participatory development models (Winarto 2004; Welker 2012). However, the IPM programme was only partially successful since it reached only a fraction of Indonesia’s farmers – who had widely adopted Green Revolution ideas and techniques.

Thus, the initiated shift in Indonesian agriculture towards IPM was rather inconsistent, with conventional Green Revolution and IPM models coexisting in state policies (Welker 2012, 392–393). This indicates that the Indonesian state under Suharto did not establish a unified agricultural sector, but incorporated different approaches and strategies on (organic) agriculture. In general, the implementation of these policies in Indonesia has been examined in various studies, including criticism of their intended and unintended consequences (Fox 1991, 1993; Oka 1997, 2003; Winarto 2004, 2011).

Post-Suharto liberalisation allowed for a growing number of organic-agriculture organisations, and increased the government's involvement in the organic-farming sector. Established in the year 2000, the 'Organic Farming Society of Indonesia' (MAPORINA) put its focus on research, consultation and the development of organic-farming models. The following year, after active lobbying by MAPORINA, the programme 'Go Organic 2010' was initiated by the MoA to nationally expand organic-food production (Jahroh 2010, 2). In 2003, the 'Indonesian Organic Producer Association' (APOI) was established by organic farmers to improve the quality and quantity of agricultural produce, and to secure the protection and conservation of the environment. In the same year, the MoA introduced the 'Organic Food Competent Authority' (OKPO), to formulate organic-farming policies and to establish the state's organic-certification system. The first national certification body 'BIOcert', however, was developed by the 'Indonesian Organic Alliance' (AOI) in 2002: this civil society association advocates for alternatives to state certification and for a participatory-guarantee system. By 2016, AOI was the largest umbrella association in Indonesia, with 117 members – including 80 organisations and 37 individuals located in 20 of the country's 34 provinces (Schreer and Padmanabhan 2019, 2).

Many civil society groups have taken a critical stance towards the government strategy and organic-farming policies, trying to preserve the holistic ideals of the pioneers of the 1970s while balancing socioecological values with economic demands and opportunities (more below). In 2001, the Indonesian government formally recognised the organic sector by launching the aforementioned Go Organic 2010 programme, which was envisioned as being set to establish the country as one of the leading producers of organic food in the world by that year. Although that vision would ultimately not be realised, the programme acted as a trigger for the gradual institutionalisation of Indonesia's organic-farming sector, and thus indicates a shift from mere civil society action to increased state regulation (Edwards 2013, 76). The formal recognition of the sector was both a response to the increasing number of organic-agriculture organisations and an attempt to take advantage of the growing international market for such produce. In 2002, the 'Indonesian National Standard' (SNI) was introduced to provide national standards and regulations for organic farming. OKPO then became responsible for implementing national certification, verifying certification bodies and monitoring organic produce distributed in and imported to Indonesia (MoA 2013).

Until President Joko Widodo (Jokowi) took office in 2014 (and also thereafter), a state-controlled productivist model was the dominant approach in agricultural policy-making. State support for organic farming has stood out from other more conventional elements of agricultural policy, such as agrarian-land reform, the rehabilitation of irrigation networks, control of food imports and the large-scale 'reclamation' of non-agricultural land. Yet, state-sponsored development has often favoured the accumulation of capital and land in the hands of fewer, larger farmers

and agribusinesses, and has contributed to the decline of mutually supportive small-farmer communities (Reuter 2018, 8).

Looking at the historical development of organic agriculture in Indonesia, we see various attempts by the state to integrate ecological approaches into the productivist regime as well as continuous attempts by civil society actors to bring their ideas of social justice and ecological sustainability forwards, facing up to the imperatives of economic development and the market. Under Suharto's authoritarian regime, IPM models and ecological aspects were integrated into the agricultural system to secure national self-sufficiency in food production. This partial shift in government policy was not due to a change in values but rather represented a pragmatic reaction to declining agricultural output. However, it laid the foundation for a national-development agenda for organic agriculture which incorporated sustainability considerations into the agro-industry. State regulations and national certification initiated the institutionalisation and commercialisation of the organic sector. With the main target of transforming Indonesia into an international organic producer, the government strategy for food sovereignty shows an imbalance between social, economic and ecological aspects. As shown below, state actors nonetheless progressively integrate values and principles of sustainable agricultural production which transcend the narrow productivist focus.

### **Organic farming as government project**

Under Indonesia's current president Jokowi, the MoA installed the '1,000 Organic Agriculture Villages Programme' with the objective to create a chiliad of organic certified villages and spread organic agriculture across the country by the end of 2019. The programme is part of Jokowi's national-development agenda 'Nawa Cita' (Sanskrit: 'Nine Priorities'), and combines various government strategies to achieve food sovereignty. So far, however, it is precisely the organic-farming one which has failed to show significant progress, and the MoA has been criticised for not conscientiously implementing Jokowi's programme (Hoesein 2018). A major point of criticism is that the programme focuses on technical measures, outputs and efficiency, while failing to take proper account of the lifeworld realities and experiences of villagers – for instance, their explicit need for (subsidies for) organic fertilisers.

This critique must be viewed within the context of contested agriculture and food policies in Indonesia, and the interpretation of food sovereignty by the state. Based on the Indonesian Food Law (18/2012), food sovereignty as articulated by state actors is framed as the right of the Indonesian state and nation to develop a food policy independently. Referring to the country's vast natural resources, the state affirms its ability to fulfil the nation's demand for food in a sovereign and independent manner. 'By linking food security to national security, the government legitimises its own role in determining the country's food policies, and its definition of food sovereignty in terms of the rights of the state' (Schreer and

Padmanabhan 2019, 4). Respective state measures such as protectionist trade policies and the establishment of large-scale agricultural estates have inevitable negative effects on both local people and their environments. The initially mentioned criticism of an output-oriented bioeconomy concept applies here, in terms of a disregard for environmentally destructive and socially unjust effects – in particular on the individual and household level.

In response to this criticism, and to address negative socio-economic and ecological impacts, the Indonesian government has since re-evaluated and adjusted its organic-farming policies and programmes. To some extent, effective countermeasures have been taken with the implementation of poverty reduction- and food programmes, and via the support of locally based sustainable food-production systems like organic farming. Moreover, the explicit commitment to sustainability by government bodies – meaning the SNI and the BSN – has been subject to more rigorous scrutiny. The former defines organic as a label which ‘declares that a product has been produced according to the organic product standard and is certified by an authority or official certification body’ (SNI 2002). In contrast to its market-oriented definition of the term ‘organic’, the body describes ‘organic agriculture’ as a ‘holistic production management system that increases and develops the health of the agroecosystem [...], is based on minimal external input, and avoids the use of synthetic fertilizer and pesticides’ (SNI 2002) and which applies site-specific management practices adapted to local environmental conditions. While its primary function is to ensure the quality standards of organic produce in order to protect consumers and producers, the more detailed description of the SNI’s role focusses on its regulatory functions. Its specified role is to provide a guarantee system for the organic value chain, and develop nationally and internationally recognised certification schemes for export and import purposes, in addition to contributing to environmental-protection efforts at the local level.

The BSN has acknowledged that the requirements for producing organic food are different from common agriculture, and states that the procedure is inseparable from the identification and labelling of such produce. Defining a set of permitted and prohibited agricultural inputs and cultivation strategies, the BSN has specified technical measures for the development of organic agriculture. At the same time, it has prescribed management practices which prioritise the use of local inputs – namely, ‘local wisdom and resources’ (BSN 2002, 2016) – as a contribution to achieving the aforementioned aim of creating a socially, ecologically and economically sustainable agriculture. In order to implement these guidelines, government projects like the 1,000 Organic Agricultural Villages Programme have been subject to more rigorous scrutiny. In 2016, the national standard for organic agriculture was revised (to become SNI 6729:2016), and the criteria for organic certification were significantly widened (Yurlisa and Susanti 2018, 13). Furthermore, the government has involved external experts from universities and research institutes as reviewers and advisers to prevent project failure. A central



recommendation has been to take the specific needs and requirements of farmers into serious consideration (Charina et al. 2018; Juansah et al. 2019). These current developments indicate that the commitment to sustainability by the government bodies SNI and BSN is taken more seriously, and implemented through promising measures. Critical evaluation and ecological monitoring of government projects and policies contribute to the objectives of a healthy agro-ecosystem and environmental protection at the local level.

In addition, the Indonesian government has put forward socio-economic development measures in connection with strategic policy, integrating Islamic ecological values and cooperating with major Islamic organisations. As early as 1980, the Ministry of Environment cooperated with a *pesantren* (Islamic boarding school) in West Java – which could be labelled the first ‘eco-*pesantren*’, although the term did not exist yet (Arnez 2014, 89). In 2009, the former minister for the environment Muhammad Hatta decided to rename and develop almost 100 *eco-pesantren*; in the 2010s, the government and Islamic organisations actually established dozens of *eco-pesantren* in order to address environmental concerns. In response to global and national discourses on climate change and environmental degradation, ministries and local governments aimed to raise ecological awareness among local communities. For the same reasons, the Indonesian Council of Muslim Clerics (MUI) in 2010 issued a *fatwa* (‘religious edict’) on climate change, and in 2011 established the Institute for Environmental and Natural Resources (PLHSDA). Today, Islamic environmentalism in Indonesia ‘has gone from fringe to mainstream’ (Varagur 2020, n.p.), and become a role model for Muslims in Southeast Asia and beyond – for instance at the international Islamic Declaration for Climate Change in Istanbul in 2015.

The successful *eco-pesantren* model is based on the authority of *kiai* (‘leader of a *pesantren*’), their public visibility, charisma and the expected influence they can exert with regards to environmental issues. The Indonesian government cooperates with local religious leaders of Islamic mass organisations, and draws on their broad networks of *pesantren* and influential position in society to disseminate information and implement projects. Building on strong ties between government institutions and the Muslim welfare organisation Nahdlatul Ulama (NU), Muslim scholars collaborate with government officials to develop Islamic eco-theology and implement programmes such as waste management and organic farming. Remarkably, a considerable number of *pesantren* educate their students not only in carrying out environmental practices according to Islamic theology but also in developing entrepreneurial skills. By participating in these programmes, students can learn practical skills and increase their environmental entrepreneurship, which in turn also increases the profitability of the *pesantren* (Grossmann 2019). Many *kiai* believe that they provide attractive perspectives for their students, as they teach them how to live in accordance with Islamic regulations, provide them with entrepreneurial skills and guide them towards independence. The fact that the number of pupils has been rapidly increasing in these *pesantren* in the last few

years is indicative of the fact that this combined offering is well-received among the students and their parents (Arnez 2014, 101). Supporting the broad establishment of *eco-pesantren* and connecting organic farming with Islamic environmentalism and agricultural entrepreneurship, the Indonesian government has realigned its development strategy for sustainable agriculture. The cooperation with NU provides official guidelines for socially, ecologically and economically sustainable development on the individual and national level.

Although the objectives of government programmes could so far not be realised, the pledge of state actors to advance sustainable agricultural production signifies a contrast to the conventional state-centred, productivist approach to food sovereignty. Over recent years, organic farming has been embedded in a national agro-economic framework beyond a productivistic logic and neoliberal ideas of market expansion, therewith considering its economic potential but also solutions to the Green Revolution's shortcomings (Hidayat and Lesmana 2011). Whether the change of emphasis in Indonesian law from food security and food self-sufficiency towards instead food sovereignty represents a 'paradigm shift' (Soetoto 2018) remains debatable, especially since the notion of food sovereignty according to the state legitimises its own role in determining the country's food policies. However, by cooperating with *eco-pesantren* and combining Islamic environmentalism with agricultural entrepreneurship, the Indonesian state clearly integrates values of ecologically oriented organic agriculture into the productivist regime. Overall, the Indonesian state is becoming more open and receptive to impulses from civil society, adapting agricultural policies to different contexts and in dialogue with non-state actors.

### **Organic farming as a social movement – different values and value constellations**

A variety of ideas, organisations and networks of non-state actors exists in Indonesia today, in which organic values are maintained and promoted. These values are sometimes in contrast to the strategies pursued by the Indonesian government, in particular the adoption of market and institutional structures of conventional agro-industry and agribusiness. Advocates of the organic social movement keep a critical eye on the implementation of the government strategy for food sovereignty, and offer new, alternative takes on the Indonesian bioeconomy. Their alternative approach – also advanced by the transnational peasant movement *La Via Campesina* – advocates local food sovereignty, a concept which includes not only people's ability to access sufficient food but also the right of individuals to determine their own food and agricultural policies. Both influential pioneers of organic agriculture in the country and later organisations which helped consolidate the movement react to the Indonesian government's framework of regulated standardisation, certification and open trade.

While partly rejecting the conventionalisation of organic farming (Tamtomo 2021), they cooperate with government institutions to varying degrees (Laksmana and Padmanabhan 2021). To illustrate the different values, strategies and practices of civil society actors, this section draws on ethnographic material from West and Central Java – specifically, on comparative research aimed at identifying the values and belief systems related to organic agriculture existing in the two regions.<sup>1</sup> Beyond identifying traditional cultural and religious values and beliefs, the study investigated how and by whom certain value models are spread and established both regionally and nationally.

One major outcome from the research is the following categorisation of civil society actors' value systems, and the emerging value constellations in the production and consumption of organic food. Three categories of civil society actors and value systems can be distinguished, with differences and commonalities in terms of their approaches to organic agriculture: namely, Islamic, Christian and local cultural agro-environmentalists respectively. Testing the concept of value constellations on these three categories, the individual or collective creation and (re)invention of value is investigated in different networks and relationships – so as to cover the entire 'value-creating system' (Norman and Ramirez 1993, 65). The concept is extended to basics of social ecology and deep ecology (Carson 1962; Naess 1972; Bookchin 1994; Marten 2001; Tsing 2001), stressing the interrelatedness of social systems and eco-systems. Analysing civil society actors' values and beliefs related to organic agriculture, these constellations include guidelines on what can be called a deep agro-ecology and organic lifestyle. The resulting value constellations comprise converging concerns of social justice and ecological sustainability (Fitzpatrick 1998), and ecological political thought based on entangled human–nature sociality (Tsing 2013).

### Islamic agro-environmentalism

As shown, Islamic organisations together with the Indonesian government have established *eco-pesantren*, in which Muslim scholars collaborate with state officials to develop Islamic eco-theology and organic farming. These are commonly called 'green *pesantren*' and represent the core official bodies of Indonesian 'eco-Islam' and the 'double green movement'.<sup>2</sup> With political and financial support from the Indonesian government, green *pesantren* provide formal and semi-formal religious education which reflects new ecological curricula and models (Arnez 2014, 90). However, there are also *pesantren* which do not follow government curricula, and establish alternative approaches and teachings without

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1 Fieldwork for this research was conducted by the author between October and December 2018, in the framework of the research project IndORGANIC.

2 Since the colour green symbolises Islam, civil society actors who incorporate ecology into Islamic education are in Indonesia sometimes referred to as part of the double green movement – hence combining ecological and Islamic values (Anshoriy 2012; Prianto et al. 2017).

the latter's financial support and formal acknowledgment. They combine concerns for healthy nutrition and the environment with Islamic doctrine and values, and promote organic local or home production as an alternative to agribusiness and the market. Together with their followers, and via religious-community networks, these Islamic figures integrate ecological values and social welfare into religious teachings and practice.

At *Pesantren Ekologi Ath-Tharik* in Garut, West Java, agro-ecological practice and teaching focus on environmental protection, the preservation of biodiversity and small-scale or home production of rice, vegetables and herbs. Concerns for healthy nutrition and the environment are combined with Islamic doctrine, and represent an integral part of student-boarders' lessons on Islamic teachings and public Islamic teaching forums (*pengajian*) – both at the *pesantren* and in other regional communities. The leaders of the *pesantren*, *kiai* Abi Ibang Lukmanurdin and his wife Ibu Nissa Wargadipura,<sup>3</sup> promote organic local or home production as alternatives to what is understood as 'certified yet socially and environmentally unsustainable food'.<sup>4</sup> This critique targets the productivist government approach for not sufficiently counteracting the negative environmental effects of the Green Revolution and for disadvantaging small-scale farmers – despite the state label *organik*. Instead of chemical fertilisers and pesticides harmful to the soil and the environment, they suggest a sustainable production system with local seeds and self-produced organic fertilisers, but without the need for additional labour. The couple advocate for agro-ecological family farming and farmers' rights, as a safeguard against the risk of indebtedness and land loss.

Their ecological *pesantren* Ath-Tharik serves as a working example and model for organic farmers' groups and associations. The everyday agro-ecological practice at the Islamic boarding school follows the principles of permaculture, polyculture, open-pollinated seeds and small-scale (family) farming. Together with their three children, the student-boarders and various guest groups, Abi Ibang and Ibu Nissa create a familial and productive learning atmosphere for their combined religious and ecological education. They share and implement agro-ecological knowledge of soil conditions and nutrients, of cultivating local rice varieties, vegetables and root crops (like cassava), and of the nutritional value of their organic produce. Besides the preservation of local seed varieties and the organic cultivation of food, Abi Ibang sees the harvesting and processing of herbs and medical plants as an important aspect of healthy living. For example, he produces Rosella tea – made from hibiscus flowers (*Hibiscus sabdariffa*) and sweetened with palm sugar, and which can be administered for treating diabetes (Mayasari et al. 2018). Besides teaching student-boarders and guests about ecological correlations, Abi Ibang and

3 'Abi' and 'Ibu' are customary titles in West Java (Sunda) or Indonesia in general, meaning 'father' and 'mother' respectively.

4 Interview with Abi Ibang held at the *pesantren* Ath-Tharik on 19 October 2018 (all interviews are the author's own translation).

Ibu Nissa provide specialist knowledge particularly to female guests at the *pesantren* about the nutritional and health benefits of certain organic produce (at specific events and times) as well as of small-scale family farming. At the *pesantren*, organic produce like dried herbs and teas are sold to visitors and local residents in the surrounding area, and everyone is encouraged to develop semi-subsistence farming and small-scale entrepreneurship in order to help reinforce local networks and markets for organic food.

In his teachings, Abi Ibang combines religious and deep-ecology values, referring to Allah and the Holy Quran. An example he gives is a verse in the second chapter of the Quran, called Al-Baqarah, which explicitly forbids exploitation or destruction of Creation (i.e. other humans and the Earth).<sup>5</sup> Based on such guidelines, he stresses the vital importance of humans being part of God's creation, and the soil being part of the blessings provided by Allah. Thus, the *kiai* emphasises land and nature in general should not be treated as an object but a subject, with the divine obligation of mutual care. This extends also to animals and plants, who provide us humans with the resources to keep us fed and healthy, clothed and housed, but likewise need to be protected and handled with care. Related to this awareness of the rights of other creatures is the affirmation of their roles in different ecosystems. Abi Ibang refers to ducks being used traditionally as ecological pest control and producers of organic fertiliser, and to certain species of small fish – previously widespread in irrigation systems and rice fields – appreciated as nutritious food. He also mentions the role of snakes, often regarded as a threat by rice farmers, so they hunt and kill them. Being aware of the snakes' role in controlling rat populations, Abi Ibang emphasises that they too should be protected and cared for. Not far from his *pesantren*, the *kiai* provides a concrete pit for snakes to dwell in and not disrupt farming activities. Both Abi Ibang and Ibu Nissa teach their followers and guests about the interrelationships and entanglements between humans, animals, plants and soils. In their ecological education, these bonds can be mutually beneficial and sustainable, provided that everyone's (agricultural) actions are based on the Islamic values of life and respecting Creation.

The dedicated couple's main objective is to educate people on becoming 'ecological citizens' who follow these values and contribute to sustainable living. Interestingly, the notion of ecological citizens is explicitly based on Pope Francis's encyclical 'Laudato Si'<sup>6</sup>; both Abi Ibang and Ibu Nissa emphasise the common values and principles of Islamic and Christian eco-theology, and support interfaith dialogue. They welcome non-Muslim guests and, quite recently, hosted future Jesuit priests as part of the international Tertianship programme in Indonesia (Dy 2019). Furthermore, Abi Ibang and Ibu Nissa nurture supraregional cooperation,

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5 Same interview with Abi Ibang on 19 October 2018.

6 'The Holy See. Encyclical Letter Laudato Si' of the Holy Father Francis on 'Care for Our Common Home' (Vatican 2015).

for instance with a *pesantren* in Aceh, North Sumatra, which is dedicated to combining ecological and Islamic teachings just as Ath-Tharik is. In 2017, Ibu Nissa served as one of the resource speakers at the international Indonesian Women's Ulama Congress in Cirebon, West Java, which reflected on the various issues challenging the Islamic community worldwide. Both of Ath-Tharik's *kiai* advocate their values and ecopolitical thoughts on different scales, from the region around Garut to forms of national and international (as well as interfaith) exchange and cooperation. As Abi Ibang summarises: 'Teaching ecological awareness and the harmonious interplay of all beings in God's Creation, we educate the public to become ecological citizens. In our *pesantren* Ath-Tharik, we try to develop a role model for an agro-ecology beyond economic concerns – a holistic, environmentally and socially just agro-political system.'<sup>7</sup>

Similarly, at the *pesantren* Mursyidul Hadi in Yogyakarta, Central Java, organic farming is promoted, and Islamic networks are used to establish farmer networks and oversee regional organisation. Islamic values provide the grounds for bringing together and protecting farmers and farmers' groups, and for promoting the healthy production and consumption of food. The leader of the *pesantren*, Gus Qomar,<sup>8</sup> is innovative in his cultivating and marketing of *lele organik* ('organic catfish') as healthy food. In Indonesia various types of catfish are commonly used for food products, and *ikan lele* (*Clarias sp.*) is a popular and cheap staple. Catfish are a robust species which tolerate pollutants and substances harmful to humans, for instance through heavy-metal concentration in the fish flesh (Ernawati 2014). In his fish farms, Gus Qomar provides the catfish with good water parameters and well-controlled feed, to ensure the well-being of both the fish and the consumer. The same applies to his small-scale 'backyard' poultry farming – that is, to the care and welfare conditions employed for his chickens and ducks. Similar to Abi Ibang and Ibu Nissa, the *kiai* teaches his followers about the mutually beneficial and sustainable interrelations between humans and all other beings in Allah's Creation, as one of the core values of Islam.

Another similarity is Gus Qomar's concern for farmers' welfare and rights, in particular their protection against losses of land and livelihood. The *kiai* is a strong critic of the government's agro-industrial policy and the tourism policy in Yogyakarta, with them both capitalising on large-scale projects while in the process threatening or neglecting small-scale farmers. He explains that tourist development, as for instance with the growing number of hotels and shopping malls in the region, causes farmers' displacement from the land and shortages of water for agriculture and private households. The latest example he gives is the construction of the new Yogyakarta International Airport (YIA), located in a coastal area of Kulon Progo Regency. For building the 200,000 square-metre area,

<sup>7</sup> Interview with Abi Ibang at Ath-Tharik on 20 October 2018.

<sup>8</sup> 'Gus' is the short form for 'Gusti', a title and personal form of address for royals and religious authorities.

including parking facilities and the YIA–Wojo railway station, farmland was destroyed and expropriated by offering financial compensation, yet without new allocations elsewhere. Together with the government’s organic-farming policy of state certification and marketing which disadvantages small-scale farmers who cannot afford it (or refuse to pay), these developments justify their need for protection. Gus Qomar emphasises that his teachings of ecological knowledge and Islamic values aim at a healthy and sheltered life for all beings; in the case of humans, organic farmers in particular, this may mean to organise resistance against exploitative practices and large-scale projects, in Yogyakarta and all over Indonesia too.<sup>9</sup>

In both these cases of Islamic agro-environmentalism, Islamic values underpin the interconnection and protection of farmers, seeking to promote local, small-scale farming and food systems beyond policy requirements and government control. Criticism is levelled at the neglect of or discrimination against small-scale farmers, and at ecologically harmful or unsustainable practices. While small-scale or home production and the local marketing of organic produce are encouraged, the exploitative practices of the agro-industry and productivist approach are strongly rejected. Based on social and ecological Islamic values, particularly the respect for entangled human–nature sociality, alternative concepts of sustainable and healthy organic agriculture are promoted in the *pesantren* and their supraregional networks. Key figures herein have consolidated knowledge about the health benefits of locally produced herbs or local seed varieties which offer higher yields and better resistance to difficult environmental conditions. The value constellations they create, together with their students and visitors, combine environmental sustainability and care for all living beings in God’s Creation with human health and nutrition, as well as concern for farmers’ welfare and rights. These assets, in Birch and Tyfield’s (2012) terms, are valued more highly than large-scale projects and agribusiness – and the generated profit and shareholder value.

### **Christian agro-environmentalism**

The Catholic Church has played a significant role in the organic movement in Indonesia since its early beginnings. Under the auspices of the Commission of Social and Economic Development of the Catholic Church, the aforementioned BSB foundation was established by Father Agatho in 1983 – going on to become a pioneer of organic farming in the country. Other Catholic groups in Java have been actively working for the integration of their faith with ecological principles since the 1990s. Both in West and Central Java, Catholic groups promote organic farming and an organic lifestyle based on Christian values, partly in line with the government approach. At the same time, farmers’ protection and empowerment as well as alternatives to state certification are important shared objectives among

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9 Interview with Gus Qomar at Mursyidul Hadi on 14 November 2018.

these groups, also traceable back to the achievements of Father Agatho and BSB (Laksmna 2017, 550). Compared to Islamic agro-environmentalists and their vision of sustainable organic small-scale or home production, Catholic agro-environmentalists rather aim at organic-market opportunities and urban–rural harmonisation. Moreover, in Indonesia so far no national interfaith alliance for the environment exists, and interfaith dialogue on ecological issues has been achieved particularly in areas where Islam is not the majority religion (Reuter 2015, 1227). It is Catholic environmentalists in Java who actively pursue and shape interfaith dialogue in the Muslim-majority country, according to shared ecological values.

At the Eco Learning Camp in Bandung, farmers from the region but also school children, middle-class visitors from Jakarta and people from abroad are being taught about the environmentally friendly production and consumption of food as well as organic. The Eco Learning Camp and Foundation was established in 2002 by Father Ferry Sutrisna Wijaya and a committee comprising scientists, politicians and business people. The teachings at the Eco Learning Camp are partly in line with the Indonesian government’s approach, in particular with the idea of organic agriculture villages – similar to the ‘eco village’ promoted by Father Ferry. As illustrated on display boards at the entry gate to the Eco Camp, eco villages are envisioned as green, clean, self-active, eco-friendly and harmonious, referring to principles of permaculture, waste reduction, sustainable energy (self-)supply and sustainable agri-business.<sup>10</sup>

While the envisioned benefits of organic agricultural activities at the eco village include self-supply with organic produce and additional income from the sale at local markets, state certification is no specified objective. The three pillars (or basic triangle) of the Eco Camp are organic farmers, organic markets or consumers, and the younger generation of ecologically aware citizens referred to as Ksatria Shambhala (‘warriors for awakened living’).<sup>11</sup> A key concept at the Eco Learning Camp is environmental education in the form of educational tourism, which is provided by young tutors (already Ksatria Shambhala) and primarily targeted at school children and students (future Ksatria Shambhala). Participating in various activities, such as preparing seedlings and planting vegetables, young people are taught about natural cycles and relationships through first-hand – and often first-time – experience (Agustina 2017).<sup>12</sup> Waste management, in particular the reduction and recycling of waste, and reduced meat consumption or vegetarianism are presented as important aspects of healthy and eco-friendly living.

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10 Author’s own translation from Bahasa Indonesia.

11 ‘Shambhala’ (or ‘Shangri-la’) is a concept of Tibetan Buddhism, referring to awakened living in the world.

12 Susanti Agustina presents a beautiful phenomenological account of the practical learning experience (of families and children) at the Eco Learning Camp.



The Eco Learning Camp and Foundation are sponsored by large companies (e.g. Ultra Milk, The Body Shop), and some of the teachings appear contradictory to the products and production systems of these companies. For instance, the use of plastic bottles or the industrial production of dairy produce contradict the ecological principles advocated. However, Father Ferry explains that besides functioning as sponsors for the Eco Camp, these companies also can be influenced by its ecological teachings – something attempted on every possible occasion.<sup>13</sup> In regular meetings with representatives from business and agriculture, the focus lies on expert knowledge and innovations, like a rich liquid organic fertiliser based on microorganisms, which was developed by one of Father Ferry's friends and is claimed as a revelation of God.<sup>14</sup> This liquid organic fertiliser is envisioned by Father Ferry as a game changer for the widespread development of organic farming across Indonesia, potentially replacing both ecologically harmful chemical fertiliser and the labour-intensive production of common organic fertiliser.<sup>15</sup> In summary, the intended impacts of the Eco Learning Camp operate on different levels, teaching the younger generation ecological awareness, leading large companies towards eco-friendly production and packaging, and supporting the widespread adoption of organic-farming practices among farmers and villagers.

The ethical foundations of the teachings at the Eco Camp, as Father Ferry explains, lie in Catholic eco-theology, like the papal encyclical *Laudato Si*. Together with colleagues and friends, Father Ferry has recently published a booklet entitled *The Rosary Prayer Laudato Si. Essential insights from experiencing the rosary prayer of the encyclical Laudato Si* (Binawan et al. 2020).<sup>16</sup> Herewith, the authors aim to translate the Pope's verses into a more concrete, practical and easy-to-understand form of guidance for the wider population, drawing on examples and references from the Indonesian context. A recurring theme is the worth and value of all creatures living on Earth, and the interrelations between humans and other beings which impose an obligation of care (Binawan et al. 2020, 10, 12, 19). Interestingly, the authors refer to the current global Covid-19 crisis as a response of the Earth to humans not adequately taking care of the environment and Creation (Binawan et al. 2020, 2). The building of widespread, global ecological awareness is presented as the only solution for planetary health. Another interesting detail in the booklet is that the authors explicitly refer to God as 'Allah', despite drawing on references from the Bible.

Organic farming and lifestyle based on Catholic values are promoted on the producer and consumer level, but without putting Christian ecological values centre stage. Father Ferry emphasises common interreligious ecological values and objectives, and actively promotes interfaith dialogue. Delegates of the Eco

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13 Interview with Father Ferry at the Eco Learning Camp on 24 October 2018.

14 Same interview with Father Ferry on 24 October 2018.

15 Same interview with Father Ferry on 24 October 2018.

16 Author's own translation of the original Bahasa Indonesia title.

Learning Camp have undertaken visits to France (2017) and Thailand (2018) for Christian–Buddhist dialogue on environmental protection.<sup>17</sup> Christian–Islamic dialogue is part of the everyday interactions at the Eco Learning Camp, for instance with visitors from the Islamic Community Parenting Club or in discussions with scholars (of Agriculture, Economics, Ecology) from Islamic universities in Jakarta. Father Ferry states that: ‘The overall objective for all of us must be harmonisation. With the Earth suffering from human exploitation, we need to forge new paths for mankind to live harmoniously with Creation. With millions of people around the globe living in cities like Jakarta, we need harmonisation between the urban and the rural. And since in all world religions the protection and care of Creation is prescribed, we must adhere to this obligation harmoniously across different religious denominations.’<sup>18</sup>

At Father Gregorius Utomo’s Ganjuran Church and Temple in Yogyakarta, similar values and objectives are attended to – albeit on a slightly different basis and under alternate conditions. At Ganjuran, the ‘World Food Day Secretariat for Farmers and Fishermen’ (SPTN-HPS) was formed in 1990 to combat the negative environmental impacts of the Green Revolution, and to empower small-scale farmers and landless farmworkers (Ganjuran Declaration 1990). A combination of Catholic and Javanese cultural values are used to promote environmental protection and sustainable rural and agricultural development which is environmentally friendly, affordable and socially just. In particular, these values serve to substantiate self-sufficiency and the protection of farmers, acknowledging the latter’s rights to choose their cultivation methods, to assemble (based on their own needs and aspirations), and to form representative groups.

Rejecting strict government regulation and the use of chemical fertilisers, pesticides and factory seeds, Father Utomo advocates sustainable farming practices: that is, the maintenance of local/cultural farming practices and crop varieties. Together with SPTN-HPS, training for farmer groups is provided which includes organic-farming techniques but also support for organisational management, for developing trade in organic produce and for growing businesses (Tamtomo 2022, 5). From the late 1990s on, the Ganjuran Church developed into a major pilgrimage and tourist site in Indonesia, with Javanese Mass services held on the first Friday of every month attracting up to 5,000 pilgrims (Bramasti 2015, 36). At these large-scale events and in regular Mass services at Ganjuran, Javanese culture and tradition are integrated into the procedures, including attire, song, dance and musical accompaniment by a classical Javanese Gamelan orchestra, as well as arrangements of fruits, vegetables and rice which serve as offerings in the local (agricultural) tradition (Bramasti 2015, 46). At Ganjuran, visitors and pilgrims are taught about ecological interrelations and responsibilities, not only in sermons but also in theatre- or musical-like performances which complement the

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17 See: <https://plumvillage.or.id/tag/katolik/> (last accessed 6 June 2020).

18 Interview with Father Ferry at the Eco Learning Camp on 23 October 2018.

Holy Mass.<sup>19</sup> Bramasti (2015) argues that the Javanese Hindu(-like) temple at Ganjuran is an artwork which, under the patronage of Father Utomo, engages and encourages people's spiritual, cultural and environmental awareness.

In both these cases of Catholic agro-environmentalism, a combination of cultural and Catholic values serve to promote ecological awareness and responsibility among the broader population, and to support farmers and farmer groups. While at Ganjuran farmers are encouraged and supported to maintain local/cultural farming practices and crop varieties, the Eco Learning Camp in Bandung seeks innovative opportunities to spread organic farming on a broader level. However, both sites capitalise on educational tourism, with the Eco Camp providing a hands-on experience of eco-agriculture and Ganjuran serving, meanwhile, as a pilgrimage site which combines spiritual practice and ecological awareness. The value constellations shaped at these education facilities are similar to those created at the *pesantren* presented above. Catholic values equally underpin environmentally friendly agriculture and care for all living beings in God's Creation, the production and consumption of healthy and nutritious foods, as well as farmers' protection and welfare. Here, too, these assets are valued more highly than large-scale projects and agribusiness, and the generated profit or shareholder value. Yet, an additional aspect – or asset – integrated by Father Ferry is the support of innovative technology for the widespread development of organic farming across Indonesia. In addition to small-scale family- or backyard farming and local markets, this means a more favourable view on development towards more industrialised, large-scale organic farming.

### **Local cultural agro-environmentalism**

In Java, cultural traditions and beliefs about human–nature relations no longer primarily reflect ideas about organic farming and related practices. This is partly due to the New Order regime's implementation of the Green Revolution, but more generally an outcome from the modernisation of agricultural production in terms of refined crop-growing methods. Cultural traditions and values are, nonetheless, used as the foundations for promoting healthy, sustainable, eco-friendly farming and living. Sundanese cultural traditions are used to promote environmental protection as cultural heritage among the broader public. The aim of these communities, whose territories are officially recognised by the government as preservation areas and tourist sites, is to promote sustainable living 'with nature'. In Central Java, similarly, cultural traditions and Javanese philosophy are used to promote organic farming and lifestyle, in particular among farmers and small-scale producers. Besides sustainable-agriculture techniques and methods, the approach chosen in Yogyakarta supports farmers' sovereignty – also vis-à-vis the government.

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19 Personal observation by the author at a Holy Mass service at Ganjuran Church on 6 August 2015.

At Joglo Tani ('Farmhouse') in Yogyakarta, visitors, farmers and farmer groups are trained in Javanese philosophy related to human–nature relations and in sustainable agriculture. This cultural centre and tourist site was founded in 2008 by To Suprpto, who has been advocating organic-farming practices since 1989. His teachings focus not just on agricultural techniques and methods but also on conveying a holistic approach which supports farmers in establishing sustainable practices; his vision for Java and Indonesia is to achieve food self-sufficiency and food sovereignty in particular from the farmers' side, which is different to the government idea of food sovereignty (see above). Joglo Tani has been the subject of a number of case studies (Winarto 2004; Sadiyah 2015; Setiadi 2020); interestingly, affiliated young farmers and farmer groups are described as effective agents in supporting government programmes.

In his book *Food self-sufficiency in the style of Joglo Tani*,<sup>20</sup> Suprpto (2018, 63–64) explicitly supports President Jokowi's *Nawa Cita* agenda and plan to overcome the dependency on food imports. For Suprpto, the younger generation of (potential) organic farmers must be educated on integrated farming, marketing and community empowerment in order to realise this goal and a sustainable, just agricultural system in the long run. For him, integrated farming means a combination of agriculture, fishery and livestock farming, since these three components are inseparable and complement each other in a mutually symbiotic relationship (cf. Syadah 2016, 159). Combining the three components and exploiting the resultant synergy effects would guarantee high-quality organic fertiliser and pest control, as well as self-supply and surplus production in a variety of healthy foods. In order to improve their incomes, farmers are taught about promotion and marketing, and how to sell their produce lucratively at local and traditional markets. As Suprpto emphasises, this is a concept from which all sides can benefit: the farmers, the local community as well as animals and the environment.<sup>21</sup> Furthermore, he adds that his concept of food self-sufficiency would also imply community empowerment on a larger scale. Suprpto encourages young farmers and visitors to work together with government agencies, scientists, researchers and students, and the broader public 'to raise public awareness about the important contribution organic farmers make to the well-being of the Indonesian people and nation'.<sup>22</sup>

At Joglo Tani, Javanese cultural traditions and philosophy are used to promote organic farming and lifestyle among farmers and farmer groups as well as the broader public. Key concepts of this tradition and philosophy are the 'Surroundings of the preserved food house' (Kawasan Rumah Pangan Lestari) and the 'Mataram-style storehouse' (Lumbung Mataraman).<sup>23</sup> The underlying idea here is that in the

20 Original title in Bahasa Indonesia: *Mandiri Pangan ala Joglo Tani*.

21 Interview with To Suprpto at Joglo Tani on 21 November 2018.

22 Same interview with To Suprpto on 21 November 2018.

23 Lumbung Mataraman refers to the pre-Islamic 'Old Java' (Java Kuno) and the Javanese Hindu-Buddhist Mataram Kingdom which flourished between the eighth and eleventh centuries.

rural surroundings of the storehouse, farming activities provide for all human needs – food, clothing and housing – in a self-sustaining, integrated system. There is no waste, pollution or exploitation, since all natural-waste products are utilised for soil cultivation and animal husbandry. An important element of traditional Javanese knowledge and philosophy is the use of plants and animal products for healthcare and the medicinal support of both humans and livestock (Suprpto 2018, 67–68). Therefore, a key insight from Javanese tradition which Suprpto aims to convey to farmers and visitors at Joglo Tani is the mutually symbiotic relationship between humans and nature, between integrated farming activities and the rural eco-system. In comparison, Kampung Naga (‘Dragon Village’) in Tasikmalaya, West Java, is not as active in teaching organic-farming practices and ecological interrelations but rather sets a practical example and exists as an educational-tourism site for local culture and tradition. Kampung Naga is widely known as a village community where local Sundanese traditional culture and lifestyle ‘with nature’<sup>24</sup> are being preserved; the village is officially recognised by the government as a preservation area and tourist site. Interestingly, though, while ritual practices and festivities are maintained, food production is not necessarily organic – in the sense that chemical fertilisers and pesticides are used by some farmers.<sup>25</sup> The aim of the Kampung Naga community is, nonetheless, to promote sustainable living with nature. Sundanese cultural traditions are used to promote environmental protection as cultural heritage among the broader public. Similar to Joglo Tani in Yogyakarta, Kampung Naga is self-sufficient in the cultivation of a broad variety of farming produce (plus harvests from aquaculture and forestry too), while surpluses are sold on-site and at local markets.

The village community is Muslim, yet maintains traditional local practices and beliefs – of which some can be interpreted as having Hindu influences (Permana 2015, 26–30). Many of these – such as the belief in holy forests and sacred places or in benevolent and malevolent spirit beings – are closely linked to traditional agro-ecological knowledge about human interaction with the environment (or ‘biosphere’: *lingkungan*), interrelations within local ecosystems and sustainable-farming approaches like permaculture and polyculture (Permana 2015, 43–45). The basic idea underpinning traditional Sundanese ecological knowledge and belief is that we as humans are part of a circulatory system which provides for all our needs and for those of all living beings too. As a guide at Kampung Naga stated: ‘We simply need to know and acknowledge the needs of rivers, soils, plants, trees and animals to benefit from natural resources without causing any damage. At Kampung Naga, this kind of knowledge has been passed on from generation to

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24 From a brochure advertising Kampung Naga as preserving ‘traditional, responsible dealing with nature’ and ‘life in harmony with nature’ (author’s own translation from Bahasa Indonesia).

25 Interviews with farmers at Kampung Naga held on 25 November 2018.

generation, and the village serves as a living example of the traditional ecological knowledge of the Sundanese people.’<sup>26</sup>

In both of these cases of local agro-environmentalism, culture and tradition provide knowledge and values for maintaining ecological standards and a holistic agro-ecological way of life in accordance with nature. While Joglo Tani uses Javanese philosophy, values and knowledge for integrative, practical teaching and support of farmers and visitors, Kampung Naga serves as a living example of preserved Sundanese traditional ecological knowledge and values. Both groups are self-sufficient vis-à-vis a broad variety of farming produce, and surpluses are sold to the local public and on local markets. In essence, both educational-tourism sites aim to raise public awareness about ecological interrelations, as well as about the combined social and environmental benefits of a traditional organic agriculture which respects and reflects these interrelations. The value constellations created at both education facilities uphold organic agriculture in accordance with natural cycles and conditions, and per local traditions and culture. Thus, an essential part of their value constellations is the aspect of preserving traditional knowledge and lifestyles – equated with healthy and environmentally friendly living. While the marketing and sale of organic produce is not fundamentally rejected, here again other assets are valued more highly than agribusiness and generated profit or shareholder value.

Collectively, in a dialogic and interactive process, value is being created and reinvented by educators, farmers, students and visitors alike. This process involves a hands-on approach and practical experience in dealing with natural resources and of having contact with livestock. The assets which determine value go beyond the economic, combining concerns for farmers’ and consumers’ health, welfare and sovereignty with ones for local ecosystems and the well-being of all forms of life. The entire value-creating system is based on a deep agro-ecology which acknowledges the interrelatedness of social systems and ecosystems. It is important to note that the deep agro-ecology advocated by the agro-environmentalists presented here goes beyond the debate between deep ecologists and social ecologists about the ‘nature of nature’ and the contested ontological divide between humanity and the rest of nature (Humphrey 2000). For the educators in all three categories, the human being is neither the sole object of value in the natural world nor, indeed, the one of greatest value therein (Humphrey 2000, 249). As part of God’s Creation or as preservers of an ecologically oriented culture, humans share the obligation – or moral responsibility (Humphrey 2000, 261) – to care for nature as the basis for livelihood.

This means that humans are seen as part of nature, yet human interference and the impact of human activity should not damage local ecosystems but instead respect

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26 Statement of a guide at the entrance to Kampung Naga, interviewed on 25 November 2018. Remarkably, the term ‘traditional ecological knowledge’ (*pengetahuan ekologi tradisional*) has become widely established in connection with Kampung Naga.

natural cycles and relationships. A deep agro-ecology, as promoted in West and Central Java, is based on the premise that both human beings and all other living beings benefit from an organic-agriculture system in which mutual dependency and care lead the way. Since profit and shareholder value are of only secondary importance, civil society actors defend themselves against the adoption of market and institutional structures of conventional agro-industry and agribusiness (and thus the government), and insist on determining their own food and agricultural policies. Therefore, the emerging value constellations comprise converging concerns for social justice and ecological sustainability, and ecological political thought based on entangled human–nature sociality.

### **Organic value constellations – reconciling deep ecological ideals and productivism?**

Coming back to Indonesian government policy and programmes, and to the observation that values of ecologically oriented organic agriculture are incorporated into the productivist regime, the question remains to what extent civil society actors in turn adapt to government regulations and make attempts at reconciling socioecological ideals with economic markets and profit. Based on a social-network analysis (using Net-Maps), Laksmana and Padmanabhan (2021) identify three categories of organic farming actors based on their different degrees of engagement with the government: (1) disengaged; (2) partially engaged; and (3) fully engaged.<sup>27</sup>

(1) Members of the disengaged group are defined by their complete rejection of interaction with the government. The group primarily consists of activists who follow the groundwork of the early pioneers in Indonesian organic farming and emphasise that ‘the prohibitive cost of organic certificates perpetuates the injustice that prevails in conventional agriculture’ (Laksmana and Padmanabhan 2021, 10). Advocating against an organic-farming sector which follows the blueprint of conventional farming in increasing engagement with agribusiness, they establish ‘local organic-market communities’ (*komunitas pasar organik lokal*). Instead of links with government actors, the group establishes connections to non-governmental and private sector organisations to further expand organic farming and market communities.

(2) The partially engaged group is defined by strategic adaptation to government regulations, while retaining certain positions of the organic social movement – in particular the support of farmers against forced adoption of conventional agricultural standards. Collaborating with the government at the level of village administration, the group gets access to monetary resources (village funds) and at

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27 The Net-Map method was applied as a tool to explore tensions, cooperation and potential spaces for resolution constructed by organic-farming actors, with the active engagement of these actors themselves. It was part of a transdisciplinary, participatory workshop held in Yogyakarta in 2017, in the framework of IndORGANIC.

the same time influences local policymakers in terms of agricultural development. ‘Due to their influence and centrality in the network, partially engaged actors have the opportunity to disseminate the holistic principles of the OF [organic farming] movement while simultaneously promoting alternative OF systems that are distinct from the government’s approach’ (Laksmana and Padmanabhan 2021, 13). Members of this second group collaborate with state actors to different degrees, without renouncing their agro-ecological values and their objective of a socially just and environmentally sustainable agricultural system.

(3) The fully engaged group is characterised by their adaption to the current organic-farming regulations defined by the state. The legal framework for organic farming, with its set definitions and standards, allows actors who do not necessarily identify themselves as belonging to the organic movement to partake in the organic-farming system. In this case, the latter provides a mechanism for the trade of organic food as premium agricultural goods, which protects both consumers and producers from misinformation or fraud (Laksmana and Padmanabhan 2021, 14). Members of this third group are not as well-connected to other actors in the private sector or from the organic movement as other groups, but rather depend on input or exchange of information with government officials.

Beyond engagement with the government, Tamtomo (2021) has investigated to what extent different groups reject or accept the conventionalisation of organic farming.<sup>28</sup> His findings support an assessment of the value constellations created by agro-environmentalist groups in terms of compromises with the productivist approach, meaning potential attempts to reconcile deep-ecology ideals with productivism. Despite different doctrines, and divergent knowledge and belief systems, the examined agro-environmentalist groups share common values of a deep agro-ecology and organic lifestyle, and promote the eco-friendly, small-scale production and consumption of healthy, local food. All groups face similar tensions and trade-offs between their respective values on the one hand and practices which are linked to the market and institutional structures of the agro-industry on the other. Smallholder producers and (potential) organic farmers face similar hurdles including the cost of certification (which can hinder them from entering the formal organic market), the lack of support by extension workers, the small number of organisations among organic farmers as well as shortfalls in market access and price control. Tamtomo (2021) identifies two major strategic directions for solving these tensions being taken by organic actors: (1) those who maintain their deep agro-ecological principles, and oppose any engagement in the official organic market and (2) those who are open to developing their trading business and expanding their organic market.

(1) The first group includes activists who are adamant about the holistic ideals of the organic-farming pioneers, and encounter problems with the current direction of

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28 This research was also conducted in the framework of IndORGANIC.



the conventional market on different levels. In terms of market opportunities, they face inequality vis-à-vis its relations of power – meaning the control of price premiums and profits by traders or agribusinesses. In terms of sustainability, they see organic agriculture as being reduced to organic inputs but without further consideration of the socioecological implications, such as equitable consumer–producer relations, multi cropping and reduced external inputs. Their deep ecology-oriented organic agriculture, which emphasises farmer sovereignty and alternative marketing, can only be commodified to a limited extent. Representing the ‘deep green organic side of the conventionalization debate’ (Tamtomo 2021, 21), their market is defined as community-based, built on short-range supply chains and a manifestation of direct interaction between consumers and producers.

(2) The second group consists of organic organisations which expand their efforts to support farmers and farmer groups towards the establishment of a marketing network for organic produce. Tamtomo (2021, 22) identifies the change in organisational funding as an important factor behind this shift to marketing: While formerly external donors had provided funds for farmer-group trainings and monitoring, the organic organisations now rely on trading produce with the objective of economic expansion. In addition to their environmental concerns and commitment to farmer sovereignty, they increasingly consider opportunities for profitable economic prospects too.

Both papers referenced here provide helpful categories for understanding organic-farming actors’ varying degrees of cooperation with the Indonesian government, and their stance on conventionalisation. These different categories partly overlap and partly differ, which becomes clear by comparing them with the value constellations presented above. Most interestingly, the various agro-environmentalists and their value constellations analysed in this paper partly transcend the categories suggested by Laksmana and Padmanabhan and Tamtomo. This will be demonstrated based on identifying the reasons for specific actors taking the positions which place them in a particular category – and which of the values they uphold are the ones making them (un)able to engage with the government or (un)willing to accept different degrees of conventionalisation.

In terms of cooperation with the government, Abi Ibang and Ibu Nissa from Ath-Tharik belong to the category ‘disengaged’. They fundamentally reject the concept of the government-funded *eco-pesantren* which must follow all statutory and official regulations, as well as state certification and organic labels which are perceived as subordinating organic principles to market demands. Organic home production and local organic markets are seen as the only way of preserving agro-ecological knowledge and organic-farming practices. Abi Ibang and Ibu Nissa also meet the criteria of Tamtomo’s first group, maintaining their deep-agro-ecology principles, and opposing any engagement in the official organic market. Promoting backyard or family farming and local organic markets as the only environmentally and socially just agricultural system, they are not amenable to compromise on

socioecological concerns. With such a value constellation, a reconciliation of their deep-ecology ideals with productivism and the agro-economic framework seems very unlikely. The creation of incentives for engaging in the organic market (and thereby improving the economic welfare of producers) and alternative agri-food arrangements – such as participatory-guarantee schemes, regional markets and organic boxes (delivered directly to consumers) – could initiate a rapprochement. However, since assets like nutrition and health benefits are valued much more than economic income, it remains doubtful whether these incentives and opportunities are sufficient. In a way, Abi Ibang's vision to establish a national and international network of Muslim agro-environmentalists, and to jointly address the conservation of natural diversity in agriculture, transcends both previous categories. If the state – or any other institution – would commit to preserving agro-ecological knowledge and diversity, the *kiai* could to some extent accept the imperatives of the market economy; this would, however, require a shift in cost–benefit calculations which no longer subordinated organic principles to market demands.

As regards their willingness to cooperate with the government, Gus Qomar from Pesantren Mursyidul Hadi and actors from Ganjuran Church and SPTN-HPS belong to the category 'partially engaged'. They share information on the philosophy and technical aspects of organic farming among each other and with local policymakers, while supporting the expansion of the Indonesian Peasant Union (SPI) and the continuation of the organic movement as a form of activism. Similarly, Pak<sup>29</sup> Suprpto from Joglo Tani and Father Ferry from the Eco Learning Camp cooperate with policymakers, primarily to influence their (ecological) political thinking, and to get political support for their ecological teachings and educational facilities. The Eco Learning Camp is an exception here, since the broad spread of organic-farming practices via industrialised liquid organic fertiliser (see above) is an approach which other agro-environmentalist groups reject as an oppressive government strategy. Most of the agro-environmentalist groups in West and Central Java can also be assigned to Tamtomo's second category, being open to developing their trading business and expanding their organic market. For both Catholic groups, the Eco Learning Camp and Ganjuran/SPTN-HPS, the main donor is no longer the Indonesian Catholic Church; instead, a combination of external and internal funding is raised for their educational and support activities. While the Eco Learning Camp receives sponsorship from large companies, SPTN-HPS has developed its own business unit which trades in organic produce (under the label *lestari*, 'sustainable', not *organik*, since they have not pursued official certification).

Similarly, Gus Qomar at Pesantren Mursyidul Hadi and Pak Suprpto at Joglo Tani encourage farmers to establish small-scale businesses and sell their organic produce lucratively at local and traditional markets. For those who take the initiative in developing their trading business and expanding their organic market,

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29 'Pak' is the short form of 'Bapak', a polite form of address for older men.

government support for certification and the development of marketing networks for organic produce could be an additional incentive. The majority, however, so far remain critical and unwilling to accept the agro-economic system and regulations defined by the government, as both Gus Qomar and Pak Suprpto noted. In their value constellations, economic growth, productivity and income remain subordinated to assets like equitable consumer–producer relations, environmental and biodiversity protection, and the freedom to determine their own food and agricultural policies. Both Islam and local cultural tradition provide a strong societal embedding for these values, and a good way to communicate them in terms which resonate with the wider population. Thus, they can take a mediating role between government bodies and both consumers and producers of organic goods, and potentially influence the direction of the Indonesian government’s policies and action in the field of organic agriculture.

In addition, in a wider sense, Kampung Naga could be included in the category ‘fully engaged’, although the village community is neither dependent on the organic certification system nor oriented towards premium agricultural produce. As an officially recognised preservation area and tourist site, Kampung Naga cooperates fully with the Indonesian government, and as shown, some farmers have even adopted conventional agricultural practices to increase productivity. However, traditional agro-ecological knowledge and practices are being preserved in the village community, and the village as a whole is not shifting its organic agriculture towards conventionalisation. Similar to the other actors described above, Kampung Naga rather successfully promotes organic values among the wider population, and serves as an educational institution and mediator for the government.

Assigning the agro-environmentalist groups in West and Central Java to these respective categories, it becomes clear that most of them strategically engage with the Indonesian government to some degree. They benefit from financial support while adhering to their agro-ecological values and principles, and maintain their objective of a socially just and environmentally sustainable agricultural system. Their active engagement aims at influencing the government on agricultural policies, and makes a significant contribution to the incorporation of ecologically oriented organic-agriculture principles and practices into the productivist regime. In this way, they contribute to the reconciliation between productivism and deep ecology, with a clear positioning for agro-ecological value constellations.

## Conclusion

The given examples show that not all organic actors are willing to make an attempt at reconciliation of socioecological ideals with market expansion and industrial-scale production. The presented results are particularly interesting since they explain why specific actors – with the values they uphold – are (un)likely to engage with the government or (un)willing to accept different degrees of

conventionalisation. Pesantren Ekologi Ath-Tharik rejects cooperation with the Indonesian state and the concept of the government-funded *eco-pesantren*, as well as state certification and organic labels. Against a subordination of organic principles to market demands, organic home production and local organic markets are promoted as the only way of preserving agro-ecological knowledge and organic-farming practices. In contrast, Pesantren Mursyidul Hadi is at least partially engaged with the government, sharing information on the philosophy and technical aspects of organic farming with local policymakers while still supporting the continuation of the organic movement as a form of activism.

This confirms that there is no homogeneous Green Islam in Indonesia, but different value constellations and respective interpretations of sustainable agriculture among the country's Muslims. Other religiously or culturally determined actors, such as the Eco Learning Camp, SPTN-HPS or Joglo Tani, are also partially engaged with the government and accept a certain degree of conventionalisation; they do not generally reject the extended marketing of organic produce. However, their outlined value constellations uphold assets like equitable consumer–producer relations, environmental and biodiversity protection, and the freedom to determine their own food and agricultural policies.

In conclusion, organic farming in Indonesia must be seen critically as wavering between productivism and deep ecology, depending on actors' value constellations and their willingness to cooperate with the state. Nonetheless, by providing incentives and establishing middle grounds or alternative spaces for different groups of organic organisations and their strategic orientations, the government could influence their further development towards agro-economic expansion in the long run. Furthermore, the official target of socially, ecologically and economically sustainable agriculture would need to incorporate the more comprehensive criteria of the country's agro-environmental groups. This, in turn, would require greater concessions and collaboration with organic actors in formulating more context-based organic-farming guidelines and more coherent related policies. That way, organic actors could contribute and realise alternative, sustainable opportunities to the Indonesian bioeconomy.

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## Research note

# Who is Driving Financial Market Governance of Cryptocurrencies in Japan? Actors and Institutions behind Japan's FinTech Revolution

Felix Doege

### Summary

The spread of FinTech around the globe has posed new challenges for financial market governance. As disruptive new products and technologies such as cryptocurrencies and blockchain reshape financial markets and lead to new forms of financial services, established financial institutions and government agencies alike face the challengers' new businesses. Among these are cryptocurrency exchanges and a variety of startups. Changes in countries' financial market governance have been the consequence, ranging from outright prohibition of new products and services to fierce competition in creating and fostering optimal conditions for the emergence and development of even more digital financial innovations. Despite a multitude of private sector and regulatory initiatives in Japan over recent years, the country remains a rather unexplored case—wrongly so, as the Japanese government has not only created comparatively comprehensive regulation of cryptocurrencies but has also devised new ways and means of integrating new market actors while attempting to hedge against the associated risks, each in close cooperation with private market actors. It is therefore worthwhile to examine the governance processes behind these changes and their effects on broader financial market governance in Japan and the country's political economy in general. The present paper contributes to this endeavor and sheds light on the actors and institutions behind Japan's FinTech governance.

**Keywords:** FinTech, cryptocurrencies, Japan, financial market governance, political economy, financial innovation, disruption

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## Introduction

Financial Technology (FinTech) is on the rise on a global level as many jurisdictions are currently in the process of regulatory reform to make their financial markets more attractive for FinTech startups and investments. According to a report by Deloitte (2017, 17), London, Singapore, and New York are the most attractive FinTech hubs worldwide, while Tokyo exhibits only moderate attractiveness and is number two in Northeast Asia (worse than Hong Kong, slightly better than Taipei, and much better than Shanghai and Shenzhen). In terms of venture capital firms' FinTech investments, Japan, with roughly 90 million USD (same as Singapore), lags behind the People's Republic of China (7.7 billion USD), the US (6.2 billion USD), and the UK (780 million USD) as well as the Hong Kong Special Administrative Region (170 million USD) (Deloitte 2017, 19; Deloitte Tohmatsu 2017, 2). The Global FinTech Index 2020 finds Japan at rank 22 of 65 countries behind China (21), South Korea (18), and India (15) as well as the top three of the US, the UK, and Singapore. Within the Asia-Pacific region, Tokyo ranks 7 after Singapore (1) and Hong Kong (4) but ahead of Beijing, Seoul, and Shanghai (ranks 8, 9, and 10, respectively).

In terms of the number of FinTech startups, Japan achieves a similar ranking (23 out of 107 countries), although the gap between the leader (the US with 3,904 FinTech firms) and Japan (41 FinTech firms) is large (Haddad/Hornuf 2019, 97). Behind the international competition lie political and economic efforts at the national level to not only keep up with but preferably also set the pace in the emerging digital world economy of which digital finance will be an essential part. Japan is no exception to this general rule and has seen numerous FinTech initiatives in recent years, both at the public and private levels. The latest examples include the Financial Market Entry Office, launched by Japan's financial regulator the Financial Services Agency (FSA) in 2021 with the goal of assisting foreign financial firms establishing operations in Japan (Japan Times 2021a); efforts at creating a central bank digital currency (CBDC) by the Digital Currency Forum made up of major Japanese companies, the country's three megabanks, and Japan's central bank (Okamoto 2020); and cooperation between MUFG Bank and the US cryptocurrency exchange Coinbase that grants MUFG's customers access to a variety of cryptocurrencies (Japan Times 2021b).

Questions arise as to how successful these endeavors will be, whether they are being coordinated, and, if so, how and by whom. Little research has been published so far to answer these questions, although the answers are highly likely to shed some light not only on how Japan is conducting its FinTech Revolution,<sup>1</sup> but also

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1 Gomber et al. (2018, 223) use the term to describe a global increase in venture capital funding for FinTech startups and the disruptive effects of the corresponding technological change on the financial sector.

on the current state of Japan's political economy, especially in the financial realm. So who is in charge?

### **Theoretical approach and definitions**

Financial systems are part of the political economy of states. They can be regarded as being comprised of several components. One way of structuring these components is to divide them into institutions, markets, and infrastructures (OECD 2018, 23), whereby markets as “arenas in which buyers and sellers come together to exchange goods and/or services” (Vogel 2018, 11) are themselves one type of institution that is built by governments, firms, and/or individuals (Vogel 2018, 1, 3). Institutions, in turn, can be conceived as systems of rules that structure the courses of action open to actors. They comprise both legal rules and social norms (Scharpf 2000, 77). Institutions either restrict or facilitate decisions and determine how actors assess the results of these decisions. Therefore, institutions determine actors' preferred options for action, i.e. actors' preferences, by limiting the options that actors have under given circumstances. As institutional change involves high costs, institutions are path dependent (Scharpf 2000, 77 ff., 82).

Actors are self-interested and market governance can either happen against their will or with their consent (Lütz 2002, 47, 53). Governance “[...] refers to all processes of governing, whether undertaken by a government, market, or network; whether over a family, tribe, corporation, or territory; and whether by laws, norms, power, or language” (Bevir 2013 cited in Vogel 2018, 10). Different levels can be involved in governance processes such as the national level, the international level, and the global level (i.e. global governance) (Lütz 2002, 51), and financial markets often involve a high degree of competition at the international and global levels (Lütz 2002, 20).

Seen from this actor-centered, institutionalist perspective, financial market governance is therefore the result of the interaction between self-interested public and private actors, constrained but not determined in their actions by institutions located on different levels.

### **Financial market governance in Japan**

Two major developments led to changes in the structure and functioning of post-WWII Japanese financial market governance: regulatory reform as a result of the Japanese financial and economic crisis following the burst of the bubble economy at the beginning of the 1990s, and the gradual strengthening of the prime minister's position vis-à-vis strong politico-economic actors such as the ministerial bureaucracy as well as intra-party groups.

Until the first liberalization of the Japanese financial market in the 1970s, Japan's postwar financial system had three main characteristics (Dekle/Kletzer 2003, 308). First, corporate finance relied almost exclusively on loans from commercial banks.

Second, the government provided deposit insurance to the commercial banks and Japan's then non-independent central bank, the Bank of Japan (BOJ), acted as the lender of last resort. Third, the system was characterized by the absence of an independent supervisory institution, as the Ministry of Finance (MOF) lacked both the motivation and the capacity to fulfill that role. Vogel (1996, 168) finds additional characteristics: highly segmented financial markets, artificially low interest rates, isolation from international financial markets, and government control of entry to and exit from the market. As such, the Japanese financial system was an integral part of the developmental state (Johnson 1982).

The old system has been widely characterized as informal (see, e.g., Laurence 1996; Neville 1997; Amyx 2001) or discretionary (Walter 2006; Takahashi 2011, 18). Financial reforms occurred in the form of bureaucratic-led bargains (Vogel 1994, 220 f.) as the MOF was the dominant actor in financial market governance, with its "dual role of regulator and business provider" (Markham 2003, 383). The BOJ was not independent but subordinate to the MOF. This enabled the MOF to engage in strategic lending, a practice known as window guidance, and to act as a lender of last resort in the convoy system of shared risk management among banks.<sup>2</sup> Other actors involved in financial regulation and governance were the Ministry of International Trade and Industry (MITI, since 2001 METI); the Ministry of Post and Telecommunications (MPT); peak councils of banks, securities companies, insurance companies, credit associations and cooperatives; the members of advisory councils and various LDP intra-party committees; and groups such as the Policy Affairs Research Council (PARC) and financial *zoku giin*.

This system was transformed for the first time in the 1970s, when large Japanese industrial firms started to raise money in the Euromarkets rather than borrowing from banks. As a result of this shift towards equity financing, larger Japanese banks became interested in obtaining access to the securities business as they were simultaneously under pressure from the postal savings system, to which they lost market share in savings deposits. Further pressure to liberalize financial markets came from the MOF's need to pay interest on ten-year government bonds issued in large quantities for the first time in 1975, as well as from US pressure on Japan to internationalize the yen so that it would rise in value relative to the dollar. Hence the MOF as the main actor of this first wave of financial reform liberalized the Euroyen bond market, allowed foreign institutions to set up trust subsidiaries in Japan, liberalized interest rates, and broke up the segmentation of the financial system (Vogel 1996, 173 f.). The speed of the reforms varied, however, depending on the degree of political sensitivity. Interest rate liberalization and desegmentation of the financial system met the most opposition and therefore took the longest as the MOF was keen to uphold the convoy system which sought to prevent bank failures (Vogel 1996, 176). At the end of this "path of least resistance" (Tiberghien

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2 The main bank system was the corresponding private sector part of Japanese financial governance.

2005) stood compromises: in interest rates, the postal savings system was allowed to preserve an interest advantage but had to link its rates to the rates offered by banks; in desegmentation, banks received access to the securities business, however delayed and under stringent conditions. The ruling LDP was largely absent in both cases despite strong clientelist ties to some of the would-be losers of the reforms, thereby turning the MOF into the main actor steering the reform process (Vogel 1996, 177; 185).

The next transformation of Japan's financial system occurred due to the Japanese post-bubble financial and economic crisis that was mainly a result of the liberalization process that had started in the 1970s in combination with inadequate supervision of the financial sector (Tiberghien 2005; Hanazaki/Horiuchi 2003). The MOF's credibility had been damaged by the extent of the crisis and the ministry's inability to get it under control. At the same time, the weak state of the financial sector greatly reduced its ability to resist reforms. As a result, the LDP-led government of Prime Minister Hashimoto Ryūtarō enacted far-reaching financial reforms known as Japan's financial "Big Bang" that comprised, among others, the opening of foreign exchange markets, the abolition of the ban on holding companies, and further desegmentation of financial markets (Vogel 2006, 84). As a result of these reforms, the institutional structure of the system experienced considerable change, too: the BOJ gained institutional independence from the MOF and the Financial Supervisory Agency (FSA, renamed Financial Services Agency in 2000) was founded as an independent regulator (Amyx 2004, 197 ff.; Cargill/Hutchison/Ito 2000, 39 ff.). As a result, financial governance responsibilities were divided and the MOF's previously important role was reduced.

The Japanese government remained an important actor in leading financial system reform as Prime Minister Koizumi Jun'ichirō's postal privatization reform shows (Mishima 2007). This is partly a consequence of administrative reforms that strengthened the position of the political executive relative to the bureaucracy and intra-party groups (Köllner 2006; Köllner 2007).

Notwithstanding all these changes, there has also been continuity. Despite the creation of the FSA, the government retained discretion in regulating, supervising, and monitoring the financial system to a large degree. The MOF was partially able to regain some of its former strength by setting the terms of restructuring the financial sector (Vogel 2006, 84 f.). The main bank system largely managed to survive, and Japanese banks still rely less on financial markets as sources of funds and targets for investment than banks in other countries. Hence Japan's financial system has not transformed in the direction of a liberal market economy (Vogel 2018, 92; see also Walter 2006). In addition, the formal independence of the BOJ contrasts with attempts by different Japanese administrations to interfere in monetary policy (Dwyer 2012).

## FinTech as disruption

FinTech (i.e. Financial Technology) as such is nothing new, as its beginnings can be traced back to the liberalization of the financial services sector starting in the 1980s. Although no common definition of FinTech exists,<sup>3</sup> it can be broadly defined as “technology-driven innovation in the financial services sector” (OECD 2018, 8) and has recently gained (renewed) prominence and importance in the context of new technological developments.

One such technology is the internet-based blockchain. It can be used for a variety of purposes (Campbell-Verduyn 2018, 7; Livingston et al 2018; Yuan/Wang 2018, 1425 f.) and is the underlying technology that enables some cryptocurrencies (CCs). CCs are forms of digital money that use asymmetric cryptography to ensure the legitimacy of transactions between users (Berentsen/Schär 2018, 12). The first and best-known cryptocurrency is Bitcoin, which was created by an unknown individual (or group of individuals) using the pseudonym Satoshi Nakamoto. Bitcoin emerged in 2009, when it was publicly traded for the first time (Bariviera et al. 2017, 83). The first Bitcoin transaction in USD happened in 2010 and established the Bitcoin-USD exchange rate (Yuan/Wang 2018, 1422), with other fiat currencies following. The original goal of the Bitcoin creator(s) was to generate a completely decentralized payment system that avoids intermediaries such as banks and other financial institutions and enables direct transactions between two parties (Hütten/Thiemann 2018, 31 f.; Jia/Zhang 2018, 92 f.). In order to accomplish this goal, the Bitcoin network uses blockchain technology and the internet. Other CCs followed and already by 2016 over 260 actively used CCs existed on the global level. The number had risen to 1,500 by 2018 (Yuan/Wang 2018, 1422) and over 15,400 by 2021 (Coinmarketcap 2021a). Bitcoin retains the leading position with a market share of around 40 percent, followed by Ethereum at around 21 percent and Binance Coin at roughly 4 percent (Coinmarketcap 2021b).

Many authors (see, e.g., Diordiiev 2018, 51; Rodima-Taylor/Grimes 2018, 125; Siciliani 2018, 169) emphasize FinTech’s disruptive potential, however most often without elaborating upon its meaning.

Christensen et al. (2004, 293) define a disruptive innovation as

“[...] an innovation that cannot be used by customers in mainstream markets. It defines a new performance trajectory by defining new dimensions of performance compared to existing innovations. Disruptive innovations either create new markets by bringing new features to nonconsumers or offer more convenience or lower prices to customers at the low end of an existing market.”

A disruptive technology can be broadly defined as “a technology that changes the bases of competition by changing the performance metrics along which firms compete” (Danneels 2004, 249).

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3 For an overview of different FinTech definitions, see OECD (2018, 10).

The main actors in these definitions are firms divided into two groups: incumbents and entrants. Whether a technology is disruptive to firms depends on whether the technology is consistent with the firms' business models (Danneels 2004, 247). While the *ex ante* determination of disruptive technologies is problematic (Danneels 2004, 251), the disruptions themselves, once they have occurred, can further be divided into sub-categories such as low-end disruptions and new-market disruptions (Danneels 2004, 250). In addition, the effects of disruptive technologies on incumbent firms have been found to vary between national contexts (Danneels 2004, 254 f.).

Gomber et al. (2018, 228) point to the difference between a breakthrough innovation and a disruptive innovation on the one hand, as well as a radical innovation and disruptive innovation on the other hand. While a breakthrough innovation does not have a well-defined domain of application, a disruptive innovation lacks a well-defined problem that can be targeted for solution. According to this classification, blockchain technology can be labelled disruptive and FinTech innovations in total can be classified as both radical (i.e. the firm can continue to use the existing business model but has to create new technical competencies) and disruptive innovations (i.e. the firm has to create a new business model but can continue to use its existing technical competencies) (Gomber et al. 2018, 228).

Temelkov (2018) finds that FinTech companies predominantly disrupt the banking sector in multiple ways, some of which hold true for CCs as well. FinTech startups, i.e. the entrants, often offer the same financial services as their traditional bank counterparts, i.e. the incumbents, but at lower cost and a higher level of accessibility, thereby turning the banks' comparatively high operating costs and networks of physical locations into competitive disadvantages. Further, unlike banks, FinTech companies such as payment and intermediation services providers as well as crowdfunding platforms generally do not depend on deposits to make a profit. FinTech companies' additional advantage over banks is their ability to use big data in order to offer customized solutions, a flexibility that banks most often lack. Significant decreases in customer bases and profits for banks could be the consequence. FinTech companies' disadvantages are mainly in the fields of trust and security, as well as regulation and compliance (Temelkov 2018, 138, 140 f.).

In the aftermath of the Global Financial Crisis (GFC), however, customers' trust in traditional banks in general was damaged and their compliance costs increased due to new regulation. Banks therefore try to avoid business with risky borrowers such as small and medium-sized enterprises (SMEs), thereby prompting the latter to search for alternative lending sources of the kind that FinTech companies partly offer (Temelkov 2018, 138). The degree of potential disruption, therefore, not only depends on the technological innovation itself but also on the state of the banks, especially after the GFC, and the regulatory environment. Therefore, it is first necessary to determine the state of the Japanese banking sector at the time when

CCs entered the Japanese financial market. As the advent of CCs is closely connected to the GFC (Temelkov 2018, 137; Hütten/Thiemann 2018, 29 f., 31 f.; Jia/Zhang 2018, 92 f.), the consequences of the GFC for Japanese banks also have to be taken into account.

The state of the Japanese banking sector in 2007, i.e. one year before the GFC and two years before the creation and distribution of Bitcoin, was still marked by the effects of the Japanese financial crisis that had started in 1990 and led to the so-called lost decades. Japanese banks' profitability was still very low, as were lending margins and loan demand from corporates. Despite the 1998 Big Bang financial reforms, diversification from traditional lending activities still remained limited (Hall 2009). While the GFC had only limited effects on the Japanese financial sector as Japanese banks' exposure to contagious financial products was relatively low (a result of the above-mentioned sounder regulatory regime set in place after the Japanese financial crisis of the 1990s), it affected Japanese export-oriented companies due to the slowdown in global economic growth. Therefore, the FSA, while complying with financial regulation such as Basel III on the international level, managed to relax supervision standards to encourage banks' lending to SMEs on the national level as long as the SMEs were in a restructuring process, thereby *de facto* allowing banks a renewal of non-performing loans (NPLs) on a frequent basis. In addition, the FSA allowed the banks to omit reporting these loans as NPLs (Harada et al. 2015, 62 f.). This is in line with Walter (2006), who finds that Japan's financial regulatory system has moved towards a neoliberal model only on the surface while maintaining discretion. Hence it can be argued that the condition of the Japanese banks was quite strained when CCs entered the Japanese financial market from 2009 onwards, so that CCs' disruptive potential was reinforced. This put Japanese authorities in a difficult position as on the one hand, they did not want to let the banks down, while on the other hand, they were keen to use CCs' potential to create growth in Japan's still sluggish economy.

## **Actors, institutions, and adaptation**

The main motivation behind Japan's FinTech revolution is two-fold. First, it was part of the Abe administration's policy measures to revitalize the Japanese economy. In its 2016 Japan Revitalization Strategy, the Japanese government stated its intention to promote FinTech and create FinTech ecosystems (Kantei 2016, 23, 47), and the government's Council on Investments for the Future lists FinTech as one of five strategic fields to be developed in order to establish Society 5.0. Among the goals mentioned are an increase in cooperation between FinTech firms and financial institutions, improvement of productivity of corporations through FinTech, and the promotion of a cashless society (Kantei 2017, 5, 18–21).<sup>4</sup>

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4 For a list comprising other government-led initiatives, see Ohira (2017, 19 f.).

Second, it is an expression of the government's concern that Japan might lose the global FinTech competition. The second of these, of course, is closely connected to the first and among the actors that share this concern are the incumbents, i.e. the Japanese banks. Struggling with weak loan demand and very low interest rates, the banks' core lending business is under pressure. At the same time, however, Japanese banks are sitting on large deposits from individual customers to most of whom they have not been able to sell investment products or other services due to high numbers of personnel needed under the predominant business model of personal marketing. Therefore, the banks are keen to use technology developed by FinTech startups in order to sell assets to existing customers. They were not able to do so, however, due to article 16-3 of the Banking Law that prohibited them from making large investments in non-banks (Braithwaite/Harding 2016; Wilson 2016; Lewis 2019). Although Watanabe (2019, 282) points to legal loopholes that in general allowed banks to invest in FinTech startups previously, the rule was a comparative disadvantage for the banks as it did not apply to non-banks, which were hence allowed to operate some financial services by applying FinTech, and large companies such as Sony and Rakuten had already made use of this opportunity. The reason why this relative advantage of non-banks over banks emerged in the first place was "Japanese politicians' concern over excessive influence of banks over tech startups" (Yap 2017, 29). This concern relates to corporate governance reform since Japan's financial and economic crisis and corresponding government efforts to break up *keiretsu* structures, i.e. conglomerates usually situated around a main bank. In March 2016, the Diet changed the Banking Law and abolished the former 5% (in some cases 15%) limit on investments. Although the Japan Fair Trade Commission (JFTC), worried by potential conflicts of interest and monopoly positions of the three large Japanese banks SMBC, Mizuho, and Bank of Tokyo-Mitsubishi UFJ, had expressed concern over the change of the Banking Act, METI, the MOF, and the FSA prevailed, so that the FSA is now in a position to approve applications for said investments on a case-by-case basis (Yap 2017, 29). Vice Premier, Finance Minister, and Minister of State for Financial Services Aso Tarō voiced support for the legislation amendment, saying that it would enable cooperation between banks and startups. He emphasized that the MOF's role had changed from financial regulator to nurturer of the financial industry (Braithwaite/Harding 2016), which, given the MOF's history of failed financial supervision that led to the establishment of the FSA in the first place (see above), has an ironic undertone.

The government also played an important role in the FSA granting the Japan Virtual Currency Exchange Association (JVCEA) self-regulatory status. While this has been regarded as a reaction to two major cryptocurrency exchange hacks (Uranaka 2018), the LDP had asked the Japan Cryptocurrency Business Association and the Japan Blockchain Association to form the JVCEA (Carmody et al. 2018, 8). An FSA official reportedly said that it was faster having experts instead of bureaucrats make the rules (Uranaka 2018).



Three other legal developments, both of them related to CCs, are worth examining. The first is the regulation of CCs themselves. In the 2016 amendment to the Payment Services Act that took effect in April 2017, virtual currencies (*kasō tsūka*), which include CCs, were defined as proprietary value and a means of payment, but not as legal tender. This made the transfer of CCs in principle subject to taxation. The amendment also introduced the category of virtual currency exchange service providers (*kasō tsūka kōkan gyōsha*) and made it mandatory for them to register with the FSA (Ishikawa 2017, 128). As the amendment was a reaction to the Mt. Gox cryptocurrency heist and the following guidance issued by the Paris-based Financial Action Task Force regarding anti-money laundering (Gonzalez 2018, 28), the amendment must be understood as trying to incorporate the guidelines while at the same time establishing consumer protection (Ishikawa 2017). The amendment was preceded by the FSA's establishment of a working group and the issuance of the group's final report. Among the working group's members were representatives of corporations (including, for example, Rakuten), consumer interest groups, large banks (Tokyo-Mitsubishi UFJ and Mizuho) as well as researchers from different Japanese universities (FSA 2015). The amendment of the Payment Services Act mainly followed the recommendations of the working group's report (FSA 2015; Library of Congress 2019).

Following the Coincheck hack of January 2018, the FSA set up another study group. The group submitted its report in December 2018, proposing further regulation of cryptocurrency exchange providers. This time, members were almost exclusively professors from different Japanese universities. Representatives from ministries, the BOJ, the Japanese Bankers Association, the JVCEA and other institutions had only observer status (FSA 2018).

Similarly, a 2019 amendment to the Financial Instruments and Exchange Act regarding initial coin offerings was preceded by the establishment of a corresponding study group chaired by Kokubun Toshifumi, professor at the Tama Graduate School of Business. Members comprised, among others, Kanō Yūzō, CEO of the cryptocurrency exchange bitFlyer Inc., the three large Japanese banks, as well as Tokyo Electric Power (Tama University 2018).

While the criteria for the selection of the members and observers of the working and study groups are unclear at this point, the visible pattern is that the establishment and work of the study groups has preceded regulatory change and regulatory change has mainly followed the recommendations of the study groups. In addition to playing an active part in establishing the groups, Prime Minister Abe appointed Hirai Takuya minister in charge of information technology policy and minister of state for science and technology policy (Kantei s.a.). Hirai, formerly chairperson of the LDP's IT Strategy Special Committee and the FinTech Promotion Parliamentarians' Federation (Haring 2018), advised the study group on initial coin offerings (ICOs) chaired by Kokubun Toshifumi (Hagiwara/Nakamura

2018) and is reportedly known as a proponent of blockchain technology (Terenzi 2018).

This coordinated governance approach by which the regulators grant the regulated entities considerable involvement in the regulation process itself is quite common in Japanese financial market and corporate governance. The FinTech study groups resemble forums for business leaders to directly express their needs, such as the Industrial Competitiveness Council (ICC) (Tiberghien 2007, 134 f.), while the main difference is that the prime minister does not chair the FinTech study groups. In this regard, the FinTech study groups resemble the Economic Strategy Council of 1998 (Tiberghien 2007, 137).

Similarly, the granting of self-regulatory status to private sector associations is quite common in Japan, as the case of the Japan Securities Dealers Association shows (Japan Securities Research Institute 2016, 348 f.).

The BOJ seems to play only a minor role in the government-led process. While BOJ Governor Kuroda Haruhiko warned at the 2019 World Economic Forum that FinTech firms might disrupt the banking sector, especially payments and settlement (Kihara/Bendeich 2019), Kuroda and other BOJ representatives emphasized FinTech's potential to stimulate the growth of the Japanese economy as well as the importance of the parallel existence of central and decentralized systems (Kuroda 2016; Nakaso 2016). Hence the BOJ's position mainly reflects the policy of the Japanese government to use FinTech in general and CCs in particular to revive the Japanese economy. This political course was continued and arguably even extended by the creation of the Digital Agency, thereby adding the goal to not only digitize Japanese finance but also the state's administration (Nagata 2021).

There is support for the government's approach among relatively new business associations that have been founded as counterparts to established and powerful large businesses. The Japanese Association of New Economy (JANE), founded by Rakuten CEO Mikitani Hiroshi in 2012, is one example. Although Rakuten had briefly been a member of the most powerful business association Keidanren from 2004, Mikitani made Rakuten leave the association again in June 2011 and instead founded JANE. JANE's members are companies that mostly deviate from the clientelistic structure of Japan's political economy that has been in place for most of the period since the end of the Second World War. JANE represents companies that not only have a strong economic interest in deregulation, reform, innovation, and the benefits of globalization, but that also enter the political arena to challenge vested interests such as nuclear power (Harner 2012). JANE has lobbied ministries such as METI for the promotion of FinTech (JANE 2016).

## Conclusion

Financial market governance of CCs in Japan resembles general patterns of Japanese financial market governance in many ways. The use of *shingikai* and other informal groupings, the blurring of institutional boundaries resulting in potential conflicts of interest, the granting of self-regulatory status to private-sector associations, and the incorporation of multiple actors and interests in a network-like structure are some of the main examples. Path dependency is also found in the continuation of underlying topics: regulation partly runs the risk of recreating or reinforcing the very structure the government has actually tried to reform since the outbreak of the Japanese financial and economic crisis.

The reason for this can be found in the constellation of actors and competitive dynamics stemming from the international and global levels. Due to the dual structure of large banks with high amounts of capital and small startups lacking big customer bases, the government, in its attempt to jump-start Japan's FinTech revolution against international competition, sees no other choice but to foster cooperation between incumbents and challengers. The fast pace of this endeavor stems from the fact that even the incumbents have a strong interest in nurturing FinTech startups so that they can use new technology in order to increase their profits. The absence of fierce resistance to a purposeful development of the FinTech market also facilitates the government's role as the main actor in this process.

The success, both in terms of the government's main goal, i.e. the revitalization of the Japanese economy, and consequences for patterns of innovation in Japan, is yet to be seen. It also depends on the level of analysis. As financial market governance of CCs and other FinTech products in Japan is an ongoing process, further research on these questions is needed.

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## Research note

# A Far-Eastern Locarno? Japanese Proposals for a Regional Security Pact in the 1930s

Klaus Schlichtmann

### Summary

Following World War I, nations were bent on making the Versailles peace arrangements work. Within the framework of the League of Nations, regional arrangements came to play an important role. Taking the 1925 Locarno Treaties concluded between Germany, France, Belgium, Great Britain, and Italy as the model, the Japanese Government, with Shidehara Kijūrō as foreign minister, hoped to contribute to strengthening peace in the Far East by adopting a similar policy. Although the plan did not materialize, this paper shows the lengths to which Japanese policy makers were willing to go to make their plan for peace and security in the Far East a reality.

**Keywords:** World War I, Versailles Treaty, League of Nations, collective security, peace in the Far East, Shidehara Kijūrō, China policy, Manchurian crisis

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## Introduction

When we talk of regional organizations it is assumed that they are also likely to contribute to international peace and security. The European Union, for example, was seen by many as a first step toward a global order of peace, but lofty goals such as this are often forgotten. The Brexit vote has brought about a situation wherein the European project is in question, thus bringing to light the fact that a concept of a clear peace policy has been and is still lacking. In consequence it needs to be remembered that the original idea of European unity was to bring peace to Europe and the world and to renounce war. This article, regarding a particular episode during the interwar period, may serve as a lesson on how to conduct and set out the requirements for a peace policy that will benefit not only people in the Far East or in Europe but, since an international peace based on justice and order is the ultimate aim, will do the same for the whole of humanity. If today Europe rejects the UN concept of genuine collective security in favor of military self-defense, the danger is that it may have “consequences to world peace.”

## The international order after the First World War

In the wake of the Armistice of 11 November 1918, the responsible powers in Europe and America earnestly sought “to establish some kind of international organization in order to prevent a future catastrophe” (Matsushita 1968, 15). Although Japan had been on the winning side, as Thomas Burkman writes: “In 1918 Japan emerged from the Great War [...] militarily insecure [...] Anxiety over Japan’s predicament coupled with a fleeting affair with Wilsonian idealism gave rise by the war’s end to a surge in internationalist thinking.” It was “argued that Japan’s interests could be best secured if the nation expanded its international role [...] and played an active part in global affairs” (Burkman 2014, 193; Burkman 2008).

Japanese ideas on the new international organization were documented in a six-page report put out on the very day of the Armistice by the Foreign Ministry’s Bureau for Political Affairs (*seimukyoku*). This report stipulated “three conditions” for a successful post-war organization: (1) its general endorsement by the world’s political leaders; (2) the readiness of states “to accept restrictions on their behavior”; and (3) “a viable system of sanctions.” The report further identified five “issues of concern to Japan”: (a) arms limitations and disarmament; (b) “economic opportunity: [...] opening of the closed economic systems created by the colonial powers”; (c) compatibility of League of Nations principles and bilateral accords such as the Anglo-Japanese Alliance; (d) limitation of national sovereignty; and (e) the question of Germany’s participation. (Japan hoped that Germany would become a member.) The report also prophesied that the League of Nations would encounter difficulties in reaching its high-placed goals if these conditions were not met (Burkman 1975, 98–99).

Japan considered the “racial question” important since it was directly related to the issue of commercial freedom in the European colonies. On 1 November, foreign minister Uchida Kōsai (Yasuya) [1865–1936] spoke about this before the Advisory Council on Foreign Affairs (*gaikō chōsakai*): “The persistence of narrow racial attitudes among nations casts doubt upon the feasibility of the League’s goals and creates the possibility that its establishment will be disadvantageous to the Empire” (*Suiusō nikki* 1966, 286; Burkman 2008, 45). Shortly afterwards, on 30 November, Komura Kin’ichi, chief of the European section of the Bureau for Political Affairs, advocated the following in a memorandum: (1) Japan must strive for acceptance of the principle of equal treatment; (2) Japan must promote an active world peace policy and a conciliatory foreign policy; and (3) Japan must fundamentally revise its arrogant China policy. As for the third point, this memorandum proposed that Japan should grasp the initiative in the abolishment of extraterritoriality and spheres of interest in continental China, should cancel the indemnity payments accruing to Japan for its part in militarily suppressing the “Boxer Rebellion” of 1899–1900, should pull all of its troops out from China, and should support the four-power financial consortium proposed by the United States (Burkman 1975, 102; Burkman 2014, 196). Ideally, “[a]fter Versailles, War and Navy Ministry research reports on arms limitation were replete with the thinking and language of *taisei junnō*” (Burkman 2014, 195). As Burkman has pointed out, *taisei junnō* or “conforming to world trends” was a traditional “concept of international accommodationism [that] had occupied a prominent place in the history of Japanese diplomacy since the Meiji Restoration...” (Burkman 2008, 25). These points represented, then, much of the Japanese Foreign Ministry’s contingency thinking as it related to the concept of a League of Nations.

Despite reservations which tended to reflect the shortcomings of the new League of Nations, to realize some of the above-named program points—in particular those regarding the racial question—Japan engaged herself in the League with extraordinary enthusiasm. In 1919, at the Versailles Peace Conference, Makino Nobuaki, a nobleman who had been called to represent Japan as delegate to the Conference by Saionji Kinmochi, Japan’s chief delegate (Connors 1987, 67), in turn saw to it that Dr. Nitobe was appointed to the League Secretariat (Burkman 2014, 197). Consequently, Nitobe Inazō [1862–1933] took on the responsible post of Under Secretary General in Geneva (Howes 1995). While geographically removed from Europe, Japan had a vital interest in peace there. There was an awareness of the fact that although “Japan was very distant from Europe, it had a great interest in European peace, for it knew that a small conflict on any European issue might ... entail consequences dangerous to world peace” (Matsushita 1968, 113). The League, held by many Japanese to be perhaps no more than a “European club,” nevertheless appeared in the European power game to play a secondary role. To many it was “not measuring up to the universalistic ideals that inspired its founding.” Nevertheless, Japanese spokespersons continued “to support the

principle of universality and [initially] to discourage the formation of regional peace machinery to displace the League of Nations” (Burkman 2014, 202).

The postwar international system was to a substantial degree grounded in the treaty accords of Versailles and Washington. Then, supplementary to this, in the late 1920s came the Kellogg-Briand Pact. The political atmosphere in Japan in the 1920s was in many ways similar to that in other parts of the industrial world. In the words of one Japanese scholar: “To some extent, the same trends toward progressivism and pacifism expressed in Woodrow Wilson’s idealism were at work in Japan” (Hata 1988, 283). The “wastefulness of isolated cultures,” so one had come to believe, was at its end, and, as Ernst Bloch remarked in 1918, the increasing interdependence of nation states seemed to make possible a “coming together of states in a federative way” (Bloch 1918, 432).

These concepts were nourished by ideas of “national self-determination or hopes that a ‘war had been fought to end all war,’” (Hall 1978, 308–309) and what was to be expected from cooperation with the League of Nations. Consequently, a proposal which was taken up by the Interparliamentary Union in 1924 was the “constitutional outlawry of war” (Wehberg 1931, 111). One of the resolutions announced in Bern on 27 August 1924, toward the end of the 22nd International Conference of the Interparliamentary Union (IPU; in Japanese *bankoku giin kaigi*, which is today called *rekkoku gikai dōmei*) stated:

The 22nd Interparliamentary Conference endorses the stipulation inserted in the Draft Treaty of Mutual Assistance voted at the Fourth Assembly of the League of Nations, by the terms of which war of aggression is described as an international crime, and recommends that proposals be submitted by the National Groups to their respective parliaments for amendments to the Constitution, such proposals a) To forbid resorts to war, except in the case of obligations under Art. 16 of the Covenant of the League of Nations. B) to make arbitration or other amicable or judicial means obligatory for the solution of disputes with other nations. (Union Interparlementaire 1925, 666; Wehberg 1931, 112ff)

It was in other words recommended that the prohibition of war be made an integral part of national constitutions.

The Conference went on to refer to “the obligation to appeal to a court of arbitration” and further stressed “the importance of securing the adherence of all nations to the optional clause of Art. 36 of the Statute of the Permanent International Court of Justice,” to submit their disputes to the Court. (Union Interparlementaire 1925). The IPU Resolution may have contributed to the drafting of the Geneva Protocol (*heiwa giteisho*), which also aimed at limiting national sovereignty in favor of the international organization of peace (Wehberg 1931,

39).<sup>1</sup> The documents and resolutions referring to the proceedings of the IPU conference were, needless to say, received by the Japanese Ministry of Foreign Affairs, studied and properly filed and kept in the Ministry's archives.

### **China and the “Manchurian crisis”**

After the initial failure of the Tariff Conference of 1925, China attempted to unilaterally annul the treaties which it had concluded with the various powers and which were still in force. (Bau 1928, 183–184) On 13 January 1927, the new Chinese Government in Beijing sent a circular letter to the diplomatic missions in which it announced the entering into force of tariff autonomy as of 11 October 1926 and also the planned increase of the tax surcharge on imports starting on 1 February 1927, a date much earlier than previously agreed upon. The nationalist regime headquartered in Nanjing had already begun to impose supplemental taxes in southern China. Great Britain accepted these conditions, but it was too late (Bau 1928, 65–69). From early January into March 1927 the foreign settlements in Nanjing, Hankou and Jiujiang were attacked and forcefully placed under the control of the Chinese nationalists. In many cities there were armed clashes with Chiang Kai-shek's National Army. In March 1927 the British government tried to win Japan over in favor of a military intervention. But Japanese Foreign Minister Shidehara Kijūrō refused and “emphasized the principle of non-intervention in Chinese affairs in the Diet” (Bamba 1972, 215). The Foreign Minister did not allow himself to depart from his diplomacy of nonintervention (Tōru 1978, 68; Bamba 1972, 215). Toward the end of 1930, China's nationalist Foreign Minister Wang Zheng-ting (C.T. Wang) announced, on behalf of the Chinese Nationalist government in Nanjing, the annulment of all “unequal treaties” as of 1 January 1931 (Jordan 1991, 10ff). In considerable measure the refusal of Germany to sign the Nine-Power Treaty (Causey 1941, 365)<sup>2</sup> that had been devised by the 1921/22 Washington Naval Disarmament Conference encouraged the Chinese in their “revolutionary diplomacy” and perhaps contributed in a decisive way to “Shidehara diplomacy,” falling short of complete success (Schlichtmann 1998a, 83–90; Schlichtmann 1998b, 1–19). Had Germany signed the Treaty, this could have significantly strengthened the international order and possibly averted future calamities for Japan.

Naturally, the US Government also observed these changes with some trepidation. The China problem was without doubt no simple regional affair but one of truly global importance. US Secretary of State Henry Stimson was still convinced, until

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- 1 In the Geneva Protocol of the 5th Assembly of the League of Nations, on 2 October 1924, the [member] states declared themselves “ready to consent to important limitations of their sovereignty in favor of the League of Nations.”
  - 2 In October 1925 the American government, “carrying out the provisions of Article VIII [of the Nine-Power Treaty] formally invited Germany to adhere to the Treaty,” which Germany rejected (Causey 1941).

the Chinese-Russian dispute of 1929, like most of the world, that a permanent peace finally had a chance, and the “War to End all War” had “literally” achieved its purpose. “This illusion seemed shattered in the summer of 1929 when a sharp border conflict erupted between China and Soviet Russia over interests and treaty rights in North Manchuria” (Newman 1980, 25). For the Japanese, “because it was positioned between Soviet Russia and Japan’s colony of Korea,” Manchuria was important from the point of view of national defense (Newman 1980, 7). Thus the dispute may well have “encouraged the Japanese Army in their plans of military action in Manchuria” (Newman 1980, 2). Following the “Manchurian crisis” of September 1931, which in Japan led to the second Wakatsuki cabinet stepping down in December (and with it Foreign Minister Shidehara, who had stood for a meeting of minds among all parties), it became increasingly apparent that the League of Nations was unable to fulfill the lofty goals of collective security and of guaranteeing international peace. The conspiratorial activities of the Japanese military which accompanied the so-called “Manchurian Incident” made clear that the military leadership was now determined to forcefully push forward Japanese interests on the Asian mainland (Institute of Pacific Relations 1934, 11).<sup>3</sup> This led to the establishment on 1 March 1932 of the puppet state “Manchukuo.” The summary report of the 1933 Institute of Pacific Relations Conference in Banff, Canada, noted that this was “a vast semi-colonial territory as large as France and Germany combined” and that “there has never been a puppet of such gigantic dimensions and of such potential wealth and economic importance as the newly formed state in Manchuria” (Lasker and Holland 1934, 11).

Although the Manchurian coup had been a success, there were protests even in Japan. The liberal *Asahi Shimbun* daily newspaper published cautionary opinions and Yokota Kisaburō, professor of international law at Tokyo’s Imperial University, gave a public address in which he expressed doubt as to whether the actions of the Kwantung Army headquartered on the leased territory of the Liaodong peninsula were consistent with the “right to self-defense” (Storry 1973, 87). Prime Minister Inukai Tsuyoshi [1855–1932] (Schlichtmann 2009, 99),<sup>4</sup> who succeeded Wakatsuki Reijirō, was likewise convinced that the disposition of affairs being attempted by the military was misguided and was in principle not willing to hand over to the military a deciding role in the making of national policy. At the time of the appointment of the new Inukai cabinet, the emperor himself had warned of the “despotism of the military” and of the “lack of discipline” in the military (Ogata 1964, 138). Whether for this or some other reason, on 8 January 1932 an

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3 “Japan [...] by reason of certain constitutional peculiarities is much more subject to the domination of her military and naval leaders acting independently of the parliamentary machine than is usually the case in Western countries” (emphasis added) (Institute of Pacific Relations 1934).

4 “The moderate Inukai Tsuyoshi, Wakatsuki’s successor as prime minister and concurrently prime minister, was known as a ‘friend of China’ and did not approve of territorial expansion through military intervention in ‘Manchuria’ or elsewhere in China.” He paid for these convictions with his life (Schlichtmann 2009, 99).

attempt was made to take the emperor's life in a bomb attack (Shidehara Heiwa Zaidan 1955, 494).

In a letter to his old friend, Uehara Yūsaku, dated 15 February 1932, Inukai wrote:

The end of the Manchurian Affair is approaching, but should an independent state be established, head-on collision with the Nine Power Treaty would be inevitable. I have therefore been working hard at keeping the form [...] My aim is to terminate the present crisis as soon as possible, and my ideal is to take the occasion to improve relations with China. (Ogata 1964, 139)

On 15 May 1932 Inukai was murdered by navy officers. On 27 March 1933, Japan announced its departure from the League of Nations and from then on would itself determine what was to be law and order in the region.

Prior to these events, the League of Nations had appointed Victor Bulwer-Lytton [1876–1947] to investigate the Japanese invasion of Manchuria, which had started on 18 September 1931. The final report of the so-called Lytton Commission was made public on 1 October 1932 and on 24 February of the following year, the League Assembly condemned Japan as the aggressor. Prior to that, starting in April 1932 Nitobe went to the United States and Canada to explain Japan's interests and course of action in Manchuria. According to Burkman "it turned out to be the most frustrating experience of his life" (Burkman 2014, 206).<sup>5</sup> Expecting that the Americans were more likely than anybody else to understand the Japanese position, Nitobe complained: "We have learned many things from America, especially in dealing with neighbouring unstable governments, and when we put the lessons into practice we are severely criticised by our teacher" (Nitobe 1972, 232; Burkman 2014, 206).

It was not always aggression that shaped Japanese experience and pursuits as a colonial power in East Asia, which has a history dating back to the end of the 19th century. Japanese control over the Kuril Islands—still a disputed territory today—had begun in 1875 on the conclusion of the Treaty of Saint Petersburg; both Taiwan and the Kwantung Leased Territory had become Japanese dependencies in 1895 as a result of the Treaty of Shimonoseki following Japanese victory in the First Sino-Japanese War.

For the modern nation-state, the country's vital interests are paramount. When in October 1929 the American dollar suddenly plummeted on the international money market, silk exports to the United States, which were so essential for Japan's economy, dropped dangerously (Tsurumi 1927, 502). The Japanese economy managed to recover partly from the negative effects that the Tanaka policy had brought to trade relations with China. To those who had recently started demanding a harder line were now added new and more raucous calls by "frightened voices [...] for an autonomous diplomacy to secure reliable markets,

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5 "His message was not well received or understood [...] he advocated Asian solutions to Asian problems" (Burkman 2014, 206).



dependable sources of raw materials, and a defensible regional order amenable to Japanese leadership.” (Burkman 1983, 305). These were reasons for Japan to now look after herself more forcefully than ever.

### The Japanese proposal of a “security system for the Pacific area”

In October 1931, before the fall of the second Wakatsuki cabinet, a group of well-known political and academic figures, including Ishii Kikujirō [1866–1945], who had been Japan’s chief delegate at the League of Nations in Geneva between 1920 and 1927, Shidehara Kijūrō, Nitobe Inazō, and Makino Nobuaki [1861–1949] founded what was to become the *Foreign Affairs Association of Japan*. This organization was meant to play a role similar to that of corresponding organizations in the USA, England and other Western countries (Contemporary Japan 1932, 3).<sup>6</sup> In June 1932 the first edition of the English-language journal *Contemporary Japan* appeared, meant to serve as a mouthpiece for Japanese foreign policy. The journal was published regularly even during the war years and afterwards until the 1970s. Japanese intentions were further articulated at the conferences of the *Institute of Pacific Relations* (IPR), which also reflected the foreign policy options of those civilian governments that appeared intermittently after 1932.

The proposal put forward in August 1933 at the 5th conference of the IPR in Banff, Canada, by two Tokyo Imperial University professors, Takagi Yasaka (who taught constitutional and diplomatic history) and the aforementioned Yokota Kisaburō,<sup>7</sup> represented a positive, constructive response to a dilemma of international law.<sup>7</sup> The “security pact for the Pacific region,” which they proposed, would include as the contracting parties Japan, China, the USA, the USSR, Great Britain and France, as well as four politically subordinate regional entities, namely New Zealand, Australia, Canada and Indochina. The journal *Contemporary Japan* published the proposal in its September 1933 issue. The proposed treaty encompassed a nonaggression pact, obligations of joint consultation and mechanisms for the peaceful resolution of conflicts. Taking the Locarno Pact as a model, according to Article 9 of the proposed treaty, conflicts would be subject to an “international tribunal.”<sup>8</sup> Article 10 (or, in the version published in *Contemporary Japan*, Article 11) stated that this “tribunal” could be alternatively the Permanent Court of International Justice [PCIJ] in The Hague, the Permanent Court of Arbitration, or a

6 Contemporary Japan became the “voice” of the organization, aiming “to forge a link between this country and the outside world.”

7 Another of the conference participants was Takayanagi Kenzō, also at the time a professor at Tokyo Imperial University and one of the scholarly consultants for the journal *Contemporary Japan*, who later became one of the most vocal proponents of the post-war Japanese Constitution’s war-abolishing Article 9.

8 The wording of the article reflects in substantial measure that of Article 36, Paragraph 2 of the Statute of the Permanent Court of International Justice.

comparable *ad hoc* institution. Admittedly, the USA and the USSR had never joined the International Court of Justice, even though the American Congress had passed a protocol declaring that the USA would adhere to the PCIJ's Statute.

The liberally inclined Yokota Kisaburō, professor of international law at Tokyo Imperial University, considered one of Japan's most capable experts on international law, a member and also on the advisory panel of the journal *Contemporary Japan*, introduced Hans Kelsen to Japan and gave lectures on his *Reine Rechtslehre* (*Junsui hōgaku*). The proposed "Security Pact for the Pacific Area," which took as its models the institutions of international law that had been painstakingly built up since the First Hague Peace Conference (1899), was put together primarily by Yokota, who wrote in the September 1933 issue of *Contemporary Japan*:

I acknowledge that my proposed Pact has been formulated along the same lines as the ordinary peace machinery, that is, as that which has been adopted in Europe, America and other parts of the world. But I believe that the peace machinery to be built up in the Pacific cannot but follow the fundamental principles of such machinery elsewhere. (Yokota 1933, 430)

Nitobe Inazō, co-founder of the International Committee on Intellectual Cooperation [ICIC], which was brought into being under the aegis of the League of Nations in 1922 and is considered to be the forebear of UNESCO, had already at the Third Conference of the Institute of Pacific Relations held in Kyoto in 1929—after the entry of Germany and the USSR to the League—given a speech in which he had similarly emphasized regional components of peacekeeping mechanisms, saying:

As the League grows in membership and geographical dimensions, it will presumably be compelled to conduct some of its business in regional congresses. For, though theoretically and ideologically the concern of one nation is the concern of the whole world, there are, in practice, international questions that affect only restricted areas. Questions of this character can be best discussed by the parties interested in a regional gathering, under the general direction or oversight of the central body. (Burkman 1995, 202)

After the successful conclusion of the Locarno Pact, Foreign Minister Shidehara Kijūrō in 1925 welcomed the principle of such a regional agreement that would work to support the League of Nations system. In a speech before the 51st session of the National Diet he stated:

The Locarno treaties [...] regulate questions of purely European concern. But the atmosphere of confidence which these Treaties are known to have inspired in the political and economic situation of Europe cannot fail to clear the forward march of the League of Nations, and to exercise a salutary influence upon the general peace and progress of the world. (Japan Chronicle 1926, 106)

Shidehara would surely have welcomed something of this sort in the Far East. However, as Thomas Burkman pointed out, such an "order" would have to have

been essentially “more political than moral, more concrete than idealistic, and more regional than universalistic” (Burkman 1983, 305). What could Japan have done at the time to bring about the political conditions which would have allowed the establishment of an East Asian regional order comparable to the Locarno Treaty in Europe, binding together the most important states and giving positive shared recognition to existing borders and agreements?

Despite all political verisimilitude, as noted by Thomas Burkman, “[i]n the wake after the Mukden incident and Japanese withdrawal from the League, regional order became the central ideology of Japanese diplomacy” (Burkman 1996, 4). It was even proposed that the Institute of Pacific Relations itself serve as a model for an Asian league. The failure of a universal law of nations made the unofficial Japanese proposal for a regional order seem plausible. In 1933, after Japan had left the League of Nations, Nitobe warned at the Banff IPR Conference that the

“fundamental causes of international conflict [...] have their roots in divergent national economic policies [...] Some nations are endowed with the material blessings of nature out of proportion to the size of their populations, while the reverse is the case with others. How to adjust those obvious inequalities with the principle of ‘live and let live’ is the supreme test of enlightened statesmanship.” (Institute of Pacific Relations 1934, vii)

If this should not be achieved and a politics of [economic] blocs based on national egoism should become the norm, one could well expect the worst consequences in the future.

Even though no further official negotiations on the Asian Security Pact proposal materialized, and since matters had proceeded differently independently of such an arrangement, the concept was most likely sanctioned by the predominantly moderate liberal forces in the Foreign Office. However, the proposal put forward by the Japanese at the Banff Conference found little resonance among the other conference participants. Even though it was not an official initiative of the Japanese government (the proposal, needless to say, reflected some of the “political options” of Japan’s foreign policy, albeit ones that were to a great extent “executed [...] within guidelines laid down by the army”), it was probably intended more as a sort of “peace feeler.” So in reality, policy options were limited. “The diplomats were limping behind the army and navy, unhappily aware of international hostility to which the military was insensitive” (Nish 1977, 201).<sup>9</sup> Only a quick and positive reaction at the diplomatic level and certain concessions to Japanese interests in Manchuria could have kept the largely autonomous military forces on the Asian mainland in their place. Since the party system was still intact and for the most part civilians occupied government positions, a positive international reaction might have brought positive results.

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<sup>9</sup> See also Institute of Pacific Relations (1934, 12), on how the proposal was received.

It is questionable, as one author has claimed (Hayashi 1971, 471),<sup>10</sup> whether it was Japan that, by instigating the “Manchurian Incident,” destroyed the Versailles international system and in doing so was a step ahead of Germany. It is true enough that in the course of the 1930s the political parties saw a downturn in their practical ability to help steer international policy. We may, however, be surprised to see the range of well-considered activities which civil, political and academic forces in Japan continued to deploy in efforts to establish a regional “peaceful order” that would respect Japan’s legitimate interests and could at the same time count on the agreement of the Western powers.

The importance of the proposal for a “Far Eastern Locarno” in a fair evaluation of Japanese peace policy in the interwar period should not be underestimated. The Japanese excesses during the war and the tragic failure of their efforts to establish a stable order in the Pacific could have been prevented if such an instrument had been adopted. As exemplified by Shidehara diplomacy—“the Shidehara Kijuro clique” according to Lesley Connors—and the predominance of the *ei-bei ha* (Anglo-American group) in the Foreign Ministry, had international conditions been more favorable, the plan might have succeeded. There was no reason not to recognize Japan as a regulatory power with capabilities for promoting and upholding law and order in the region. Regardless of how one may today evaluate the potential Japanese role in preserving regional peace at that time, the European problems and the problems of a just order in the East issuing from the colonial realities were questions of global proportions that could only have been adequately resolved by an appropriate global, supranational organization.

## Conclusion and thesis

The Far Eastern Locarno plan drew inspiration from an arrangement presumed successful in Europe. In nearly every regional framework, the ghost of universalism can be detected. One is reminded of the common explanation for the rise of feudalism in medieval Europe and *bakufu* Japan: that the memory of the universal empire of the past helped determine the shape of the decentralized order that displaced it. Similarly, the vestiges of universal order lay entrapped in the hearts of the drafters and woven into the blueprints of regional systems of the 1930s. (Burkman 2014, 216)

However, as history shows, the Japanese efforts for peace in Asia in the 1930s were hardly crowned with success. The Locarno Pact likewise finally encountered failure. From these failures, can some conclusions for the present day be drawn and if so, which ones?

Perhaps our query should lead us to ask if regional leagues of states are meaningful as preliminary steps to a universal confederation of nations and especially whether

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10 Events could have taken a different, positive course if Germany had in 1925, when the proposal was brought before the German government, become an additional signatory to the “Nine-Power Treaty.”

they really (as is often claimed) necessarily contribute to global peace. Or can they perhaps only contribute to peace if the higher legal order, to which they would be subject, is already adequately furnished with “plenary powers,” already functioning and capable of carrying through its mandates? If we answer this last question in the positive, to which limitations must states commit themselves in order to realize an order of this sort? Since our theme has an “Asian” context, I would like to introduce two quotations which show how two Asians remember the Locarno Pact. The Indian diplomat A.C. Gupta, a member of the Interparliamentary Union who took part in its IPU 1952 conference in Bern,<sup>11</sup> recorded the following view:

Any international collaboration must presuppose a limitation on the sovereignty of individual states [...] What we require now is a world organization which will be authorized with the rights surrendered by other states [...] The civilized nations have failed in the case of the League of Nations, and I may not be quite wrong if I say the Locarno Pact was the first step leading to that failure. I have my own misgivings as to whether many of these European political organizations are not in a way neutralizing the effectiveness of the United Nations. (Bureau Interparlementaire 1952, 652 and 654; Uhlig 1988)

At the same 1952 meeting of the IPU in Bern, which, following the Second World War, represented something like a summation of experience from fifty years of the history of peace-oriented international law, diplomacy and international relations, the Pakistani representative Ahmed E.H. Jaffer expressed himself in a similar vein:

The world has already started thinking in terms of a universal state. The evils of the sovereign state and its incapacity to maintain peace are increasingly felt [...] In my opinion time is ripe for beginning to plan and shape organizations which will ultimately form the nucleus of world federation [...] in connection with the question of limits to state sovereignty discussed at this conference it has been made amply clear that one of the greatest impediments to real political and economic cooperation between the states is the sovereignty of states and that the remedy for the sufferings of mankind lies in curtailing and limiting that sovereignty [...] We ought to remember that the chief purpose in the creation of the sovereign national state has been to create an institution [...] capable of maintaining peace and order [...] For over many centuries the [sovereign] state has served its purpose well. But now the conditions of life prevailing in the world are proof enough of the fact that the state as the highest political institution does not secure all the man needs and does not fulfill all the essential purposes for which it was created [...] I personally feel that regional confederations of states or the creation of regional representative assemblies would have the effect of delaying the process of establishing a world Parliament or a world State, because regional super-states or assemblies would in the nature of things develop a sense of rivalry among themselves, and instead of co-operating with [p. 523] each other would run into conflict, very much like the modern sovereign state. (Bureau Interparlementaire 1952, 778)

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11 I have elsewhere referred to Article 20 of Denmark’s 1953 Constitution which derives from this conference and which recognizes the transfer of sovereign rights to an international organization “for the purpose of furthering interstate legal order and cooperation.”

The views expressed at this 1952 IPU Conference led to the conclusion that the international order being striven for by Europeans, and since the beginning of the 20th century also by Americans and others, namely an ordering of affairs that was meant to promote peace, progress and justice, failed first and foremost because of the incapacity (or the lack of unity and trust) on the part of Europeans to help establish a legitimate supranational order through a limited, adequately defined renunciation of sovereignty.<sup>12</sup> (In fact, the Danish and Norwegian Constitution's peace provisions came out of the 1952 IPU Conference and are comparable to a number of European and other similar constitutional provisions.)<sup>13</sup> Looking at all of these historical and legal precedents, which are still relevant today, the main issue is whether we have learned from history. It would seem, then, that the failure of an "international order" is inevitable if states do not resolutely decide upon a type of renunciation of sovereignty that truly fixes upon abolishing the "institution of war." This is clearly the historical experience. There is no doubt that the problem and unresolved task of the 21st century is the integration of Europe into the world community. In other words, how can Europe, putting into practice Immanuel Kant's vision of a *foedus pacificum*, be the point of departure that is necessary for a legally binding international order of world peace?

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- 12 And all this in spite of numerous articles in constitutions first drafted in the interwar period, which might often appear to work in two directions: firstly, as pointed out by international law professor Knut Ipsen, as an "integration lever" (Integrationshebel) in regard to European political and economic integration and cooperation; and secondly (and most importantly) regarding an international organization capable of outlawing and abolishing the institution of war.
- 13 After WWII the German Constitution provided for legislation to start the process of empowering the United Nations (Article 24); the 1948 Italian Constitution provided for "limitations of her sovereignty necessary to an organization which will ensure peace and justice among nations" (Article 11); Denmark in 1953 suggested legislative action to transfer powers to international authorities "through a bill, to promote international legal order and cooperation" (Article 20); the 1965 Norwegian Constitution's Article 93 (today's Article 115) permitted limitations of national sovereignty with the aim "to secure international peace and security" and "promote international law and order and cooperation between nations;" the 1946 French Constitution accepted "the limitations of sovereignty necessary for the organization and defense of peace" (albeit "under condition of reciprocity"). Similarly, Japan's constitution aims for "an international peace based on justice and order." (Article 9, 1947) There are numerous such provisions in national European constitutions. Also worth mentioning is India's Article 51 which seeks, among other things, to "promote international peace and security," settle "international disputes by arbitration," and "foster respect for international law," and Article 12 of Costa Rica's Constitution which says: "The Army as a permanent institution is abolished."

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## Research note

# Administrative Monopole in China: Ursachen und Reformversuche

Shiwei Shi

### Summary

As an answer to the structural problems facing the Chinese economy, the Chinese leaders proclaimed comprehensive reforms that aim at establishing a united, open and fair market order and a rule by law system for the “new era” of development starting in 2013. The accomplishment of those goals requires the reshaping of the relations between state and market. The paper focuses on one of the most serious problems of the Chinese market system: the administrative monopolies. They are defined as illegal competition constraints conducted by administrative government units. Based on the analysis of the Anti-monopoly Law (AML) enacted in 2008, the paper argues that administrative monopolies as an endogenous obstacle for market functioning were caused by missing coherence of economic reform, reform of justice and of the state administration and the preference for state-owned enterprises as carriers of state industrial policy. The paper also discusses the recent reforms of the governance structure and government institutions, the establishment of a Fair Competition Review Mechanism that aim at enhancing effectiveness and independence of the implementation organ of AML and policy measures related to reshape industrial investment controls. The author sees an urgent need for the Chinese government to cope with administrative monopolies by determining the fundamental role of competition policy, creating and consistently implementing a strong and fair system of competition control anchored in the AML and beyond this.

**Keywords:** China, competition policy, Anti-monopoly Law, economic transition, industrial policy, state-owned enterprises

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## Einleitung

Das 3. Plenum des XVIII. ZK der KPCh (November 2013) beschloss die neue Reformagenda mit Bildung eines einheitlichen, offenen, gerechten und geordneten Marktwirtschaftssystems, das 4. Plenum des XVIII. ZK der KPCh (Oktober 2014) mit der Errichtung der Rechtsstaatlichkeit vor dem Hintergrund des anvisierten Wandels vom faktorgetriebenen zum innovationsgetriebenen Wachstum (ZK der KPCh 2013 und ZK der KPCh 2014). Diese Beschlüsse, die auf dem 19. Nationalen Parteitag der KPCh (Oktober 2017) noch einmal bekräftigt wurden, stellen eine bedeutende Veränderung im offiziellen Denken über die Richtung und das Tempo der Wirtschaftsreformen in China dar (Kovacic 2017, 695). Die Führung in China hat begriffen, dass sich ein innovationsbasiertes Wachstum nicht nur auf mehr Investitionen in Ausbildung, Wissenschaft und Technologie sowie betriebliche Forschung und Entwicklung (FuE) stützt, sondern auch eine Veränderung der Institutionen erforderlich macht.<sup>1</sup> Vor allem müssen die Verhältnisse zwischen Staat und Markt neugestaltet werden, damit der Markt die entscheidende Rolle für Ressourcenallokation – wie es der Beschluss des 3. Plenums formuliert – einnimmt.<sup>2</sup>

Seit Anfang der 1990er Jahre hat die chinesische Regierung einige Schritte zur Etablierung einer regelbasierten Marktwirtschaft unternommen. Insbesondere wurde am 30. August 2007 nach 14 Jahren Konsultationen des Nationalen Volkskongress das Antimonopolgesetz (AML) verabschiedet, es trat am 1. August 2008 in Kraft. Der Leistungswettbewerb bildet der Wirtschaftstheorie nach den Kern einer Marktwirtschaftsordnung, und das Gesetz gegen Wettbewerbsbeschränkungen, das den rechtlichen Rahmen für staatliche Wirtschaftspolitik in Bezug auf Gestaltung der Wettbewerbsordnung schafft, wird deshalb als Wirtschaftsverfassung bezeichnet (Eucken 1990, 255). In den letzten 10 Jahren wurde das AML auch tatsächlich zum Schutz vor unzulässiger Konzentration von Marktmacht, zur Bekämpfung der Kartellbildung sowie gegen Missbrauch von Marktmacht eingesetzt. Allein im ersten Jahr nach dem Inkrafttreten des Gesetzes wurden 58 Klagen formal aufgenommen, in denen ausländische multinationale Unternehmen (MNC) in mehr als 40 Fällen (69 %) involviert waren (Shangwubu 2009). Andererseits gestaltet sich der institutionelle

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1 Hier wird der Begriff Institution im weiteren Sinne verwendet. Institutionen umfassen sowohl Organisationen wie Regierungsorgane, Firmen, Industrieverbände und Universitäten als auch formale Verhaltensregeln wie Gesetze sowie informale Verhaltensregeln wie Normen, Konventionen, Sitten und Bräuche, sogar Regierungsrichtlinien und -politiken. Vgl. Niosi 2010, 10; World Bank 1991, 134.

2 Auf ihrem XIV. Parteitag im Oktober 1992 hat die KPCh den Aufbau der sozialistischen Marktwirtschaft proklamiert und strebt seither an, Markt als grundlegendes (basic) Mittel bei der Ressourcenallokation zu entfalten. Auf dem 3. Plenums des XVIII. ZK der KPCh im November 2013 – mehr als 20 Jahre danach – und anschließend auf dem XIX. Parteitag der KPCh im Oktober 2017 wurde es zum Ziel gesetzt, Markt als entscheidende (decisive) Rolle bei der Ressourcenallokation zu machen. Vgl. ZK der KPCh (2013).

Wandel als schwierig und ein erheblicher Teil der chinesischen Wirtschaft wurde noch weitgehend vor dem Wettbewerb geschützt. Im März 2018 wurde die neue Runde der Reform der Governance-Struktur und Institutionen der Regierung (das „Programm für die Vertiefung der Reform der Partei- und Staatsinstitutionen“) in die Wege geleitet (ZK der KPCh 2019). Es geht nach dem Beschluss des ZK der KPCh darum, die Funktionsfähigkeit und Effizienz der Regierung im Governance-System des Staates zu verbessern. Die Reform umfasst die Umstrukturierung der Durchführungsorgane des AML.

Der vorliegende Beitrag fokussiert sich auf eine der schwerwiegendsten institutionellen Wettbewerbsbeschränkungen der chinesischen Wirtschaft: Das administrative Monopol. Administrative Monopole werden im Allgemeinen definiert als nicht autorisierte Wettbewerbsbeschränkungen administrativer Organe der Regierungen sowie ihr angehörender Institutionen (OECD 2002, 48). Administrative Monopole in China sind besonders facetten- und umfangreich. Es gibt zwar ein ganzes gesondertes Kapitel im AML (AML 2007) zu deren Bekämpfung, trotzdem stellen sie schwerwiegende Hindernisse für den fairen Wettbewerb dar (Weishaar 2011, 100). Chinesische Ökonomen schätzten in einer Studie die durch administrative Monopole verursachten Effizienzverluste für die gesamte soziale Wohlfahrt in den Branchen Elektrizität, Telekommunikation, Erdöl und Eisenbahn von 1997 bis 2005 auf 73,8 – 374,8 Mrd. Yuan RMB (Chen 2014, 25). In einer durch das Unirule Institute of Economics durchgeführten Studie wurde der Nettowohlfahrtsverlust durch administrative Monopole allein in der Erdölindustrie zwischen 2001 und 2010 auf 1,545 Bill. Yuan beziffert (Gao und Qian 2014, 63).

Die Arbeit ist wie folgt gegliedert: Nach der Einleitung wird im 2. Abschnitt eine kurze Entstehungsgeschichte der Gesetzgebung gegen Wettbewerbsbeschränkungen in China, insbesondere die Debatte um die Aufnahme der Regelungen gegen Administrative Monopole ins AML, vorgelegt. Im 3. Abschnitt werden Ursachen für die mangelnde Wirksamkeit des AML gegen administrative Monopole in der praktischen Durchführung analysiert. Im 4. Abschnitt werden Reformversuche seit dem 3. Plenum rekonstruiert und erörtert. Im Schlussabschnitt werden die aktuellen Reformen auf ihre Effektivität hin untersucht und bewertet sowie weitere Reformansätze gegen administrative Monopole vorgeschlagen.

Als Quelle der Untersuchung dienen die Regierungsdokumente für Monopolkontrollen, insbesondere das AML von 2008, der „Beschluss über wichtige Maßnahmen für die Vertiefung umfassender Reformen“ vom ZK der KPCh von 2013 und „Stellungnahmen des Staatsrats zur Einrichtung eines Mechanismus zur Überprüfung des fairen Wettbewerbs beim Aufbau des Marktsystems“ (FCRM) von 2016. Ergänzend dazu werden andere wichtige offizielle Dokumente der KPCh und der Zentralregierung und einige Forschungsartikel über administrative Monopole aus China und den westlichen Ländern sowie Medienberichte herangezogen.

## **Aufnahme der Regelungen gegen administrative Monopole ins AML**

Chinas Wirtschaft hat seit Beginn der Reform- und Öffnungspolitik über einen Zeitraum von 40 Jahren ein hohes Wachstum verzeichnet. Das Einkommen und der Wohlstand der Bevölkerung haben sich ebenfalls deutlich verbessert. Dieser Erfolg ist vor allem auf marktorientierte Reformen zurückzuführen, die die zuvor bei der Zentralverwaltungswirtschaft gefesselten Marktkräfte freigesetzt und sie gemäß ihren komparativen Kostenvorteilen allokiert haben. Diese Reformen liefen zuerst punktuell (Landwirtschaft und Sonderwirtschaftszonen) ohne eine wirtschaftsordnungspolitische Gesamtentscheidung („Man überquert den Fluss, indem man die Steine antastet“),<sup>3</sup> dann setzte sich die chinesische Führung auf dem 14. Nationalen Parteitag der KPCh im Oktober 1992 den Aufbau der sozialistischen Marktwirtschaft zum Ziel (Wu und Ma 2013, 143) und leitete in den 1990er Jahren eine Reihe von ordnungspolitischen Maßnahmen zur Errichtung eines marktwirtschaftlichen Systems ein. Dazu zählen die Teilprivatisierung der staatseigenen Betriebe (SEB), die schrittweise Einführung eines modernen Geld- und Finanzsystems, die Rekonstruktion des Steuersystems und die Abschaffung des staatlichen Außenhandelsmonopols sowie der Devisenbewirtschaftung. Die Transformation zu einem funktionierenden marktwirtschaftlichen System stellte sich jedoch als schwierig heraus. Vor allem nach der internationalen Finanzkrise von 2008 verlangsamte sich die Reform und musste in manchen Bereichen sogar Rückschritte hinnehmen (z. B. Reformen von SEB) (Wu und Ma 2013, 237).

Die Schwierigkeiten beim Aufbau einer funktionierenden Marktordnung zeigen sich besonders deutlich an der Entstehung des AML, insbesondere an der Aufnahme der Klauseln gegen administrative Monopole. Um eine rechtliche Grundlage gegen monopolistische Praktiken zu schaffen, die den Wettbewerb behindern, wurde 1993 das Gesetz gegen unlauteren Wettbewerb und 1999 das Preisgesetz erlassen. Mit dem Beitritt zur Welthandelsorganisation (WTO) im Dezember 2001 verpflichtete sich die chinesische Regierung zur Einhaltung der allgemeinen Regeln der Marktwirtschaft (gerechtem, nichtdiskriminierendem Wettbewerb), revidierte eigenen Angaben zufolge bis Ende 2002 rund 2.300 Gesetze und Vorschriften und setzte 830 außer Kraft, die mit den WTO-Regeln nicht konform waren (Renmin Ribao 2015). Am 30. August 2007 wurde das AML nach 14-jährigen Konsultationen vom Nationalen Volkskongress verabschiedet. Zum ersten Mal in der Geschichte Chinas wurde ein rechtlicher Mechanismus gegen monopolistisches Verhalten als notwendiges Mittel in einem einheitlichen Gesetz geschaffen. Dies folgt inhaltlich dem Vorbild vergleichbarer Gesetze der USA und der EU und gleichzeitig wurden entsprechende Durchführungsorgane eingerichtet. Das Gesetz wurde deshalb von seinen Befürwortern als Meilenstein in

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3 Chinesisches Sprichwort.

der Transformation Chinas zur Marktwirtschaft betrachtet (U.S. Chamber of Commerce 2014, 1).

Dass der Gesetzgebungsprozess des AML so lange gedauert hatte, ist in erster Linie auf Uneinigkeiten unter den Rechtsexperten darüber zurückzuführen, ob die Regelungen gegen administrative Monopole ins AML aufgenommen werden sollen (Ge 2014). Der langwierige und teils heftige Streit unter den Experten ist hauptsächlich darauf zurückzuführen, dass administrative Monopole in China – wie eingangs bereits erwähnt – besonders vielfältig sind. Stefan Weishaar hat in seinem Beitrag über Administrative Monopole und AML in China die Typologie administrativer Monopole in China von Wang, B.S. im Jahre 2008 zitiert:

1. Lokaler Protektionismus. Lokalregierungen und Regierungsabteilungen missbrauchen ihre Macht, um den Marktzugang von Produkten anderer Provinzen zu beschränken oder beschneiden den Export lokaler Produkte in andere Regionen. Der lokale Protektionismus bezieht sich nicht nur auf Güter, sondern schließt auch Kapital, Technologie und Arbeitskräfte ein.
2. Protektionismus von Regierungsabteilungen. Nicht nur lokale administrative Organe missbrauchen ihre Macht, auch einzelne Regierungsabteilungen versuchen ihre Interessen zu verfolgen, indem sie die ihnen unterstellten Unternehmen unterstützen, während sie gleichzeitig die Zusammenarbeit mit Unternehmen blockieren, die anderen Regierungsabteilungen unterstellt sind.
3. Erzwungener Handel. Administrative Organe oder Regierungsabteilungen fordern von Bürgern, bestimmte Güter oder Dienstleistungen zu kaufen.
4. Von der Administration gegründete Unternehmen. Administrative Organe gründen eigene Unternehmen und verleihen ihnen exklusive Rechte und besondere administrative Entscheidungsmacht. (Weishaar 2011, 100)

An den obigen Kategorien administrativer Monopole kann man ablesen, dass das Konzept administrativer Monopole in China nicht eindeutig ist: Manche Kategorien werden tatsächlich auf Missbrauch der Macht von Regierungsstellen zugunsten der partikularen Wirtschaftsinteressen bezogen (z. B. die Gründung eigener Unternehmen mit Monopolrechten auf dem Markt), und diese könnten wie ein Wirtschaftsmonopol im Sinne von Missbrauch ihrer exklusiven Macht bekämpft werden. Aber sie könnten sich auch auf das weit breitere Verhalten der Regierungsstellen beziehen, indem sie ihre Regulierungsmacht missbrauchten und Regelungen zugunsten ihrer regionalen bzw. sektoralen Interessen durchsetzten (z. B. erzwungener Handel). Diese Praktiken seien nach Meinung mancher Experten anders als Wirtschaftsmonopole, und die gesetzliche Lösung für administrative Monopole sei im Verwaltungsgesetz zu finden (Wu und Ma 2013, 297; Weishaar 2011, 100–101).

So argumentierten einige Experten, dass die Aufnahme der Regelungen gegen administrative Monopole ins AML als Grundgesetz der Marktwirtschaftsordnung angesichts der Häufigkeit und schwerwiegenden Folgen von administrativen Monopolen notwendig sei, auch wenn ein Verbot administrativer Monopole nicht allein durch das AML erreicht werden könne (Wang 2009, 50). Manche Experten

argumentierten dagegen, dass das Vorgehen gegen den Missbrauch von Verwaltungsmacht nicht die Aufgabe des AML und diesem angesichts der gegenwärtig massiven Intervention der Regierung in die Wirtschaft durch das AML gar nicht beizukommen sei. Dieses Problem zu bewältigen, sei eher ein Ziel der weiteren politischen und Verwaltungsreform (Cao 2006). Ferner enthielten andere Gesetze zur Regulierung der Marktordnung, wie das Gesetz gegen unlauteren Wettbewerb, bereits entsprechende Klauseln, die Aufnahme solcher Artikel ins AML sei deshalb unnötig (Ge 2014). Ferner waren manche Experten der Meinung, dass die Unterscheidung zwischen Wirtschaftsmonopolen, natürlichen Monopolen und administrativen Monopolen irreführend sei und auf dem Missverständnis basiere, dass SEB in den westlichen Ländern nicht ihrem AML unterlägen (Weishaar 2011, 101).<sup>4</sup> Angesichts der ökonomischen Schäden und der Vielfalt administrativer Monopole schien die Mehrheit der Experten es für notwendig zu halten, dass das AML bei der Bekämpfung von administrativen Monopolen eine aktivere Rolle spielt, als nur das Gesetz gegen unlauteren Wettbewerb beizubehalten (Wang 2009, 57).

Nach langem Tauziehen der Experten hat der Ständige Ausschuss des 10. Volkskongresses als das gesetzgebende Organ auf seinem 22. Plenum im Juni 2006 den Entschluss gefasst, die entsprechenden Klauseln ins AML aufzunehmen. Dabei ginge es nach der Erklärung dieses Gremiums nicht nur um das prinzipielle Verbot des Missbrauchs administrativer Macht in Bezug auf Wettbewerbsbeschränkungen (Artikel 8), sondern es würde auch ein ganz separates Kapitel dafür (Kapitel 5) eingeführt, in dem Formen des konkreten verbotenen Machtmissbrauchs aufgelistet würden. Gleichzeitig versprach sich der Sprecher des Volkskongresses davon, administrative Monopole durch Vertiefung der politischen und Verwaltungsreform zu beseitigen (Cao 2006).

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4 In der Tat stellt z.B. der Vertrag über die Arbeitsweise der Europäischen Union (Artikel 101, 102 und 106 TFEU) öffentliche Unternehmen (definitionsmäßig ähnlich wie SEB in China) oder Unternehmen mit Sonder- oder exklusiven Rechten in Mitgliedsstaaten der EU unter den Anwendungsbereich des AML der EU. Mitgliedsstaaten sind demgemäß dazu verpflichtet zu kontrollieren, dass die zugestandenen dominierenden Positionen nicht missbraucht werden. Die Gewährung von Monopolen per se ist jedoch nicht verboten. Gemäß des Urteils des Europäischen Gerichtshofes (ECJ) wurde dieses exklusive Recht als gesetzliches Monopol definiert, und die Zahlen der Unternehmen, denen dieses Recht gewährt wird, sollen begrenzt und geschlossen werden. Ferner werden Einrichtungen, die Befugnisse ausüben, die zu den Hoheitsrechten des Staates gehören oder deren Tätigkeit auf Solidarität beruht, nicht als wirtschaftlich angesehen und daher nicht als Unternehmen eingestuft. Vgl. Weishaar 2011, 111–113.

## Unzulänglichkeiten des AML in Bezug auf die Beseitigung administrativer Monopole

### Klauseln gegen lokale administrative Monopole<sup>5</sup>

Der lokale Protektionismus hat enorme negative Auswirkungen. Diese Form des administrativen Monopols war eine Folge der (administrativen) Dezentralisierung durch die Aufteilung der Fiskaleinnahmen zwischen der Zentralregierung und den Provinzregierungen,<sup>6</sup> die angesichts ihrer anreizstiftenden Wirkung die Reformbereitschaft der lokalen Regierung verstärkte und nach und nach die Zentralplanung aushöhlte. Der starke dezentrale Charakter der chinesischen Wirtschaft begünstigte den graduellen Weg der marktorientierten Reform und schuf einen größeren Spielraum für den Ausgleich zwischen Wirtschaftswachstum, institutionellem Wandel und makroökonomischer Stabilität (Shi 1998, 86). Andererseits wurde diese regionale Autonomie für wirtschaftliche Entwicklung auch dazu genutzt, lokale Barrieren für Güter, Kapital und Arbeit sowie für den Markteintritt und -austritt konkurrierender Firmen aus anderen Regionen durch regionale (provinzielle und lokale) Gesetze, Vorschriften und Verwaltungseingriffe zu errichten. Dieses Monopol ermöglichte es Lokalregierungen, exklusive Verträge mit Anbietern oder Nachfragern zu schließen (ausschließendes Verhalten): Die Einrichtungen der lokalen Regierungen wurden z. B. angehalten, nur die Produkte aus der jeweiligen Region zu konsumieren (Autos, Schnäpse u. a.).

Der lokale Protektionismus erschwert die Entstehung eines national einheitlichen Marktes und verzerrt die Ressourcenallokation durch ein funktionierendes Preisgefüge (Spezialisierung). Er führt zur Duplikation der Industriestruktur in den verschiedenen Regionen, zur suboptimalen Größe der Unternehmen sowie zu Überkapazitäten bestimmter Industrieproduktionen (Eisen- und Stahl, Kohle, Fotovoltaik-Anlagen usw.) und verursacht dadurch enorme Ressourcenverschwendung und Umweltschäden. Weiterhin subventionierten lokale Regierungen vor allem SEB (Bai et al. 2004, 30). Aus Furcht vor hoher Arbeitslosigkeit und sozialen Unruhen sowie dem damit verbundenen Verlust ihrer Position als hohe Kader wurden selbst unrentable Betriebe künstlich am Leben gehalten („Zombie-Firmen“).

Das Gesetz gegen unlauteren Wettbewerb von 1993 enthält zwar Klauseln, die administrative Monopole verbieten, aber sie sehen keine Sanktionsmaßnahmen

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5 Administrative Monopole in China wurden trotz der oben erwähnten konzeptuellen Meinungsverschiedenheiten von den meisten Experten in lokale administrative Monopole und sektorale administrative Monopole (bezogen hauptsächlich auf die Zentralregierung) eingeteilt. Jüngste Forschungsbeiträge fügen auch öffentliche Versorgungsunternehmen hinzu (vgl. Ma 2020, 131). Da aber im AML diese von den durch SEB dominierenden Branchen nicht unterschieden werden, werden sie hier zu den sektoralen administrativen Monopolen gerechnet.

6 Diese Maßnahme wird oft mit der Abkürzung „*fangquan rangli*“ bezeichnet: Dezentralisierung der Macht und Transfer der Gewinne.

vor. Die geschädigten Wirtschaftssubjekte können ihre Rechte in der Regel juristisch nur beschränkt durchsetzen, weil regionale Gerichte institutionell und finanziell von den jeweiligen lokalen Regierungen abhängig sind und sich ihrer politischen Intervention zum Schutz „ihrer“ Firmen nicht widersetzen. Das Kapitel 5 des AML behandelt in den Artikeln 33, 34 und 35 verbotenes Verhalten und den Missbrauch von lokalen Verwaltungsbefugnissen, während in den Artikeln 32, 36 und 37 Machtmissbrauch von Verwaltungsorganen im Allgemeinen (sowohl zentral als auch lokal) zur Rechenschaft gezogen wird. Im Kapitel 7, „Rechtliche Verantwortungen“, regelt Artikel 51 des AML die Verantwortung für den Missbrauch administrativer Macht wie folgt: Sollte eine Verwaltung oder eine durch Gesetz oder Regulierung autorisierte Organisation, die die Funktion einer Verwaltung öffentlicher Angelegenheiten ausübt, ihre administrative Macht missbrauchen, um Wettbewerb auszuschalten oder zu beschränken, soll die vorgesetzte Verwaltungsebene diese zur Korrektur ihrer Entscheidung auffordern. Die leitende direkt verantwortliche Person sowie die übrigen verantwortlichen Personen sollen in Übereinstimmung mit gesetzlichen Regeln eine Verwaltungsstrafe erhalten. Die Behörde für die Umsetzung des Anti-Monopolgesetzes *kann* den relevanten Abteilungen auf höherer Ebene einen Vorschlag über die Behandlung der Angelegenheit auf der Basis geltender Gesetze machen.

Artikel 51 gewährleistet zwar den Durchführungsorganen des AML ein bestimmtes Recht zum Vorgehen gegen Amtsmissbrauch durch Regierungsstellen und geht somit über die sehr begrenzten Kompetenzen im Gesetz gegen unlauteren Wettbewerb hinaus, eine direkte Sanktion gegen die durch ein administratives Organ verursachten Wettbewerbsbeschränkungen ist – anders als bei Wirtschaftsmonopolen – jedoch nicht vorgesehen. Die Umsetzung des Kapitels 5 des AML sollte per Empfehlungen über die Regierungshierarchie erfolgen. Da alle drei Durchführungsorgane – Ministry of Commerce (MOFCOM), National Development and Reform Commission (NDRC) und State Administration for Industry and Commerce (SAIC) – ministeriellen Rang hatten, mussten Provinzregierungen, die den gleichen oder einen höheren administrativen Rang hatten, deren Empfehlungen nicht befolgen (Kovacic 2017, 702). Darüber hinaus wurden regionale administrative Monopole zumeist durch Regierungsverordnungen bzw. -dekrete verursacht. Daher hatten die Behörden oft kein Interesse, von sich aus die ihnen unterstellten Regierungsstellen bzw. Unternehmen zur Korrektur der von ihnen erlassenen Verordnungen und Dekrete anzuhalten (Wu und Ma 2013, 300). Da die Durchführungsorgane in der Sache keine „Zähne“ hatten, hielt sich die Effektivität des AML gegen administrative Monopole in Grenzen. Das Inkrafttreten dieses Gesetzes kann deshalb nur als eine Etappe auf dem Weg zur Etablierung einer regelbasierten Marktwirtschaft in China angesehen werden.



## Klauseln gegen sektorale administrative Monopole

Sektorale administrative Monopole beziehen sich vor allem auf Eintrittsverbote bzw. –beschränkungen für bestimmte Sektoren durch Gesetze und Regierungsverordnungen. Es gibt keine expliziten, spezifischen Klauseln im AML gegen sektorale administrative Monopole. Unter „Allgemeine Regelungen“ (Kapitel 1) gibt der Artikel 7 des AML folgende Regularien vor:

Hinsichtlich der Industriezweige, die unter der Kontrolle des staatseigenen Wirtschaftssektors stehen und die als Lebensadern der nationalen Wirtschaft angesehen werden oder der nationalen Sicherheit dienen, und der Industriezweige, die ein Monopol in der Produktion oder im Verkauf bestimmter Güter den gesetzlichen Regeln entsprechend aufweisen, soll der Staat die rechtmäßigen Geschäftstätigkeiten dieser Industrien schützen und, in Übereinstimmung mit den Gesetzen, die Geschäftstätigkeiten der Industrien und ihre Preise für Güter und Dienstleistungen überwachen und regulieren, um die Interessen der Konsumenten zu schützen und den technischen Fortschritt zu erleichtern. Darüber hinaus sollen SEB gemäß des AML durch Selbstdisziplin und öffentliche Kontrolle ihre Monopolstellung nicht missbrauchen und nicht das Interesse der Konsumenten schädigen.

Diese Klausel unterwarf SEB dem Gesetz und der staatlichen Regulierung, was als eine Errungenschaft des AML interpretiert werden kann. Sie besagt aber auch, dass staatliche Unternehmen als Monopolisten in Sektoren legitimiert werden, in denen der Marktzugang durch staatliche Dekrete beschränkt ist. So erlaubt diese Klausel, dass das AML für manche von SEB dominierten Sektoren außer Kraft gesetzt werden kann. SOE können eine andere Behandlung rechtfertigen, was dazu führt, dass die Manager von SOE oder die Durchführungsorgane das AML in solchen Sektoren als weniger wirksam ansehen (Kovacic 2017, 695–696). Dass SEB ihre Monopolstellung durch Selbstdisziplin nicht missbrauchen (mit höheren Preisen und schlechten Services z. B.), ist empirisch schwer zu belegen.

Die Industriesektoren, die zu den Lebensadern der nationalen Wirtschaft oder der nationalen Sicherheit gehören, wurden gemäß der „Richtlinie für Regulierung des Staatskapitals und Umstrukturierung der SEB“ von der State-owned Assets Supervision and Administration Commission of the State Council (SASAC) im Jahre 2006 wie folgt aufgelistet (Wu und Ma 2013, 236–237; Kroeber 2016, 94):

1. Wichtige Teile der Netzwerkwirtschaft (Luftfahrt, Eisenbahnen, Telekommunikation sowie Stromerzeugung und -verteilung)
2. Vorgelagerte Produktion (Öl, Gas und Kohle)
3. Grundlagenindustrien (Stahl, Aluminium und Petrochemie)
4. Werkzeugmaschinen für zentrale Produktionsbereiche und Stromerzeugungsanlagen
5. Bautechnik für Infrastruktur (Straßen, Dämme, Häfen und Eisenbahnen)

6. Industrien von zentraler gesamtwirtschaftlicher Bedeutung  
(Automobilindustrie, Flugzeugindustrie und Schiffbau)
7. Militärindustrie

Diese Sektoren könnten mit den in der ehemaligen Planwirtschaft durch die Zentralregierung kontrollierten „commanding heights“-Industrien gleichgesetzt werden. Betriebe in diesen Sektoren standen und stehen unter der direkten Kontrolle der Zentralregierung und sind durch Gesetze und Regierungsverordnungen vor Wettbewerb geschützt (Wu und Ma 2013, 242). Die von der SASAC kontrollierten sogenannten zentralen SEB (insgesamt 106 außerhalb des Finanzsektors Ende 2013) dominierten die kapital- und technologieintensiven Industrien. Sie hatten 2010 einen Anteil von 38 % am Gesamtvermögen des produzierenden Gewerbes Chinas und konzentrierten sich in 10 regulierten Industriebereichen mit 81 % des staatlichen Industrievermögens und 83 % des gesamten Industrieoutputs des Staates (Kovacic 2017, 707).

In vielen Volkswirtschaften der Welt – auch in den entwickelten Industrienationen – ist es wettbewerbsrechtlich und wettbewerbspolitisch zulässig und nicht selten, dass den SEB die Aufgabe zugewiesen wird, öffentliche und quasiöffentliche Güter anzubieten (z. B. öffentlicher Nahverkehr, Einrichtungen für nationale Sicherheit sowie öffentliches Gesundheitswesen). Auch Sektoren, die traditionell unter natürliche Monopole fallen (Stromverteiler, Wasser- und Gasversorgung, Eisenbahnlinien) – wie vorhin erwähnt (Fußnote 4) –, können unter Auflagen der staatlichen Regulierung bestimmte exklusive Rechte durch zuständige Behörden gewährt werden, damit erhalten deren Unternehmen eine Monopol- oder Oligopolstellung. Im Vergleich zum AML in China sind diese Rechte allerdings auf wenige Fälle beschränkt und wurden in den jeweiligen Gesetzen zumeist als „Ausnahmen“ bezeichnet.<sup>7</sup> Erwerbswirtschaftliche Bereiche (z. B. die Automobilindustrie), in die der Eintritt durch NDRC gemäß der Industrielenkungskataloge für Marktzugang bzw. Industrielenkungskataloge für ausländische Investitionen u. a. genehmigt werden mussten (Yu 2018, 61),<sup>8</sup> werden im AML oder in anderen relevanten Gesetzen und Verordnungen der Regierungen von diesen Ausnahmen nicht unterschieden (Song und Zhan 2019). Wettbewerbspolitisch gibt es allerdings keinen Grund, privaten Unternehmen, Unternehmen mit Auslandskapital (FIEs) sowie Mischunternehmen mit öffentlichen und privaten Trägern den freien Markteintritt in die erwerbswirtschaftlichen Bereiche zu verweigern (Kovacic 2017, 704). Diese administrativen Monopole können nur mit industriepolitischen Überlegungen der

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7 Ein Beispiel war die Ausnahme für Stromerzeugungsunternehmen im Gesetz gegen Wettbewerbsbeschränkungen in Deutschland vor 1999, die exklusive Kartelle mit den kommunalen Stromversorgungsbetrieben schließen durften. Diese wurde allerdings nach der Marktöffnung der öffentlichen Dienstleistungen in den 1990er Jahren durch die 6. Novellierung des Gesetzes abgeschafft. Vgl. Schmalen und Pechtl 2006, 121–122.

8 Diese Lenkungskataloge wurden im Jahre 2018 im Sog der weiteren Reform durch Negativlisten ersetzt. Näheres s. S. 23.

Regierung geklärt werden, die in China hauptsächlich auf die Förderung von großen SEB hinauslaufen („national Champions“) (Wu und Ma 2013, 237; Kovacic 2017, 704–705).

## **Neue Reformen zur Bekämpfung von administrativen Monopolen seit 2013**

Auf dem 3. Plenum des XVIII. ZK der KPCh im November 2013 wurde der „Beschluss über wichtige Maßnahmen für die Vertiefung umfassender Reformen“ mit einem 60-Punkte-Programm verabschiedet. Probleme durch administrative Monopole wie z.B. exzessive Regulierung, lokaler Protektionismus und Privilegien der SEB wurden darin angesprochen (siehe hierzu den zweiten Abschnitt des Dokuments, Punkt 7, sowie den Abschnitt III, Punkte 9 und 10) (ZK der KPCh 2013). Die Parteiführung rief eine umfassende Reform zur Neugestaltung des Verhältnisses zwischen Markt und Staat durch *top level design* auf. Was die Reform im Bereich Wettbewerbspolitik im Allgemeinen und Maßnahmen gegen administrative Monopole im Besonderen anbetrifft, wurden im Lauf der Zeit zwei wichtige Reformschritte eingeleitet.

## **Einführung eines Prüfungssystems für fairen Wettbewerb (Fair Competition Review Mechanism, FCRM)**

Am 01. Juni 2016 wurden vom der NDRC unterstehenden Staatlichen Antimonopolbüro „Stellungnahmen des Staatsrats zur Einrichtung eines Prüfungssystems für fairen Wettbewerb beim Aufbau des Marktsystems“ veröffentlicht (Guojia fanlongduan ju 2016). Sie verpflichten öffentliche Stellen in ganz China, sicherzustellen, dass neue Regelungen wettbewerbspolitische Belange berücksichtigen, und bestehende Regelungen zu überprüfen, um sie mit den wettbewerbsfördernden Zielen des AML in Einklang zu bringen. In der ersten Instanz verlangt der FCRM die Selbstbeurteilung durch die staatlichen Stellen mit anschließender Bewertung durch die durchführenden Organe von (damals noch) MOFCOM, NDRC und SAIC. Der FCRM hat das Potenzial, einen grundlegenden Abbau wettbewerbswidriger staatlicher Eingriffe anzuregen. Die Regierungsbehörden werden angehalten, bei wettbewerbsrelevanten Prüfungen den Durchführungsorganen des AML gemäß ihren Forderungen alle entsprechenden Beweismaterialien etc. zur Verfügung zu stellen. Damit wurden die Kompetenzen der Durchführungsorgane gegenüber administrativen Monopolen verstärkt.<sup>9</sup>

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9 Am 2. Januar 2020 hat die neugründete Institution – State Administration for Market Regulation (SAMR) –, den Entwurf für Revision des AML“ (Vorlage für offene Diskussion) veröffentlicht. Dabei geht es vor allem darum, den inzwischen errichteten und erprobten FCRM gesetzlich zu verankern. Vgl. Guojia shichang jianqu guanli zongju (2020).

## **Umstrukturierung der Durchführungsorgane des AML**

Dies geschah im Zuge der Reform der Governance-Struktur und Institutionen der Regierung im Jahr 2018.

Wie oben erwähnt, wurden beim Inkrafttreten des AML am 1.8.2008 drei Regierungsbehörden für die Durchführung bestimmt: Das MOFCOM ist zuständig für Fusions- und Akquisitionskontrolle; die NDRC für die Untersuchung und Bestrafung monopolistischen Verhaltens durch Preiskartelle und die SAIC für die Untersuchung und Bestrafung anderer Kartelle und des Missbrauchs einer marktbeherrschenden Stellung von Unternehmen. Die dreigliedrige Aufteilung der Durchführungs Kompetenzen ist ungewöhnlich, da für die Durchführung des AML in anderen Ländern fast ausschließlich ein einziges Organ zuständig ist. Die Struktur der Entscheidungsrechte in China hängt mit der vorher bestehenden Kompetenzaufteilung zusammen, so war etwa die Preiskontrolle immer in der Hand der NDRC. In den drei Behörden wurde jeweils eine Abteilung (im Rang unter dem Ministerium) errichtet bzw. umstrukturiert, um diese Aufgabe wahrzunehmen. Eine Antimonopol-Kommission (AMC) wurde gemäß des AML (Artikel 9) geschaffen, die aus Vertretern von 13 Agenturen verschiedener Ministerien besteht und von einem Vizepremier geleitet wird. Sie soll Wettbewerbspolitiken entwerfen und die Arbeit der Durchführungsorgane leiten und koordinieren. Der Gesetzgeber verfolgte damit das Ziel, die schwache Position der Durchführungsorgane durch Richtlinienvorgabe und Beratung eines höheren Gremiums zu kompensieren.

Die Unzulänglichkeiten der Durchführungsorgane des AML in China sind offensichtlich. Erstens gab es Kompetenzüberschneidungen und damit verbundene Unklarheiten: Zum Beispiel war die SAIC verantwortlich für die Überwachung der Kartelle allgemein, doch für die Überwachung der Preiskartelle war wiederum die NDRC zuständig. In der Praxis kann aber ein Missbrauch der Marktmacht oft nicht von der Preisdiskriminierung getrennt werden. Dies führte dazu, dass sich Untersuchung und Urteilsverkündung in vielen Fällen hinauszögerten. Hinzu kam, dass die Durchführungsorgane nicht unabhängig waren.

Vor der Reform waren die Ausführungsinstitutionen des AML dem jeweiligen Ministerium untergeordnet und den Zielen des Ressorts sowie individuellen Präferenzen der Minister unterworfen. Die NDRC als Superministerium für die makroökonomische Steuerung hat z. B. vorrangig die Aufgabe der Förderung strategisch bedeutender Industriebranchen. Dies könnte bei der Überwachung der Preisbildung wegen des Interessenkonflikts zur Diskriminierung ausländischer Unternehmen in China führen. Aufgrund des niedrigeren Rangs der Durchführungsorgane konnte ihre Entscheidung durch politische Intervention anderer Ressorts beeinflusst werden (U.S. Chamber of Commerce 2014, 83–84). Die AMC soll eine leitende und koordinierende Rolle spielen, aber sie ist keine Institution mit hauptberuflichem Personal, deshalb ist ihre Rolle weitgehend passiv.

Darüber hinaus bestanden keine ausgewogenen Beziehungen zwischen den Durchführungsorganen auf der zentralen und der lokalen Ebene. Aus historischen Gründen gibt es zwischen den Zentralorganen und den entsprechenden Organen in den Provinzen und Großstädten (z. B. die NDRC der Provinzen und die SAIC der Städte) keine vertikalen Organisationsstrukturen. Die Organe auf der lokalen Ebene stehen ihrer lokalen Partei- und Regierungsführung näher als dem Fachministerium in Beijing. Der Artikel 10 des AML bevollmächtigt die Regierungen der Provinzen mit der Durchführung des AML in ihrem Zuständigkeitsgebiet. Damit haben die Durchführungsorgane auf der zentralen Ebene keinen direkten Einfluss auf die AML-Durchführung auf der lokalen Ebene und der lokale Protektionismus kann nicht immer schnell und effektiv unterbunden werden. Als Hüter einer gerechten Marktordnung sollte die durchführende Institution ihre Entscheidung neutral und nur auf der Grundlage des Gesetzes fällen. Zudem sollte sie unabhängig von politischen Einflüssen agieren, wie z. B. das Bundeskartellamt in Deutschland.

Als eine von vielen Maßnahmen „des Programms für die Vertiefung der Partei- und Staatsinstitutionen“ wurden im März 2018 die Kompetenzen der SAIC, der General Administration of Quality Supervision, Inspection and Quarantine (GAQSIQ), der China Food and Drug Administration (CFDA), die Kompetenz für die Preisüberwachung der NDRC, die Kompetenz für die Fusionskontrolle des MOFCOM sowie die Kompetenz des Büros der AMC bei der neugebildeten State Administration for Market Regulation (SAMR) zusammengeführt. Die SAMR ist dem Staatsrat direkt unterstellt. Das Ziel dieser Reform ist zum einen die Erhöhung der Effizienz und Effektivität der Behörden; zum anderen die Verstärkung der Unabhängigkeit des Durchführungsorgans für die Wettbewerbspolitik. Ob durch die Umstrukturierung die Ziele erreicht wurden, kann erst in den kommenden Jahren festgestellt werden.

Darüber hinaus wurde das Negativlistenverfahren für den Marktzugang eingeführt. Das heißt, dass die chinesische Regierung eine der wichtigen Ursachen für administrative Monopole angegangen ist, und die notwendigen Beschränkungen des Markteintritts aus Gründen der öffentlichen und nationalen Sicherheit gemäß international gängigen Praktiken nicht mit administrativen Genehmigungen, sondern mit einer Negativliste geregelt werden.

Vor 2013 wurden die Markteintrittsbedingungen in China vor allem durch Industrielenkungskataloge der Regierung reguliert. Sie umfassten den Lenkungskatalog für industrielle Auslandsdirektinvestitionen (ADI), den Lenkungskatalog für Prioritäre Industrien der ADI in Zentral- und Westregionen, den Lenkungskatalog für industrielle Umstrukturierung, den Katalog für durch die Zentralregierung zu genehmigende Investitionsprojekte sowie diverse Lenkungskataloge der Provinz- und städtischen Regierungen. Die erste Negativliste für ADI wurde 2013 in der Pilotzone für Freien Handel (PFTZ) Shanghai eingeführt. Im Juli 2018 veröffentlichte die chinesische Regierung die

erste Nationale Negativliste für ADI; sie ersetzte den Lenkungskatalog für ADI. Gleichzeitig ersetzte die “Negativliste für den Marktzugang” die beiden anderen Lenkungskataloge, die sowohl für ADI als auch für einheimische Investoren galten. Im Vergleich zu den Lenkungskatalogen sind Negativlisten angesichts der angestrebten Einheitlichkeit transparenter. Die Negativliste des Marktzugangs 2019 umfasst 131 Punkte (126 restriktive und fünf verbotene), damit wurden die restriktiven Punkte der ersten Liste von 2018 um 20 verkürzt. Der Beschluss der Zentralregierung über die Veröffentlichung unterstrich zwar das Verbot der Einführung regionaler und ministerieller Negativlisten, ließ jedoch Ausnahmen in einer Übergangszeit zu (Shangwubu 2019).

Ferner hat die chinesische Regierung 2019 ein neues Investitionsgesetz (Foreign Investment Law, FIL) verabschiedet, das am 1. Januar 2020 in Kraft getreten ist. Das FIL gewährt ausländischen Investoren, die in Sektoren investieren, die nicht auf der Negativliste stehen – z. B. bei der Beteiligung an chinesischen staatlichen Beschaffungsprojekten – Inländerbehandlung vor Markteintritt. Ausländische Investitionen in Sektoren, die auf der Negativliste aufgeführt sind, haben jedoch keinen Anspruch auf Inländerbehandlung (Latham & Watkins 2019).

## Schluss

In den obigen Abschnitten wurden der Entstehungsprozess des AML und seiner Durchführungsorgane, seine Mängel hinsichtlich der Beseitigung von administrativen Monopolen in China sowie die Reformen zur Verbesserung der Effektivität und Effizienz der Wettbewerbspolitik seit dem 3. Plenum der XVIII. ZK der KPCh dargestellt und analysiert. Im Folgenden werden zusammenfassend die Reformversuche auf ihre Ziel-Mittel-Verhältnisse hin erörtert und Vorschläge für das weitere Vorgehen unterbereitet.

## **Die Interdependenz zwischen der wirtschaftlichen, Rechts- und Staatsordnung macht eine umfassende Reform notwendig**

Die Existenz administrativer Monopole in China ist – wie oben geschildert – hauptsächlich auf Überreste der administrativen Planwirtschaft der Vergangenheit zurückzuführen. Nach Walter Eucken – einer der wichtigsten Vordenker der Sozialen Marktwirtschaft in Deutschland nach 1945 – müsse, sobald die Gesamtentscheidung (für eine bestimmte Ordnungsform, z. B. Marktwirtschaft, durch die Wirtschaftspolitik – Verf. d. Art.) gefallen sei, nach ihr konsequent bis in alle Einzelheiten hinein gehandelt werden (Eucken 1990, 380). Insofern sind die Parteibeschlüsse von 2013 und 2014 für umfassende Reformen hinsichtlich der Bildung eines einheitlichen, offenen, gerechten und geordneten Marktwirtschaftssystems und des Aufbaus der Rechtsstaatlichkeit sowie ihre Umsetzung (Reform der Durchführungsorgane des AML, Einführung eines Prüfungssystems für fairen Wettbewerb, FCRM) auf dem richtigen Weg. Die Transformation muss allerdings noch weitergeführt werden: Eine Revision des

Verwaltungsgesetzes sollte vorgenommen werden, damit Gerichten die Macht übertragen wird, das Fehlverhalten der Behörden in Bezug auf administrative Monopole zu kontrollieren und zu korrigieren.

### **Die Koordinierung zwischen Wettbewerbspolitik und Industriepolitik muss konsequent durchgeführt werden**

Die Errichtung des FCRM wurde von der Zentralregierung als ein entscheidender Schritt für die Sicherung der grundlegenden Position der Wettbewerbspolitik bewertet (Guowuyuan Xinwen Bangongshi 2016). Die chinesischen Wirtschaftslenker haben in den letzten 40 Jahren bestimmte ausgewählte Branchen bzw. Betriebe durch Land- und Kreditvergaben, Steuerermäßigung sowie Subventionen unterstützt. Die Auswahl erfolgte in der Regel durch administrative Genehmigungen. Das Kernelement für den Erfolg einer selektiven Industriepolitik ist nach Osada die richtige Vorausschau bei der Selektion der Industrien (Osada 2012, 57). Aber diese Vorausschau kann nur bei der nachholenden Industrialisierung und in einer Frühphase der Wirtschaftsentwicklung, abzielend auf die Industrialisierungserfahrungen der entwickelten Industrienationen, gelingen. Sobald sich die nachholenden Nationen ihren Vorbildern angenähert und sie in einigen Bereichen sogar überholt haben (in China z. B. Stahl, Textil und Elektrizität), verstärkt eine selektive und vertikale Industriepolitik die Marktmacht der bevorteilten Unternehmen und beeinträchtigt deren Anreize für Innovation. Nach den Erfahrungen der Industrienationen gilt es in dieser Phase der industriellen Entwicklung, der Wettbewerbspolitik den Vorrang vor Industriepolitik einzuräumen (Yu 2018, 63; Kovacic 2017, 706).

### **Die weitere Öffnung der Märkte ist ein effektiveres Mittel zur Bekämpfung administrativer Monopole als AML**

Das Ziel des AML ist die Kontrolle über die Konzentration der Macht – gleichgültig ob private oder öffentliche –, die die effiziente Ressourcenallokation über eine Schließung von Angebot und Nachfrage verhindert. Die Öffnung von Märkten stellt allerdings effektiveres Mittel dar, dieses Ziel zu erreichen, indem sich durch Förderung verstärkter Konkurrenz diese Macht gar nicht erst herausbildet (Eucken 1990, 270 und 293). Die Marktöffnung in Deutschland in den 1990er Jahren im Rahmen der Vollendung des EU-Binnenmarktes ist ein gutes Beispiel dafür. Einige Branchen in der öffentlichen Infrastruktur (Energieerzeugung, Telekommunikation, Luftfahrt, Eisenbahn u. a.), die früher als natürliche Monopole dem Wettbewerb entzogen waren, wurden dereguliert und dem Wettbewerb ausgesetzt. Die Marktöffnung schloss auch die ausländischen Anbieter mit ein (in der EU z. B. in den Bereichen Stromerzeugung und Gaslieferung). Die Effizienz dieser Sektoren konnte dadurch steigen und Konsumenten konnten die Früchte der Reform genießen (niedrigere Preise und besseren Service). Die chinesische Regierung hat im Jahre 2018 die

industriepolitischen Lenkungskataloge abgeschafft, das Verfahren von Nationaler Behandlung vor Markteintritt plus Negativlisten bei ihrer Verwaltung der ADI im FIL verankert und die Listen seither Jahr für Jahr verkürzt. Dies ist zu begrüßen. Trotz der sich dadurch ergebenden Chancen für ausländische Anbieter gibt es jedoch noch eine Reihe von administrativen, über internationale gängige Praktiken hinausgehenden Marktzugangsbeschränkungen, die im Laufe der weiteren Ordnungsreform abgeschafft werden sollten. In diesem Zusammenhang ist insbesondere das Ziel der Schaffung eines *level playing field* hervorzuheben. Dafür gilt es, das Prinzip der Wettbewerbsneutralität in die Wettbewerbspolitik einzuführen, was vor einiger Zeit von den führenden Wirtschaftspolitikern Chinas in Aussicht gestellt wurde.<sup>10</sup> Darüber hinaus muss die chinesische Regierung die vor langem angekündigte Ordnungsreform durchführen und wettbewerbliche Komponenten der vormaligen natürlichen Monopole auf den Markt bringen, z. B. durch Trennung zwischen Stromverteilern und Stromerzeugern.

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10 Zuerst von Yi Gang, der Gouverneur der Zentralbank Chinas (2018) und dann von Premier Li Keqiang. Vgl. Li 2019.



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## Research note

# Vietnam unter der Herrschaft der „Partei-Staat-Unternehmens-Allianz“ – Herausforderungen für die Zivilgesellschaft im Jahr 2021

Jörg Wischermann

### Summary

Vietnam's civil society continues to face major challenges in 2021: A hegemonic “party-state-business alliance”, which occupies all political and economic “commanding heights” and is also ideologically in a relatively strong position not least due to the lack of practicable alternatives, has a civil society as an opposite that is deliberately divided. Numerically strong it is at best weakly articulating and influencing political change. In addition, while working on a wide range of issues, Civil Society Organizations (CSO) in Hanoi are often thematically different from those in the south of the country, the latter being even more under political control than those in the north.

The pandemic threatens to exacerbate this imbalance of power. Certain CSOs (such as NGOs critical of certain policies and at least some forms of domination) are in danger of being marginalized, with informal practices of a philanthropic nature and traditional concepts such as “help for self-help” serving as the dominant, perhaps even alternative-less forms of civil society practice.

Because Vietnam does not have a “Rechtsstaat”, civil liberties (such as organizing associations or expressing one's opinion and organizing demonstrations) as laid down in the constitution are granted, if at all. This is all the more relevant as Vietnam's civil society has to deal with a state that unilaterally protects and promotes the interests of state-owned corporations as well as those of semi-state-owned companies, private investors and large companies. Whereas the interests of farmers, fishermen, and workers (especially those in the informal sector) are only taken into account on a case-by-case and intermittent basis. All these are not good prerequisites for shifting the existing imbalance of power in favor of civil society ideas, actors and practices.

**Keywords:** Vietnam, civil society, authoritarian rule, “Rechtsstaat”, “Party-state-business-alliance”, pandemic impact

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## Einleitung

Vietnams Zivilgesellschaft hat ein von Grund auf problembehaftetes Verhältnis zum Staat. Dies hat vorrangig damit zu tun, dass Vietnam ein autoritäres Regierungssystem aufweist und eine „Partei-Staats-Unternehmensallianz“ (Hughes 2020, 118) alle wirtschaftlichen, politischen und soziokulturellen Kommandohöhen besetzt. Die Zivilgesellschaft wird in einer subalternen Position gehalten. Das ungleiche Kräfteverhältnis materialisiert sich in Staatshandeln, das bestimmte, vor allem wirtschaftliche Interessen fördert und andere, beispielsweise solche von Bauern und Fischern, ungleich weniger berücksichtigt. Ebenso werden grundlegende politische Freiheiten allenfalls gewährt, nicht aber garantiert. Die durch COVID-19 ausgelöste Pandemie droht das ungleiche Kräfteverhältnis zwischen Staat und Zivilgesellschaft weiter zu verschlechtern und verringert die Chancen auf einen Wandel des politischen Systems hin zu einem stärker inklusiven, partizipativen und transparenten Regieren. Im Folgenden werde ich diese Argumentation schrittweise entfalten und, wo immer möglich, empirisch unterlegen.

## Grundzüge der politischen Herrschaft in Vietnam

Vietnam wird seit der Wiedervereinigung 1975/76 von der Kommunistischen Partei Vietnams (KPV) regiert. Diese besteht auf ihrem Alleinregierungsanspruch. Allenfalls punktuell und temporär duldet der „Partei/Staat“ (wie die Vietnamesen die Amalgamierung von Kommunistischer Partei und dem von ihr beherrschten Staat nennen) Widerspruch seitens seiner BürgerInnen. Die Kommunistische Partei beherrscht die Sicherheitsapparate und die Justiz, sie lenkt und leitet alle politisch-administrativen Institutionen. Für die einheitliche Leitung und Lenkung von Institutionen wie staatspolitischem Personal sorgt der „Demokratische Zentralismus“, der Verfassungsrang hat (Artikel 8).<sup>1</sup> Das politische System kann als „autoritär“ bezeichnet werden.<sup>2</sup> Die KPV ist aber durchaus zu Zugeständnissen

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- 1 „Der demokratische Zentralismus ist ein von W.I. Lenin entwickeltes Führungsprinzip für kommunistische Parteien. Nach diesem Prinzip sind (a) Staat und Partei hierarchisch und zentralistisch aufgebaut; (b) die Partei- und Staatsführung wird von unten nach oben gewählt, die Auswahl der Wahlkandidaten erfolgt jedoch von oben nach unten; (c) Entscheidungen der übergeordneten Organe für die unteren Ebenen sind verbindlich; und (d) Minderheiten müssen sich der Mehrheit und einer strengen Parteidisziplin unterordnen. Die Infragestellung bereits getroffener Entscheidungen wird als Zeichen der Illoyalität gewertet.“ (Wischermann und Dang 2018, 129; Übersetzung durch den Autor)
  - 2 Bis heute besteht in der Politikwissenschaft keine Einigkeit darüber, was ein autoritäres politisches System ist. Ich benutze hier Linz' Verständnis, der ein solches politisches Herrschaftssystem gekennzeichnet sieht durch einen „limited, not responsible political pluralism, without elaborate and guiding ideology, but with distinctive mentalities, without extensive nor intensive political mobilization, except at some points in their development, and in which a leader or occasionally a small group exercises power within formally ill-defined limits but actually quite predictable ones“ (Linz 2000, 159).

an KritikerInnen, ja sogar zu zeitweiligen Rückzügen von einzelnen Vorhaben und Zugeständnissen an Protestierende bereit. Dies regt Nguyen Hong Hai dazu an, von einer für das Regime typischen Mischung aus „intelligentem“ und „uneingeschränktem“ Autoritarismus zu sprechen (Nguyen 2018, 149).<sup>3</sup> CIVICUS (2021) spricht in diesem Zusammenhang von einem „völlig geschlossenen politischen Raum“ in Vietnam.<sup>4</sup>

Im Rahmen eines solchen politischen Herrschaftssystems stehen politisch Andersdenkende und religiöse Minderheiten innerhalb, erst recht aber solche außerhalb der staatlich anerkannten religiösen Vereinigungen (beispielsweise Buddhisten, die zu „Lang Mai“ gehören, einer Vereinigung, die von Thich Nhat Hanh gegründet wurde), aber auch Menschen, die ihren Widerspruch gegen bestimmte Vorhaben der Regierung (beispielsweise eine Landenteignung für den Bau einer Fabrik) oder Kritik an Regierungspolitiken oder Regierungspolitikern äußern (beispielsweise Kritik an der Bevorzugung von bestimmten Menschen mit „Beziehungen“, die früher als alle anderen gegen Covid-19 geimpft werden) auch 2021 vor dem Problem, dass ihr Engagement von harschen Strafmaßnahmen bedroht ist.

## Vietnam ohne Rechtsstaat

Aus einer politischen und juristischen Perspektive betrachtet wurzeln Bedrohungen und Einschränkungen individueller und kollektiver Freiheiten darin, dass Vietnams politisches System bislang keinen Rechtsstaat ausgebildet hat. Hier hat auch der seit 2008 betriebene „Rechtsstaatsdialog“ mit der Bundesrepublik Deutschland (BMJ 2021) keinen grundsätzlichen Fortschritt gebracht. Zweifellos war die Initiierung eines *rule by law* statt staatlicher Willkürmaßnahmen ein Fortschritt, brachte dieser doch zumindest ein Regieren mittels und Wirtschaften entlang bestimmter Regeln mit sich. Diese Reform vollzog sich im Zuge der seit 1986 betriebenen „Politik der Erneuerung“, die den Übergang von einer Art Staatssozialismus zu einer „staatlich koordinierten Marktwirtschaft“ (Truong und Rowley 2014, 298) mit starken Tendenzen zur Entwicklung eines *crony capitalism* unter dem Dach eines autoritären politisch-administrativen Systems bedeutete.

Folgte man aber dem *rule of law* und gäbe es einen Rechtsstaat, so hätten die vietnamesischen BürgerInnen nicht nur verfassungsmäßig verbrieft bürgerliche Freiheiten (wie das Recht, sich frei von staatlicher Repression zu äußern, sich zu

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3 Nguyen fügt der Charakterisierung noch die Eigenschaft „kompetitiv“ hinzu. Darunter versteht er, dass „auf die eine oder andere Weise (...) kompetitive Räume zugelassen und innerhalb der KPV Demokratie praktiziert wird“ (Nguyen 2018, 149). Insbesondere die letztere Feststellung würde hier bestritten: Die KPV ist nach wie vor eine nach marxistisch-leninistischen Prinzipien strukturierte Partei. Deren Organisationsprinzip des Demokratischen Zentralismus bietet „kompetitiven“ Elementen kaum Raum.

4 Damit meint CIVICUS, dass in Vietnam keine Assoziationsfreiheit gegeben ist und das Recht, sich friedlich zu versammeln und frei seine Meinung zu äußern, nicht besteht. Auch schützt der Staat diese Rechte nicht (CIVICUS 2021).

versammeln, zu demonstrieren usw.), sondern es gäbe auch in ergänzenden und solche Grundrechte präzisierenden Gesetzen eine Festschreibung als Rechte aller BürgerInnen. Solches ist in Vietnam aber zumeist nicht der Fall. Zwar ist das Recht, sich frei zu äußern, zu organisieren, zu versammeln und zu protestieren in der vietnamesischen Verfassung garantiert. Artikel 25 der Verfassung schreibt fest: „The citizen shall enjoy the right to freedom of opinion and speech, freedom of the press, of access to information, to assemble, form associations and hold demonstrations. The practice of these rights shall be provided by the law.“ (Constitution of Vietnam 2013). Aber ein dieses Recht bzw. diese Rechte konkretisierendes aktuelles Gesetz bzw. Gesetze gibt es nicht.

So wurde erst im Mai 2020 ein seit 2011 vorbereiteter und diskutierter Entwurf für ein Demonstrationsrecht auf Wunsch des im Gesetzgebungsprozess federführenden Ministeriums für Öffentliche Sicherheit von der Tagesordnung der Nationalversammlung genommen und seine Befassung auf unbestimmte Zeit vertagt (Tuan 2020). Ähnlich erging es 2016 dem 16. Entwurf eines seit 1992 diskutierten Assoziationsgesetzes, das ohne weitere Erklärung von der politischen Agenda verschwand (Vietnam News 2016). Bis heute gelten hinsichtlich der Umsetzung und Garantie des Vereinigungsrechts verschiedene Dekrete, die teilweise aus den 1950er Jahren und der damaligen nordvietnamesischen Demokratischen Republik Vietnam stammen. Auch das von der Europäischen Union im Zuge der Verhandlungen für das „EU–Vietnam Free Trade Agreement“ durchgesetzte Recht vietnamesischer ArbeiterInnen, sich zumindest auf betrieblicher Ebene in sie repräsentierenden Organisationen zusammenzuschließen (*tổ chức đại diện người lao động*), steht bislang nur auf dem Papier (und es ist auch nicht gleichzusetzen mit dem Recht, unabhängige Gewerkschaften zu gründen). Dieses Recht ist im Arbeitsgesetzbuch verankert und in Kraft seit dem 1.1.2021. Aber bislang gibt es kein Dekret, das diese Art der Organisationsfreiheit verbiefend die Ausführung präzisierend festschreiben würde (Buckley 2022, 3). Nicht zuletzt wird das im Entwurf vorliegende neue Landrecht auch weiterhin die Glaubensgemeinschaften vom Wohlwollen staatlicher Stellen abhängig machen, die ihnen Land zuerkennen und den Bau von religiösen Aktivitäten gewidmeten Gebäuden erlauben können – oder nicht (Huong 2021).

### **„Ask-give“ statt Rechtsstaat**

Statt rechtstaatlicher Prinzipien beherrscht ein *ask-give-mechanism* die politische Wirklichkeit. Dabei wird ein verfassungsmäßiges Recht von den Behörden gewährt – oder eben nicht. Die BürgerInnen sind BittstellerInnen, können sich zwar auf ein

abstraktes Grundrecht berufen, das hilft ihnen aber in der Regel nicht oder nicht viel.<sup>5</sup>

Die These von der Abwesenheit eines Rechtsstaates in Vietnam belegen die jüngsten Verhaftungen von unabhängigen JournalistInnen, Facebookgruppen-Mitgliedern, BloggerInnen und anderen, deren „Vergehen“ allein darin besteht, ihre Meinung frei äußern. Dafür wurden sie unter Zuhilfenahme verschiedener Paragrafen des Gesetzes zur Cybersecurity und vor allem des Strafgesetzbuches (hier werden die Artikel 109, 116, 117, 118 und 331 bemüht) verhaftet und inhaftiert.<sup>6</sup> Allein im Zeitraum Januar bis Juli 2021 wurden 23 RegierungskritikerInnen festgenommen, davon wurden 20 zu Gefängnisstrafen verurteilt. In 11 Fällen wurde in der Urteilsbegründung Artikel 331 herangezogen („Missbrauch der Demokratie“), in 8 Fällen Artikel 117 („Verbreitung von Informationen, die gegen den Staat gerichtet sind“). Reporter ohne Grenzen schätzt, dass Ende 2021 mehr als 30 JournalistInnen und BloggerInnen inhaftiert sind (Reporters Without Borders 2021).

Im Kern geht es bei all diesen Freiheitsbeschränkungen darum, dass Menschen ein ihnen verfassungsmäßig garantiertes Recht wahrnehmen – dies allerdings, ohne den „Partei/Staat“ um Erlaubnis zu fragen oder sogar gegen dessen erklärten oder nicht erklärten Willen. Dann schreitet dieser ein – oder eben nicht. Wann er das tut, warum und in welcher Form es geschieht, ist eine in der sozialwissenschaftlichen, auf Vietnam bezogenen Forschung bislang unbeantwortete Frage.<sup>7</sup>

## **Staatliche Reaktionen auf bürgerschaftlichen Protest**

Auffällig ist, dass der vietnamesische Staat seit 2016 verstärkt und seit 2020 noch einmal intensiver bei der Unterdrückung solcher protestierender BürgerInnen vorgeht, die sich gegen Landenteignungen (beispielsweise im Zuge großer Infrastrukturprojekte), Umweltzerstörungen (deren Kosten auf die Gesellschaft abgewälzt werden) und die endemische Korruption zur Wehr setzen. In diesem Zusammenhang stellte ein Forschungsteam fest, dass seit 2016 im Falle von Protest, der die Frage von Eigentum an Land betrifft, der *de nomine* sozialistische

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5 Vergleichen mag man diese Praxis und die zugrundeliegende Begründung mit der aus der europäischen politischen Geschichte bekannten sogenannten „Erlaubnis-Toleranz“ (zu dieser Form repressiver Toleranz siehe Forst 2005, 12).

6 Zum Gesetz über „Cybersecurity“ und dessen Implikationen für die Meinungsfreiheit siehe Freedom House (2021). Zum Wortlaut der genannten Paragrafen sei verwiesen auf das Strafgesetzbuch in der Fassung von 2015, siehe Criminal Code (2015). Zusammengefasst stellen die genannten Paragrafen in vagen Formulierungen die „Gefährdung der nationalen Sicherheit“, das „Verbreiten von Informationen gerichtet gegen die Sozialistische Republik Vietnam“, eine Gefährdung der von der Regierung verfolgten „Politik der Einheit“, etwa durch Säen von Zwietracht zwischen den Klassen und/oder ethnischen Minderheiten, sowie den „Missbrauch der Demokratie“ unter größtenteils drastische Strafen.

7 Kerkvliet hat zu dieser Frage verschiedene Arbeiten vorgelegt, zuletzt eine Monografie (Kerkvliet 2019). Aber auch in dieser bleibt die Frage, „wann“ und „warum“ der vietnamesische Staat auf Protest reagiert, letztlich unbeantwortet.

Staat zumeist zugunsten derjenigen einschritt, die das Land für industrielle, bauliche, infrastrukturelle und ähnliche Zwecke für sich reklamierten (obwohl die Verfassung vorgibt, dass alles Land dem Volk gehöre, der Staat aber dieses in deren Interesse nur „verwalte“). Dabei schützt er deutlich erkennbar auch die Interessen von solchen Unternehmen, die die Umwelt zerstören und die Kosten dafür der Gesellschaft aufbürden. Insgesamt konnte festgehalten werden, dass der vietnamesische Staat im Beobachtungszeitraum (2016–2020) teilweise sehr hart gegen Protestierende vorging und eindeutig die Interessen derjenigen, die politisch wie wirtschaftlich Macht und Einfluss haben, schützte, während den Interessen von Bauern, FischerInnen, kleinen Gewerbetreibenden und ArbeiterInnen allenfalls zeitweilig und punktuell Rechnung getragen wurde. Deutlich erkennbar war, dass die staatliche Reaktion letztlich darauf zielte, die Grundlagen einer kapitalistischen Wirtschaftsweise, die Akkumulation von Kapital, zu bewahren und zu fördern.<sup>8</sup>

Geschützt werden den Forschungsergebnissen von Wischermann et al. (2022) zufolge die Interessen staatlicher Konzerne ebenso wie die halbstaatlicher Unternehmen, privater Investoren und Großunternehmen. Ein Beispiel ist der Fall einer staatlichen Protektion der Interessen von Viettel (ein dem Militär gehörendes großes, national und international tätiges Technologieunternehmen), der am 9.1. 2020 beobachtet werden konnte: Ein großes Polizeiaufgebot rückte im Schutz der Dunkelheit in die 6000 EinwohnerInnen zählende Gemeinde Dong Tam (rund 40 Kilometer südwestlich von Hanoi) ein und setzte die Interessen des Konzerns an einem größeren Stück Land gegen das von den Bauern reklamierte Recht auf die Nutzung dieses Landes für die landwirtschaftliche Produktion durch. Die Rechtslage war und blieb umstritten. Die Polizeiaktion kostete jedoch den Dorfältesten und 3 Polizisten das Leben. 30 DorfbewohnerInnen wurden verhaftet, 25 von ihnen später unter Anklage gestellt, einigen droht die Todesstrafe. Die Ereignisse in und um Dong Tam werden in zwei Berichten unabhängiger Beobachter beschrieben und analysiert (Dong Tam Task Force 2020; Trang und Nguyen 2020).

In einer ähnlichen, nämlich Eigentümerrechte schützenden Art und Weise, agierte der „Partei/Staat“ auch zwischen 2018 und 2020, als er dem Recht privater Investoren Nachdruck verlieh. Diese konnten im Rahmen so genannter „Built-and-Operate-Transfer Schemes“ (BOT) Straßen bauen und dürfen fortan für deren Benutzung Gebühren verlangen. Dagegen protestierten vor allem diejenigen, die zumeist kurze Stücke auf diesen Straßen täglich zurücklegen müssen, wollten sie nicht große Umwege in Kauf nehmen (The 88 Project 2020). Staatliche Stellen ließen die Argumentation von RechtsberaterInnen weitgehend unwidersprochen, derzufolge die Entrichtung von Mautgebühren als das gute Recht der Investoren angesehen werden müsse. Diese könnten einen entsprechenden „return“ für ihr „Investment“ erwarten (Saxena 2018). Im Juni 2020 verabschiedete die Nationalversammlung dann ein Gesetz, solche und andere „Public-Private-

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8 Zu den Ergebnissen dieses Forschungsprojektes im Einzelnen siehe Wischermann et al. (2022).



Partnerships“ betreffend, und regelte, dass innerhalb gewisser Bandbreiten Investoren in solchen Unternehmen im Falle ausbleibender Gewinne zu entschädigen seien.<sup>9</sup> Zuletzt kann man als ein weiteres Beispiel unternehmensfreundlicher und -fördernder Entscheidungen des „Partei/Staats“ noch die Genehmigung eines nach ökologischen und sozialen Gesichtspunkten höchst umstrittenen 9,3 Milliarden USD teuren Tourismusprojektes im Mekongdelta anführen, das die vietnamesische Regierung 2020 gegen den Rat von UmweltschützerInnen, aber im Interesse des größten Privatunternehmens, der Vingroup, genehmigte (Tomoya 2020).

## **Ein ungleiches Kräfteverhältnis**

Wie kann man solches, bestimmte Interessen begünstigendes Handeln des vietnamesischen Staates erklären? Hier hilft die Vorstellung, der zufolge die autoritären und paternalistischen politischen Strukturen ein „Kondensat“ (Poulantzas) der wirtschaftlichen, politischen und soziokulturellen Kräfteverhältnisse sind. Geht man von der Vorstellung aus, dass politische und administrative Entscheidungen einer bestimmten Dynamik solcher Kräfteverhältnisse folgen, so lässt sich behaupten, dass die derzeitigen politisch-ökonomischen Kräfteverhältnisse ein Ungleichgewicht widerspiegeln:

- Zum einen reflektiert sich in ihnen die Schwäche der Zivilgesellschaft. Diese ist zwar numerisch nicht eben klein, aber sie ist in vielfacher Hinsicht fragmentiert und ein politischer Veränderungsdruck ist nicht sehr stark ausgeprägt. Man arbeitet eher mit den als gegen die Autoritäten. Auch hat man bislang noch keine Alternative zur Herrschaft der Kommunistischen Partei entwickelt. All diese Indizien für Schwäche sind auch ein Ergebnis der autoritären Herrschaft der Kommunistischen Partei und des von ihr beherrschten Staates;
- zum anderen lässt sich erkennen die Stärke der verschiedenen Eigentümer und Besitzer von Produktionsmitteln (also der staatseigenen Betriebe, semi-staatlichen Betriebe, privaten Unternehmen wie solchen der Vingroup) mit symbiotischen Beziehungen zur Politik auf den verschiedensten Ebenen von Partei und Staat.

## **Die Schwäche der Zivilgesellschaft**

Die Schwäche der Zivilgesellschaft besteht darin, dass sie in eine, von den Architekten aus den Reihen der herrschenden Kommunistischen Partei ersonnene und in die Tat umgesetzte, 3-Ständegesellschaft gespalten ist: Neben den staatlich alimentierten und politisch mit Verfassungsrang (Verfassung Artikel 9) ausgestatteten großen Massenorganisationen (vor allem, aber nicht nur der

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9 Siehe Nguyen (2020). Zu einer schon 2019 vom zuständigen Ministerium ins Auge gefassten und als notwendig erachteten Gebührenerhöhung auf bestimmten „Tollstraßen“, siehe auch Duy (2019).

Gewerkschaftsvereinigung, der Frauenunion, der Bauernvereinigung, der Ho Chi Minh-Jugend und der Veteranenvereinigung) gehören der diese und andere Organisationen umfassenden „Vaterländischen Front“ auch sogenannte „spezielle Assoziationen“ aus dem berufsständischen Bereich an (wie beispielsweise die Vietnam Union of Science and Technology Associations, kurz VUSTA) sowie berufsständische Assoziationen ohne diesen besonderen Status.<sup>10</sup> Neben solchen großen, größeren und bevorrechteten Organisationen bestehen aber auch viele kleinere und kleinste gesellschaftliche Organisationen. Diese verfügen weder über den rechtlichen Status noch die rechtliche Anerkennung oder die finanziellen Mittel wie die Massenorganisationen. Politisch und rechtlich betrachtet ist dieser 3. Stand der Zivilgesellschaft nur geduldet, die Organisationen haben im strengen Sinne des fehlenden Gesetzes kein Existenzrecht. Daher sind die dort Engagierten in ihrem Tun oft von persönlichen Beziehungen zum Staatsapparat auf den verschiedensten Ebenen und einflussreichen, dort tätigen Personen abhängig. Ihre Organisationen, die sie mit hohem persönlichem Einsatz betreiben, sind politisch wie juristisch leicht angreifbar. Auch finanziell sind solche kleineren und kleinsten zivilgesellschaftlichen Organisationen zumeist schwach ausgestattet, vom Gründungs- und Führungspersonal und deren Beziehungen abhängig. Es ist naheliegend, dass man in solchen Organisationen manchmal Probleme damit hat, „Nachwuchs“ zu finden.

Zusammengefasst ist die vietnamesische Zivilgesellschaft

- äußerst heterogen zusammengesetzt und organisatorisch stark zerklüftet;
- inhaltlich an unterschiedlichsten Themen orientiert; ihre Organisationen in Hanoi sind vielfach thematisch anders engagiert als solche im Süden des Landes;
- in unterschiedlichem Maße politischem Druck und Kontrollen ausgesetzt: In Ho-Chi-Minh-Stadt ist beides (noch) stärker als in Hanoi;
- in bescheidenem Maße von der Fähigkeit, politischen und gesellschaftlichen Veränderungsdruck zu entfachen, geprägt.<sup>11</sup>

Wie unter den obwaltenden politischen Umständen verständlich, arbeiten vietnamesische Organisationen der Zivilgesellschaft zumeist mit den und nicht

10 Derzeit besteht für die „speziellen Assoziationen“ die Gefahr, dass sie ihre bevorrechtigte Position verlieren. Sie könnten in naher Zukunft den Massenorganisationen gleichgestellt werden. Eine solche Abwertung würde bedeuten, dass Organisationen wie beispielsweise VUSTA nicht mehr vom Staat dauergefördert würden, sondern nur noch Zuwendungen für einzelne, immer wieder neu vom Staat zu erhaltende und vertraglich auszuhandelnde Aufgaben erhielten. Diese Entwicklung steht im Zusammenhang mit staatlichen Sparprogrammen und der Übertragung staatlicher Aufgaben, vor allem im Sozialsektor, an die Gesellschaft. Für letzteres verwendet man in Vietnam den Begriff *xã hội hóa* (Sozialisierung oder Vergesellschaftung).

11 In diesem Zusammenhang ist daran zu erinnern, dass die Massenorganisationen wie die allermeisten berufsständischen Organisationen von der Kommunistischen Partei geführt und angeleitet werden. Sie sind integraler Bestandteil ihres politischen Herrschaftssystems (siehe dazu Wischermann und Dang 2018; Dang 2022).

gegen die Autoritäten. Dabei ist die vietnamesische Zivilgesellschaft rein zahlenmäßig betrachtet nicht eben klein: Offiziellen Zahlen aus dem Jahr 2014/15 zufolge gibt es rund 52.000 Organisationen. Rechnet man die in dieser offiziellen Zählweise nicht eingeschlossenen geduldeten NGOs, eher informelle bäuerliche Zusammenschlüsse („Farmers‘ Organisations“)<sup>12</sup> und andere Gruppen und Organisationen in Stadt und Land hinzu kommt man auf eine über 100.000 Organisationen starke vietnamesische Zivilgesellschaft (Wischermann und Dang 2018, 129). Neueste Schätzungen gehen von rund 60.000 auf die eine oder andere Weise staatlich anerkannten oder zumindest geduldeten zivilgesellschaftlichen Organisationen aus.

### **Die Stärke der „Partei-Staat-Unternehmens-Allianz“**

Der vietnamesischen Zivilgesellschaft gegenüber steht eine unter der Kontrolle oder jedenfalls vermittelt der Kommunistischen Partei bestehende „Staat-Partei-Unternehmens-Allianz“ (Hughes 2020, 118). Diese schließt auch wesentliche Teile des Militärs ein, so vor allem in dessen Besitz befindliche oder von ihm kontrollierte Unternehmen. Diese Allianz besetzt alle Kommandohöhen in Politik und Wirtschaft. Sie ist politisch, wirtschaftlich und gesellschaftlich hegemonial. Die Regierenden und politisch wie ökonomisch Herrschenden verfügen in der Gesellschaft über ein gewisses Maß an Zustimmung für ihre politische und wirtschaftliche Herrschaft. Dies ist zumindest insoweit und vielleicht auch nur so lange der Fall, wie die Tätigkeit der Herrschenden dazu beiträgt, dass es jedem jeden Tag in wirtschaftlicher Hinsicht ein wenig besser geht (wie die Kurzformel des mit der Reformpolitik nach 1986 geschlossenen autoritären Gesellschaftsvertrages zwischen KPV und Bevölkerung lautet). Le Hong Hiep nennt die entsprechende Art der Zustimmung im Anschluss an Thayer eine „performance-based legitimacy“ (Le 2012, 145).

Im Zusammenhang mit Nguyen Hong Hais Begriff eines die Herrschaft der vietnamesischen Kommunistischen Partei kennzeichnenden „smart authoritarianism“ ist die Herrschaftsweise als teilweise uneingeschränkt oder hart (wie die oben genannte hohe und immer noch steigende Zahl von inhaftierten und verurteilten JournalistInnen, BloggerInnen und anderen Gewissensgefangenen unterstreicht), teilweise als intelligente oder weich(er)e Mittel einsetzend zu bezeichnen. Zu den letzteren Mitteln und Methoden ist zu zählen, dass jüngst bei der Bekämpfung der Covid-19 Pandemie die Mitwirkung von Fachkräften wie Laien mit christlichen, buddhistischen und ähnlichen Überzeugungen bei der Versorgung von Erkrankten von staatlichen Stellen nicht nur erlaubt, sondern ausdrücklich erwünscht war und deren Tätigkeit sogar öffentlich gelobt wurde.<sup>13</sup>

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12 Dieser Begriff wurde geprägt von Fföde und Nguyen (2001).

13 Siehe The Vietnamese (2022), hier der Abschnitt mit ins Englische übersetzten Zitaten aus vietnamesischsprachigen Quellen, betitelt „Catholic priests, Buddhist monks help provide care for COVID-19 patients“. Siehe auch Tomoya (2021).

Diese Einbeziehung und Belobigung von Fachkräften aus dem religiösen Spektrum ist aber auch im Zusammenhang mit dem Programm der Sozialisierung von staatlichen Aufgaben zu sehen, bei dem seit längerem staatliche Aufgaben, vor allem aus dem Bereich der Sozial- und Gesundheitspolitik, vom Staat an die Gesellschaft zurückgegeben werden. Dies geschieht auch, um Einsparungen im staatlichen Ausgabenbereich zu erzielen.

Die „Partei-Staat-Unternehmens-Allianz“ beschränkt ihre Tätigkeit keineswegs auf Vietnam. Vielmehr werden enge Beziehungen gepflegt zu ähnlichen Allianzen, Oligarchen und Oligarchien in der Region Südostasien (Hughes 2020, 125). Die wirtschaftlichen Interessen dieser Allianz(en) werden noch durch neoliberale Politiken (nicht nur) in Vietnam befördert. Sie helfen dabei, Bauernland zur Ware zu machen, traditionelle Landwirtschaft zu einem Auslaufmodell zu degradieren und an deren Stelle exportorientierte Plantagen und Farmen in und außerhalb der Landesgrenzen entstehen zu lassen, so zum Beispiel in Kambodscha und Laos (Hirsch 2020, 348f.).<sup>14</sup>

## **Der Einfluss der Pandemie auf die Zivilgesellschaft und ihr Verhältnis zum „Partei/Staat“**

Die Pandemie schwächt tendenziell die Zivilgesellschaft und stärkt zumindest den „Partei/Staat“, wenn nicht sogar die „Partei-Staat-Unternehmens-Allianz“. Dies ist zumindest der Eindruck, den eigene, erste Recherchen und die Einschätzung der vietnamesischen Expertin für die Analyse der Zivilgesellschaft, Dang Thi Viet Phuung von der Vietnam Academy of Social Sciences, vermitteln.<sup>15</sup>

Einerseits werden zwar einzelne zivilgesellschaftliche Organisationen gestärkt. Dies ist zum Beispiel der Fall, wenn zeit- und fallweise zivilgesellschaftliche Organisationen von staatlichen Stellen in verschiedenste Hilfsmaßnahmen zur Eindämmung der Folgen der Pandemie einbezogen werden. Hier verweist Dang auf die Bedeutung von Unterorganisationen der Massenorganisationen, die auf lokaler Ebene staatliche Stellen bei der Organisation von Hilfs-, aber auch von Kontrollmaßnahmen im Rahmen der Implementierung von Pandemiepolitiken unterstützen, was ihre Bedeutung im öffentlichen Ansehen, aber auch für die Herrschenden zu steigern hilft. Ferner ist in diesem Zusammenhang zu erinnern an

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14 Hier kann neben dem militäreigenen Technologiekonzern Viettel und deren Engagement in Myanmar zugunsten der dort herrschenden Militärjunta beispielhaft auf die private HAGL Group verwiesen werden. Diese besitzt und betreibt prachtvolle Hotels in Myanmar sowie große Kautschukplantagen in Kambodscha und exportiert aus Laos wertvolle Edelhölzer.

15 Dang legte ihre Einschätzung in einem Gedankenaustausch mit dem Autor via E-Mail im Dezember 2021 dar. Bislang sind die Auswirkungen der Pandemie auf die Zivilgesellschaft und deren Verhältnis zum Staat nicht nur im Hinblick auf Vietnam kaum wissenschaftlich untersucht worden. Erste Ansätze zu einer Analyse der durch die Pandemie möglicherweise sich ändernden Gestalt und Arbeitsweisen und -inhalte der Zivilgesellschaft und der Beziehungen zwischen Staat und Zivilgesellschaft in Südostasien und anderen Weltregionen finden sich in Lorch et al. (2021) und Carnegie Civic Research Network (2021).

die oben erwähnte öffentliche lobende Erwähnung und Anerkennung zivilgesellschaftlicher Organisationen (vor allem solche kirchlicher Art) sowie ihnen nahestehender Persönlichkeiten durch die Autoritäten für ihre Bereitschaft, sich in kritischen Zeiten an vorderster Front zu engagieren. Lob und der Einbezug in Hilfsmaßnahmen mögen zu einer Entspannung im Verhältnis von Zivilgesellschaft und Staat beitragen und Konflikte zwischen ihnen zu mindern helfen.<sup>16</sup>

Andererseits ist es vielen Nichtregierungs-Organisationen (NGOs) und anderen kleinen gesellschaftlichen Organisationen wegen der Pandemie und der damit verbundenen Maßnahmen („lockdowns“) nur noch schwer möglich, die bisherigen Aktivitäten und regulären Projekte ohne Einschränkungen fortzusetzen. Die bisherigen Zielgruppen zu erreichen oder auch nur spontan Hilfsmaßnahmen durchzuführen, ist ihnen, wenn überhaupt, nur eingeschränkt möglich. Damit werden die Stärken von NGOs und „Community-based Organisations“ (CBOs), als basisdemokratische Akteure lokale Projekte zu unterstützen, alternative Politikansätze zu implementieren oder auch „nur“ rasch und umstandslos Hilfe für Bedürftige leisten zu können und sie auch zielsicher zu erreichen, durch die Pandemie stark gefährdet. Dang spricht in diesem Zusammenhang sogar von der Gefahr einer „Marginalisierung“ bestimmter zivilgesellschaftlicher Organisationen.<sup>17</sup> Die von Unternehmern, Gewerbetreibenden und Philanthropen unternommene Organisation vielfältigster Hilfsmaßnahmen bewirkt potenziell eine weitere Schwächung von NGOs und CBOs. Automatisierte Ausgabestellen für Reis („Rice-ATMs“), initiiert von solchen Personenkreisen, sind nur ein Beispiel von Notmaßnahmen, die für die notleidende Bevölkerung, insbesondere für die informell Beschäftigten (dies sind derzeit knapp 60 Prozent aller Beschäftigten) ins Werk gesetzt werden. Solche Hilfsmaßnahmen werden zumeist auf informelle Art und Weise arrangiert und von den Autoritäten geduldet, wenn nicht sogar gefördert. Eine solche Informalisierung zivilgesellschaftlichen Handelns schwächt die Bemühungen der Zivilgesellschaft um eine auch formelle Anerkennung ihrer Organisationen und deren Handlungsweisen durch den „Partei/Staat“. In diesem Zusammenhang kann man auch vermuten, dass die Organisationen der Zivilgesellschaft in Vietnam in der Pandemie vorrangig Hilfsmaßnahmen organisieren, die eine Art Rückkehr zu traditionellen Formen und Praktiken von „Hilfe zur Selbsthilfe“ darstellen, und sich im Verzicht auf Aktivitäten üben, die nicht mit *community-based* und *community outreach*-geprägten Ansätzen

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16 In einer der wenigen empirischen Untersuchungen, in denen das Verhältnis zwischen gesellschaftlichen Organisationen und dem vietnamesischen Staat zu zwei Zeitpunkten vergleichend analysierend wurde, kommt der Autor zu dem Ergebnis, dass dieses Verhältnis zumindest zwischen Ende der 1990er Jahre und 2010 konfliktreicher geworden ist (Wischermann 2010, 28–33).

17 In der Publikation des Carnegie Civic Research Network wird eine solche Marginalisierung als ein regionenübergreifender Trend ausgemacht und die These aufgestellt, der zufolge verschiedenartige, neue wie alte, an Raum und Bedeutung gewinnende gesellschaftliche Akteure „traditional CSOs“ verdrängen (Carnegie Civic Research Network 2021, 2).

übereinstimmen. Sich in der Notlage der Pandemie auf solche Ansätze zu konzentrieren, ist naheliegend, plausibel und nicht zuletzt für die Betroffenen äußerst hilfreich<sup>18</sup> und soll hier auch nicht kritisiert werden. Aber solch eine Konzentration kann auch mit sich bringen, dass man in Post-Pandemie-Zeiten andere und alternative Projektansätze sowie Kritiken am wirtschaftlichen, politischen und gesellschaftlichen System weiterhin zurückstellt, nicht zuletzt, um den durch Projekte mit einem traditionellen Ansatz verbesserten oder sogar guten Draht zu den Autoritäten nicht zu gefährden.

Aus einer weiteren Perspektive betrachtet, können die pandemiebedingte Förderung der eng mit den Regierenden verbundenen Massenorganisationen, damit auch eine weitere Vertiefung der Spaltungen innerhalb der Zivilgesellschaft, aber auch die Informalisierung zivilgesellschaftlichen Handelns als Maßnahmen verstanden werden, die aus dem Werkzeugkasten des *smart authoritarianism* stammen. Als solche bezeichnet Nguyen (2018) Maßnahmen, die ein autoritärer Staat ergreift, wenn er mit Spaltungspolitik und klugen Integrationsangeboten einerseits und mit Härte andererseits auf die Aktivitäten der Zivilgesellschaft reagiert (Nguyen 2018, 140). Wie eingangs erwähnt, reagierten die Herrschenden im Jahr 2021 dagegen mit aller Härte auf kritische Stimmen aus dem Umfeld der Zivilgesellschaft. Die gegenüber den Vorjahren gestiegene Zahl inhaftierter BloggerInnen, JournalistInnen und Protestierender (beispielsweise solcher, die sich 2019 und 2020 gegen Straßenbauprojekte im Rahmen staatlich-privater Kooperationsprojekte engagiert hatten) veranlasst Reporter ohne Grenzen, Vietnam auf den viertletzten Platz ihres „World Freedom Index“ zu setzen.<sup>19</sup> Die jüngst erfolgten Verhaftungen von drei und Verurteilungen zweier führender RepräsentantInnen von NGOs wegen vorgeblicher Steuerhinterziehung sind ein weiterer Beleg für den zunehmend repressiven Charakter des vietnamesischen „Partei/Staats“ (Humphrey 2022).

## Schluss: Kein Übergang zur „liberalen Demokratie“

Zumindest während der ersten Welle(n) der Pandemie im Jahr 2020 erwies sich der „Partei/Staat“ erfolgreich, was die Eindämmung der Verbreitung des Virus anging. Dabei halfen auch eine relativ transparente Informationspolitik und die

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18 Die Kapitel 18 bis 25 in Shin et al. (2022) belegen die hohe Wirksamkeit gegenüber den Auswirkungen der Pandemie von „community-based mutual help“ in Indonesien, „community-led food sharing initiatives“ in Singapur sowie ähnlicher Initiativen in Thailand und den Philippinen. Dort wird auch die Bedeutung von „community-led initiatives“ untersucht, die in ganz Südostasien dabei halfen, marginalisierte gesellschaftliche Gruppen wie LGBTIQ zu stärken. Solche trugen dazu bei, „to empower the groups and build resilience in terms of economy, well-being, and advocacy“ (Shin et al. 2022, 24).

19 Dem „Komitee für den Schutz von Journalisten“ (CPJ) zufolge ist Vietnam 2021 weltweit der viertschlimmste Verfolger kritischer Stimmen der Öffentlichkeit (Committee to Protect Journalists 2021), und der „World Freedom Index“ von Reporter ohne Grenzen sieht Vietnam 2021 auf Platz 175 (von 180), siehe Reporters without Borders (2021).

Koordinierung von Maßnahmen auf und zwischen den verschiedenen politisch-administrativen Ebenen. BeobachterInnen und KommentatorInnen mutmaßen, dass dieses ungewohnte Maß an Transparenz und Effektivität von Staats- und Regierungshandeln vor allem bei ansonsten unpolitischen Menschen Lust auf ein Mehr an solchen Errungenschaften, auch jenseits der Maßnahmen zur Bekämpfung der Pandemie, wecken und vielleicht in der Folge sogar ein Mehr an Demokratie und Teilhabe mit sich bringen könnte (Truong 2020).

Doch gegen den möglichen Erfolg solcher Wünsche sprach und spricht das oben beschriebene Kräfteparallelogramm mit der angesprochenen Schwäche der Zivilgesellschaft einerseits und der politischen, wirtschaftlichen und ideologischen Vorrangstellung der „Partei-Staats-Unternehmens-Allianz“ mit Kontakten zu Oligarchien außerhalb des Landes und Tendenzen zur Oligarchiebildung im Lande andererseits. Zumindest sehr wichtige Elemente dieses Machtblocks lassen auch keinen Zweifel daran aufkommen, dass sie gegen jeden – auch einen langsamen und schrittweisen – Übergang zu demokratische(re)n politischen Herrschaftsformen sind. Hier sei verwiesen auf Äußerungen des Generalsekretärs der KPV, Nguyen Phu Trong, im Mai 2021. Ihm zufolge ist ein solcher Übergang oder auch nur der Beginn eines solchen Prozesses gar nicht nötig, da in Vietnam bereits eine „sozialistische Demokratie“ bestehe. Das *rule of law* sei in einem kapitalistischen Gesellschaftssystem grundsätzlich ein Werkzeug, um die Interessen der Bourgeoisie zu schützen, wohingegen es in einem sozialistischen System, wie es in Vietnam bestehe, ein bewährtes Mittel sei, die Herrschaft des Volkes zu sichern. Dabei sei der entscheidende Faktor die Kommunistische Partei Vietnams.<sup>20</sup> Ganz auf dieser Linie äußert sich zum Abschluss des Jahres 2021 auch das Ministerium für Öffentliche Sicherheit (dabei wohl auch die Meinung von Minister To Lam ausdrückend). In einer dem Ministerium zugehörigen Online-Zeitung bezeichnet der Autor Phan Duong Vietnam als eine „sozialistisch-orientierte Volksdemokratie“. Diese Art Demokratie befriedige vollständig die Bedürfnisse seines Volkes. Das Land brauche keine „Mehrparteien-Demokratie“. In Vietnam sei unter der Herrschaft der Kommunistischen Partei die Demokratie „garantiert“, und diese könne ihre „Rolle vollständig in der Wirklichkeit ausfüllen“ (RFA 2021).

Nicht zuletzt eine geschlossene Verweigerungshaltung gegenüber politischen Veränderungen und die Mittel auf Seiten der „Partei-Staats-Unternehmens-Allianz“, um diese auch umzusetzen, machen den Übergang zu einer liberalen Demokratie zumindest unwahrscheinlich. Solche Unwilligkeit gegenüber politischen Reformen bedeutet auch, dass zumindest auf absehbare Zeit ausgeschlossen ist, dass der sozialistische Staat zukünftig weniger bevorzugt den Interessen der staatlichen, halbstaatlichen und privaten Unternehmen dienen und in

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20 Das Zitat stammt aus einem „Background Brief“ von Thayer (2021), der dort einen Grundsatzartikel Nguyen Phu Trongs aus der Parteizeitung „Nhan Dan“ vom 16.5.2021 in englischer Übersetzung referiert.

der Folge die politischen wie wirtschaftlichen Interessen der Bauern, FischerInnen und ArbeiterInnen mehr als nur zeit- und fallweise berücksichtigen wird.

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## Asien aktuell

# Die Gründe für die Rückkehr der Taliban an die Macht

Ratbil Shamel

### Summary

On 15 August 2021, the Afghan government, supported by the international community, collapsed: President Ashraf Ghani fled to the United Arab Emirates and the Islamist Taliban militias seized Kabul, the capital of Afghanistan - without resistance. Throughout Afghanistan, helplessness and fear of an unpredictable future prevailed. Thousands of Afghans tried to leave the country in total panic, and even today, about six months later, many people feel forced to leave their homes. But how could it come to this? Why were the USA and its allies, who have been active in Afghanistan since the terrorist attacks of 11 September 2001 in both the military and civilian spheres, incapable of preventing the Taliban's return to power? The US alone has spent over two trillion dollars in Afghanistan on the war against the Taliban and the reconstruction of the country. Why was an Islamist militia force able to defeat the world's greatest power and its NATO allies? This article attempts to sketch answers to these questions.

**Keywords:** Afghanistan, Taliban, war on terror, invasion, 9/11, U.S. military, Ashraf Ghani, Hamid Karsai, Joe Biden

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## Einleitung

Als ich im Sommer 2004 als Reporter nach Kabul kam, wurde ich von einer Journalistin des staatlichen Senders RTA zum Essen eingeladen. Die Stadt war zu diesem Zeitpunkt durch den Bürgerkrieg in den 90er Jahren noch halb zerstört. Einige wenige Restaurants waren für die ausländischen NGO-Mitarbeiter\*innen aus dem Boden gestampft worden. Zarmina, so hieß die Journalistin, bestand darauf, die Rechnung zu bezahlen. Sie sagte: „Sie wissen gar nicht, was es für mich bedeutet, als Frau wieder arbeiten zu dürfen, in ein Restaurant zu gehen und mit meinem selbst verdienten Geld die Rechnung für mich und meinen Gast zu bezahlen.“ Wir sind, fügte sie mit Stolz hinzu, „in einem neuen Afghanistan, in einem viel besseren Afghanistan.“

Die USA hatten 2001 nach den Anschlägen vom 11. September der Schreckensherrschaft der Taliban ein schnelles Ende gesetzt und dem Land am Hindukusch eine neue Perspektive eröffnet. 2004 waren die meisten Menschen in Kabul bitterarm. Überall waren Folgen des Krieges gegen die sowjetische Besatzung (1979–1989) und des Bürgerkrieges (1989–2001) zu sehen. Dennoch waren die Menschen voller Hoffnung. Bei vielen Menschen, gerade bei der jungen Generation, war eine euphorische Stimmung zu beobachten. Sie waren fest davon überzeugt, dass die schreckliche Herrschaftszeit der Taliban endgültig vorbei wäre. Jetzt, 20 Jahre später, sind die Taliban zurück, sie eroberten die Hauptstadt Kabul ohne Gegenwehr. Am 14.08.2021 verließ Ashraf Ghani, der von den USA unterstützte Präsident Afghanistans, fluchtartig das Land. Vier Tage später, am 18.08, veröffentlichte er auf seiner Facebook-Seite ein Video und erklärte, dass er „in die Vereinigten Arabischen Emirate geflüchtet ist, um ein weiteres Blutvergießen in Kabul zu verhindern“ (FAZ 19.08.2021).

Viele Menschen im Westen fragen sich, warum die US-Invasion in Afghanistan so kläglich gescheitert ist. Die Bilder, die sie im August 2021 aus Afghanistan in den Nachrichten sahen, machten sie fassungslos und betroffen zugleich. Nun kann man auf diese berechtigte Frage keine einfache Antwort geben. Die aktuelle Tragödie in Afghanistan hat viele Gründe. Eine sehr verkürzte Antwort kann lauten: Korrupte afghanische Machteliten und kurzsichtige, zynische Politiker aus den USA haben die afghanische und die eigene US-Bevölkerung betrogen. Das Ergebnis dieser Politik ist das, was wir zurzeit in den Nachrichten sehen. Eine etwas ausführlichere Antwort lautet wie folgt.

## Hausgemachte Probleme

### Verantwortungslose Machteliten, Warlordism und die Politisierung des Ethnischen

Afghanistan ist ein Vielvölkerstaat. Der deutsche Ethnologe und Orientalist Erwin Orywal listet in seinem Werk „Die ethnischen Gruppen Afghanistans“ 28

verschiedene Völker in diesem Land auf (Orywal 1986: 18). Die Machteliten in Afghanistan, das sind zurzeit vor allem Warlords (Schetter 2004: 12–13), möchten aber diese Tatsache nicht akzeptieren – auch nach über 40 Jahren Krieg und Bürgerkrieg nicht.<sup>1</sup>

Warlords, die in den 80er und 90er Jahren durch die Bürgerkriegsökonomie reich und mächtig geworden sind, befürchten starke staatliche Strukturen. Frieden und eine handlungsfähige Regierung, die Sicherheit geben kann und sich für die Belange aller Bürger\*innen des Landes einsetzt, sind nicht im Interesse der Warlords.<sup>2</sup> Demokratie, Menschenrechte, Gleichberechtigung und Rechtsstaatlichkeit wurden von den mächtigen Kriegsfürsten zu keiner Zeit ernsthaft in Betracht gezogen. Die Hauptziele dieser Eliten lauten: Machtübernahme und Unterwerfung anderer Volksgruppen. Eine fragmentierte, zutiefst gespaltene Gesellschaft nehmen sie gern in Kauf. Mal spielen sie die ethnische Karte, mal die religiöse, und meist, wie im Falle der Taliban, beide aus.

Vor diesem Hintergrund wurden in den letzten Jahren die Volksgruppen von allen Seiten gegeneinander aufgehetzt, statt ihre Gemeinsamkeiten in den Vordergrund zu stellen: Satar Sahadat, ein enger Vertrauter des ehemaligen afghanischen Präsidenten Hamid Karsai, stellte in einem Fernsehinterview mit dem Sender Tolo-TV im Jahr 2017 die Behauptung auf, dass

die nicht-pashtunischen Völker Afghanistans alle aus anderen Ländern in das Land der Pashtunen eingewandert sind. Diese nicht-pashtunischen Völker dürfen sich nicht in Regierungsangelegenheiten einmischen. Nur Pashtunen sind die echten Afghanen, nur sie dürfen über das Schicksal des Landes bestimmen. (Herawi 2017; übersetzt aus dem Persischen vom Verfasser)

Ähnliche Äußerungen kamen auch stets vom Parlamentsabgeordneten Hamid Lali. Präsident Aschraf Ghani spielte selbst die ethnische Karte und beklagte sich in einem Interview mit dem afghanischen Sender 1TV vor seiner umstrittenen Wahl zum Präsidenten im Jahr 2013, die Pashtunen im Land wären um ihre Rechte betrogen worden und im Militärgefängnis in Bagram seien zu 98 Prozent Pashtunen inhaftiert. Von den nächtlichen Militäraktionen wären hauptsächlich Pashtunen betroffen gewesen (1TV 2013). Er präsentierte sich als Retter der Pashtunen in Afghanistan und nahm eine weitere Verschärfung der ethnischen Spannungen im Land billigend in Kauf.

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1 Schetter verwendet angesichts des großen Einflusses der Warlords in Afghanistan den Begriff des Warlordism.

2 „Die eigentliche Problematik des „Verkaufs von Sicherheit“ besteht darin, dass ein Markt für Sicherheit existieren muss, sprich dass ein generelles Gefühl der Unsicherheit und Furcht erzeugt bzw. aufrechterhalten werden muss, um die Existenz der Milizen abzusichern. Daher besteht zur Sicherung der eigenen Existenz eine wesentliche Aufgabe der Milizen in willkürlichen Gewaltanwendungen, Erpressungen, Vergewaltigungen, Überfällen, Entführungen und der Unterhaltung von Privatgefängnissen (HRW 2003; ICG 2003a). Denn solange die Einwohner Überfälle von Banditen, befeindeten Nachbarn oder externen Kräften fürchten, werden sie ihre eigene Miliz unterstützen (Schetter 2004: 18).“

Andere Volksgruppierungen lehnen diese Sicht der Dinge ab. Sie beklagen ihrerseits, in ihrem eigenen Land von Pashtunen unterdrückt und versklavt worden zu sein. Sie betrachten sich jeweils selbst als größte Volksgruppe im Land und beanspruchen die Macht für sich.

Zaher Ahmadi rief am 09. Mai 2021 in einem Aufsatz im Online-Magazin Kabulpress.org unter dem Titel: „Die pashtunischen Herrscher haben stets die nicht-pashtunischen Völker ausgebeutet“ zum bewaffneten Kampf gegen die pashtunischen Aggressoren auf:

Täglich werden hunderte Menschen, die nicht zu den Pashtunen gehören, in verschiedenen Ecken des Landes, in ihren Häusern, in den Krankenhäusern, in den Universitäten oder Schulen wie die Lämmer geschlachtet. Verantwortlich für diese Verbrechen sind die faschistische Regierung der Pashtunen in Kabul und ihre Verbündeten, die sich Taliban nennen. ... Die nicht-pashtunischen Völker Afghanistans müssen eine starke Front gegen alle feindlichen pashtunischen Stämme, die die Macht nur für sich beanspruchen, bilden. Die Nicht-Pashtunen müssen so schnell wie möglich militärisch aktiv werden, um sich gegen die Taliban und die Faschisten in der Kabuler Regierung zur Wehr setzen zu können und ihre Gebiete von diesen feindlichen Elementen zu befreien. (Ahmadi 2021; übersetzt aus dem Persischen vom Verfasser)

In einem ausführlichen Artikel, der im Jahr 2011 im Internetmagazin „khorasan zameen“ veröffentlicht wurde, behauptete der Autor, dass die pashtunischen Stämme erst im 18. Jahrhundert im Gebiet des heutigen Afghanistans eingedrungen wären.

Diese pashtunischen Stämme waren den uralten Völkern von ‚khorasan‘ kulturell weit unterlegen. Sie ergriffen die Macht und bereiteten aufgrund ihrer primitiven Entwicklung, anderen Völkern in allen Bereichen der Gesellschaft große Probleme. (Moradi 2011; übersetzt aus dem Persischen vom Verfasser)

Die Politisierung des Ethnischen und die Ethnisierung des Politischen nahmen in Afghanistan zu Beginn des 20. Jahrhunderts ihren Anfang. Die Idee, dass eine Ethnie naturgegeben die bessere und edlere und dadurch zum Herrschen bestimmt sei, entwickelte sich in dieser Zeit offiziell zur Staatsideologie.

Die staatliche Publikation „saraj-ul-akhbar“ veröffentlichte im Jahr 1912 einen Artikel mit der Überschrift „Alle Sprachen stammen von der afghanischen (Pashto-) Sprache ab“. In diesem Aufsatz behauptete der Autor Mahmud Tarzi, Chefredakteur des Blattes, ohne Beweise vorzulegen, dass das Hindukusch-Gebirge in Afghanistan die Urheimat aller arischen Völker sei. Alle arischen Völker hätten nach und nach ihr Mutterland verlassen, nur die Afghanen (Pashtunen) seien in ihrer ursprünglichen Heimat geblieben. Tarzi fasst seine Ausführungen folgendermaßen zusammen:

Falls wir den wissenschaftlichen Tatsachen Glauben schenken sollten, so kämen wir unweigerlich zum folgenden Ergebnis: Die Urheimat aller arischen Völker ist die Umgebung um das Hindukusch-Gebirge. Da dieses Gebirge mit all seiner Pracht Zeugnis davon ablegt, dass es in Afghanistan liegt, gibt es keinerlei

Zweifel mehr, dass der Ursprung der Arier eben in Afghanistan liegt. Vor diesem Hintergrund sind die Afghanen (Pashtunen) die echten Vorfahren aller arischen Völker. Die wenigen Menschen, die ihre ursprüngliche Heimat nie verlassen haben, gehören dem afghanischen (pashtunischen) Stamm an. Dieser Stamm hat von damals bis heute seine Identität und Sprache geschützt [...]. Und wenn wir die Redensart und Gesetzmäßigkeiten der afghanischen Sprache unter die Lupe nehmen sollten, so würden wir feststellen, dass sie eine sehr einfache und rudimentäre Sprache ist. Diese Sprache können wir als Vorläuferin anderer Sprachen bezeichnen. Es wäre nicht falsch, wenn wir sie als die Mutter aller anderen Sprachen bezeichnen würden. (Tarzi 1912; übersetzt aus dem Persischen vom Verfasser)

Mit diesen Behauptungen stellte Tarzi, der später zum Außenminister Afghanistans ernannt wurde, die politische Vision der damaligen afghanischen Regierung vor: ein pashtunischer Staat, in dem nur Pashto gesprochen wird. Dass Mahmud Tarzi, Chefideologe der Regierung, einen rein pashtunischen Nationalismus in einem Vielvölkerstaat etablieren wollte, hatte viel mit seiner eigenen Biografie zu tun. Tarzi wuchs in Damaskus, im osmanischen Reich, auf, wohin seine Familie für einige Zeit verbannt worden war. Er kehrte erst 1902 nach Kabul zurück. Innerhalb von zehn Jahren heirateten zwei Söhne des Emirs, Habibullah Khan, zwei seiner Töchter. Vor diesem Hintergrund war Tarzi in kurzer Zeit von einem Exilanten zum einflussreichsten Mann des Landes geworden (Farhadi 1976: 21). Sein Schwiegersohn Amanullah wurde 1919 durch eine Palastrevolte zum neuen König Afghanistans und trotzte den Engländern die Unabhängigkeit Afghanistans für 10 Jahre ab.<sup>3</sup>

Der afghanische Historiker Seddiq Farhang schreibt zum Einfluss des Exils auf Mahmud Tarzi: „Mahmud Tarzi [...] ist im osmanischen Reich groß geworden und war ein Anhänger der Bewegung der ‚Jungtürken‘ vor allem einer Partei, die sich ‚Das Komitee für Einheit und Fortschritt‘ nannte“ (Farhang 1988: 309). Das sogenannte „Komitee für Einheit und Fortschritt“ war ein Sammelbecken für extrem nationalistisch denkende türkische Politiker (Alkan 2014). Sie hatten das Ziel, einen rein türkischen Staat zu gründen, in dem nur türkisch gesprochen würde. Zutiefst beeinflusst von diesen Ideen, wollte Tarzi einen rein pashtunischen Staat gründen, in dem nur Pashto gesprochen würde. „Unsere Bildungsinstitute müssen eine einzige Aufgabe haben, und zwar das Lehren der afghanischen

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3 König Amanullah nahm indische Politiker, die für eine Befreiung Indiens von der englischen Kolonialherrschaft kämpften, in Kabul auf. Der junge König solidarisierte sich auch mit den Muslimen in Zentralasien, die unter der Besetzung der Roten Armee standen. Sowohl London als auch Moskau wollten König Amanullahs Provokationen nicht hinnehmen (Ahang 2020: 221). Die Engländer konnten durch Bestechungsgelder einige Stammesführer gegen König Amanullah aufbringen. Da König Amanullah seine Frau zum ersten Mal in der Geschichte des Landes ohne Kopftuch zu öffentlichen Veranstaltungen mitnahm, wurde er von einigen einflussreichen religiösen Führern des Landes als gottlos verdammt. Sie riefen zum Aufstand gegen den ungläubigen König auf. Dieser Aufstand wurde von den Engländern mit Waffen und Geld unterstützt und von dem Tajiken Habibullah angeführt. Amanullah flüchtete 1929 nach Italien und starb 1960 in Zürich.

(Pashto-) Sprache“, schrieb er 1915. Persisch, das im Norden des heutigen Afghanistans, in der historischen Stadt Balkh entstanden war und die *lingua franca* des Landes bildete, zählte er zu den Fremdsprachen.<sup>4</sup>

Tarzi konnte seine Pläne nicht ganz durchsetzen, da keiner Regierung in Afghanistan ein langes Leben beschert war. Er musste nach Unruhen 1929 das Land verlassen und starb im Exil in Istanbul. Nadir Shah, ein ehemaliger Armeegeneral, bestieg 1930 mithilfe der Briten den Thron von Kabul. Der neue König wollte Tarzi zwar nicht im Land haben, doch seine extrem nationalistischen Ideen fand er zur Legitimierung seines Machtanspruches sehr brauchbar.

Tarzis Forderung nach einer einheitlichen Nationalsprache lebte Ende der 1930er Jahre wieder auf, als entsprechend dem Zeitgeist afghanische Intellektuelle sowie Angehörige des afghanischen Regierungsapparats verstärkt bemüht waren, einen afghanischen Nationalismus inhaltlich auszufüllen. (Schetter 2003: 238)

Die Idee, dass die Pashtunen Vorfahren aller arischen Stämme seien, wurde wieder beliebt. Ein pashtunisch-arischer Nationalismus wurde zur neuen Vision der Machthaber in Kabul. Um dieser Vision historische Legitimität zu verschaffen, wurden einige Autoren vom Staat beauftragt, „das neuzeitliche Konstrukt Afghanistan mit einer Nationalgeschichte zu versehen, die bis in graue Vorzeiten zurückreichte“ (Schetter 2003: 258).

Im Zuge dieser Politik machte sich der afghanische Staat Ende der 40er Jahre unaufgefordert zum Anwalt jener pashtunischen Stämme, die nun im Gebiet des neugegründeten Staates Pakistan<sup>5</sup> lebten. Kabul stellte sich gegen eine Aufnahme Pakistans in die UNO und lehnte es ab, die Grenze zu dem neuen Nachbarstaat, die sogenannte Durand-Linie, anzuerkennen. Die völkerrechtlich umstrittene Durand-Linie wurde im 19. Jahrhundert von den Briten als Grenze zwischen Afghanistan und Indien festgelegt. Durch diese Grenzziehung wurden die Siedlungsgebiete der Pashtunen willkürlich geteilt (Grötzbach 1990: 10). Der damalige afghanische Ministerpräsident Daud Khan erklärte die Lösung der sogenannten Pashtunistanfrage zum wichtigsten innen- und außenpolitischen Thema seiner Regierung (Burkhardt 1989). Er unterstütze nationalistische pashtunische Kreise in den Stammesgebieten, die sich gegen Islamabad stellten. Zudem suchte Kabul enge Beziehungen zu Indien, was in Delhi, um Pakistan unter Druck zu setzen, sehr gern

4 „In den 60er Jahren des 20. Jh. wurde im Zuge der Paschtunisierung Afghanistans immer mehr versucht, die persische Kultur und Geschichte Afghanistans zu entfremden und der paschtunischen Kultur unterzuordnen. So hießen persische Lesebücher bis in die späten 60er Jahre noch ‚Persisch-Lehrbücher‘, wurden dann in ‚Parsi-e Dari-Lehrbücher‘ umbenannt und schließlich nur noch zu ‚Dari-Lehrbücher‘ reduziert“ (vgl. Langwhich o. J.).

5 „Pakistan ist 1947 in einer blutigen Auseinandersetzung mit Indien entstanden und hat in der Folgezeit in drei Kriegen – 1948, 1962 und 1971 – seine staatliche Identität gegenüber dem als Erbfeind betrachteten großen Nachbarstaat behauptet. Als ungelöstes Problem schwelt bis heute Islamabads Konflikt mit Neu Delhi um die von beiden Seiten zur Gänze beanspruchte, von Pakistan zu einem und von Indien zu zwei Dritteln okkupierte Provinz Kaschmir weiter“ (vgl. Buchta 1998).



angenommen wurde. Aufgrund dieser kurzsichtigen und ethnisch motivierten Außenpolitik Kabuls wurde Afghanistan zum Schauplatz des Kampfes zwischen Indien und Pakistan. Und noch schlimmer: Da zu diesem Zeitpunkt der Kalte Krieg tobte, schlug sich Moskau auf die Seite von Kabul und die USA hielten zu Pakistan. Afghanistan war nun endgültig zum Spielball der Weltmächte geworden (Ahang 2020: 222–230).

Als Ostpakistan 1971 sich für unabhängig erklärte und der Staat Bangladesch gegründet wurde, fürchtete Islamabad eine ähnliche Entwicklung an seinen Grenzgebieten zu Afghanistan. Eine Furcht, die bis heute existiert. Britta Petersen von der Heinrich-Böll-Stiftung, Büroleitung Pakistan, konstatierte 2011 in einem Bericht: „In der Tat ist Pakistans Politik seit seiner Gründung von der Sorge bestimmt, dass sich Afghanistans und Pakistans Paschtunen zu einem ‚Paschtunistan‘ zusammenschließen könnten und damit Pakistans staatlichen Zerfall besiegeln würden (Petersen 2011).“

Pakistan – das Land verdankte seine Existenz dem Islam als Staatsideologie – war jene nationalistische Bewegung in seinem Hoheitsgebiet ein Dorn im Auge. Islamabad begann als Reaktion auf Kabuls Einmischungen, fundamentalistische Kreise in Afghanistan zu unterstützen. Pakistans Ziel war und ist es immer noch, eine Regierung in Kabul zu installieren, die sich von Islamabad lenken lässt und nicht mit Indien paktiert: Zu diesem Ergebnis kam eine Studie, die das regierungsnahe Jinnah Institute in Zusammenarbeit mit dem United States Institute of Peace Ende August 2011 in Islamabad vorgestellt hatte (Petersen 2011).

Als Ende 1979 die Rote Armee nach Kabul marschierte, drehte sich das Blatt zu Gunsten Pakistans: Islamabad bekam Milliardenunterstützung aus dem Westen, um den Jihad gegen die „ungläubigen Kommunisten“ in Afghanistan zu organisieren. Pakistan sammelte tausende von afghanischen Kämpfern in seinen Grenzgebieten, bildete sie aus und schickte sie in den heiligen Krieg gegen die Russen nach Afghanistan. Die Taliban-Bewegung ist auch auf diesem Wege entstanden. Nun haben die Taliban die Macht in Kabul erneut erobert und es scheint, dass Islamabads Traum von der Kontrolle über Afghanistan endlich wahr werden könnte.

Doch zurück zur Ethnisierung der afghanischen Staatsideologie: Das Ergebnis dieser ethnisch motivierten Politik war, dass die Risse zwischen den verschiedenen Volksgruppen im Land größer wurden. Die nicht-paschtunischen Volksgruppen des Landes fühlten sich extrem benachteiligt und betrachteten den Staat als Fremdkörper in ihrem eigenen Land. Der afghanische Publizist Hamzeh Waezi resümierte:

Die afghanische Geschichte kennt keine Episode, in der die Bewohner\*innen des Landes den gleichen und gerechten Zugang zu Bildung, medizinischer Versorgung, wirtschaftlichem Wohlstand oder zu Regierungsposten gehabt hätten. Auch gibt es keine Regierung, die versucht hätte, sich dieser Herausforderung zu stellen. Das Ergebnis ist eine fragmentierte Gesellschaft,

eine Gesellschaft, die weit von nationaler Einheit entfernt ist. (Waezi 2002: 124; übersetzt aus dem Persischen vom Verfasser).

## Die politische Unkultur des Landes

Ahmad Khan Abdali (Durrani) war ein fähiger Offizier in der Armee des persischen Herrschers Nader Shah und befehligte eine Truppe von rund 4000 Abdali-Pashtunen. Nader Shah wurde 1747 ermordet. „Die Ermordung war kaum geschehen, als die afghanische Spezialwache unter Ahmad Khan sich sammelte, alle im Tross des Königs verfügbare Habe an sich nahm und das Lager in Richtung Kandahar verließ“ (Grevemeyer 1990: 24). Dort ließ er sich zum König krönen.

In fast 25jährigen Auseinandersetzungen mit den benachbarten Reichen, die sich nach dem Tode Naders formiert hatten, gelang es ihm, ein Großreich zu errichten, das von Delhi im Osten bis Mashhad im Westen und von Amu-Darya im Norden bis zum Arabischen Meer im Süden reichte. (Grevemeyer 1990: 24)

Als der Gründer des Durranidenreiches 1772 starb, begann ein erbitterter Machtkampf unter seinen vielen Söhnen und der Zerfall seines Imperiums. Shah Shoj'a, ein Enkel des Reichsgründers, wurde 1809 von seinen Brüdern vom Thron gestürzt. Er floh, tat aber alles, um die Krone von Kabul zurückzuerobern. Zuletzt bat er die britische Armee in Indien um Unterstützung. Die britische Regierung in Delhi nahm ihn mit offenen Armen auf; ein Verbündeter in Kabul erschien den Briten als vorteilhaft. London war wegen des Vormarsches der Russen in Zentralasien stark beunruhigt. Es bestand die Gefahr, dass die Russen über Kabul nach Indien vorrücken würden. *The Great Game* zwischen Russland und Großbritannien um die Vorherrschaft in Zentral- und Südasien hatte begonnen. Ein Spiel um Macht, Einfluss und Rohstoffe, das bis heute nicht beendet ist – es sind nur neue Akteure hinzugekommen.

Shah Shoj'a wurde 1838 mithilfe der britischen Armee zurück auf den Thron von Kabul gesetzt, konnte seine Regentschaft aber nicht lange genießen: Er wurde wenige Jahre später durch einen Volksaufstand ermordet. Der Kampf um den Thron von Kabul entfachte von neuem. Die vielen Prinzen, die Anspruch auf den Thron erhoben, waren nicht stark genug, um aus eigener Kraft die Machtkämpfe für sich zu entscheiden. Sie wussten aber jetzt, dass die Briten in Indien denjenigen auf den Thron von Kabul sehen wollten, der sich auf einen Deal mit Delhi einlassen würde, und baten die britische Regierung in Indien um Unterstützung. Wer die Unterstützung bekam, stieg in der Regel zum Emir von Kabul auf. Vor diesem Hintergrund konnten die Briten immer mehr Einfluss im Restgebiet des Durranidenreiches erringen und in der zweiten Hälfte des 19. Jahrhunderts sogar seine Grenzen eigenmächtig durch die sogenannte Durand-Linie festlegen:

Die gesamte Grenzfestlegung bestimmten die Kolonialmächte. [...] Das Staatsterritorium Afghanistans ist daher ein Produkt der Kolonialpolitik par excellence [...] das Territorium, das nun den Staat Afghanistan ausmachte, verfügte in dieser Form kaum über historische Wurzeln. Es bildete ein

Konglomerat aus zahlreichen sich in Gesellschaft- und Herrschaftsstrukturen unterscheidenden Segmenten. (Schetter 2003: 219)

Den Machteliten des Landes waren derlei Probleme nicht wichtig. Sie kämpften für ihre eigenen Ziele und hatten gelernt, dass nicht die Unterstützung durch die eigene Bevölkerung für die Machterlangung und den Machterhalt ausschlaggebend war, sondern die tatkräftige Unterstützung aus dem Ausland.

In den 80er Jahren des letzten Jahrhunderts bestimmte die Sowjetunion, wer in Kabul das Sagen hatte. Hamid Karsai übernahm 2001 mithilfe der US-Truppen die Macht. Und aktuell ist Pakistan als Verbündeter der USA tonangebend in Afghanistan und Hauptsponsor der Taliban. Die Loyalität vieler Stammesführer und Warlords in Afghanistan gilt nicht dem eigenen Volk, sondern ihren ausländischen Unterstützern, die mit enormen Summen in Afghanistan agieren. Schetter konstatiert, dass der Verkauf von Loyalitäten unter den afghanischen Stämmen eine lange Tradition besitze (Schetter 2003: 265). Das Ergebnis dieses Handelns ist das, was seit August 2021 in den Nachrichten gezeigt wird: ein zerstörtes, zerstrittenes, verarmtes Land, das einer dunklen Zukunft unter islamistischer Herrschaft entgegen blickt.

## **Klientensystem**

Die wichtigsten Regierungsposten mit der eigenen Klientel zu besetzen, hat in Afghanistan eine sehr lange, bis heute ungebrochene Tradition. Emir Abdur Rahman, der 1880 nach dem zweiten anglo-afghanischen Krieg mithilfe der Briten die Macht in Kabul übernahm, ging sogar einen Schritt weiter. Er veranlasste, dass jedes männliche und weibliche Mitglied seines paschtunischen Mohammadzai-Klans ein festes Gehalt aus dem Staatsbudget erhielt (Farhang 1988: 281). Nicht die berufliche Qualifikation war für die Aufnahme in der Führungsregie der Regierung ausschlaggebend, sondern der Grad der Ergebenheit, die familiäre und ethnische Zugehörigkeit. Nach denselben Kriterien wählen auch heute die Mächtigen in Afghanistan ihre engsten Mitarbeiter aus.

Als der Nordallianz im Jahr 2002 mehrere Ministerien in der neu gegründeten Regierung zuteilwurden, wurden in diesen Behörden ausschließlich Tadschiken beschäftigt, bevorzugt aus dem Panjschirtal, einer Gegend nahe Kabul, aus der die meisten Führer der Nordallianz stammten (Schetter 2003: 585). Ähnlich wurde auch in den anderen Ministerien verfahren, auch Präsident Karsai und Präsident Ghani trauten nur ihrer eigenen Klientel.

Die Offiziere der Polizei und Armee wurden ebenfalls nicht nach ihren Qualifikationen, sondern nach ethnischer Zugehörigkeit und dem Grad ihrer Treue zu bestimmten Warlords ausgewählt:

Wesentliches Problem ist jedoch, dass viele staatliche Militär- und Polizeieinheiten mit Milizen identisch sind: Wichtige Kriegsfürsten wie Rashid Dostum, Ismail Khan oder Gul Agha Shirzai sitzen in der Commission of the Afghan National Army, und viele ihrer Milizen genießen einen offiziellen Status

Daher sind viele Soldaten oder Polizisten nur ihren anführenden Warlords gegenüber loyal. (Schetter 2004: 13–14)

Dies war mit der Grund, warum Armee und Polizei kaum Widerstand gegen die Taliban leisteten, als diese am 14. August die Hauptstadt eroberten.

Das Ergebnis dieses Klientelsystems: Ein kaum funktionierender Staats- und Regierungsapparat. Aktuell zählt Afghanistan laut Transparency International zu den korruptesten Staaten der Welt (CPI 2020).<sup>6</sup> Trotz der Milliardenhilfen, die für den Wiederaufbau des Landes bereitgestellt wurden, ist Afghanistan nach wie vor ein sehr armes Land.

Die renommierte afghanische Tageszeitung 8Sobh (8 am) kritisierte im Jahr 2015 die Planlosigkeit des afghanischen Staates:

In Afghanistan werden täglich neue Behörden geschaffen, die viel Geld kosten. Auf der anderen Seite zeigt die Regierung kein Interesse daran, die eigenen Gesetze ernst zu nehmen und für durchdachtes Regieren zu sorgen. (ashte sobh 2015; übersetzt aus dem Persischen vom Verfasser)

## Externe Gründe

Afghanistan ist ein Binnenland, das an Pakistan, Iran, Turkmenistan, Usbekistan, Tadschikistan und im äußersten Nordosten China grenzt. Das Land am Hindukusch ist umgeben von vier Atommächten: China, Russland, Indien und Pakistan, die alle die Vorherrschaft in der Region anstreben. Regionalmächte wie der schiitische Iran und das wahhabitische Saudi-Arabien rivalisieren ebenfalls um Einfluss auf die zu 99 Prozent muslimische Bevölkerung des Landes. Zudem ist Afghanistan ein Land mit riesigen Rohstoffvorkommen im Wert von mehreren Billionen US-Dollar (Demircan; Brüggmann 2021) und bildet das Tor zu den Öl- und Gasquellen Zentralasiens.

Mit anderen Worten: Afghanistan ist für die Atom- und Regionalmächte der Region von großer geostrategischer Bedeutung. Jan Koehler stellte in einem Beitrag für das Bundeszentrale für politische Bildung fest:

Die Konfliktdynamiken in und um Afghanistan werden stark von den geostrategischen und wirtschaftlichen Interessen der Nachbarländer beeinflusst. Diese gehen teilweise auf weit in die Geschichte zurückreichende Beziehungen und Erfahrungen zurück. (Koehler 2018)

Für die USA spielte Afghanistan bis zum Einmarsch der Roten Armee Ende 1979 praktisch keine Rolle. Erst in den 80er Jahren entwickelte Washington eine aktive Afghanistanpolitik, die wiederum an Bedeutung verlor, als die Russen sich 1989

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6 Der Korruptionswahrnehmungsindex (Corruption Perceptions Index, CPI) ist der weltweit bekannteste Korruptionsindikator. Er wird vom Internationalen Sekretariat von Transparency International erstellt und listet Länder nach dem Grad der in Politik und Verwaltung wahrgenommenen Korruption auf. Der CPI 2020 umfasst 180 Länder. Afghanistan belegte 2020 Platz 165 (vgl. CPI 2020).

zurückzogen. Durch die Anschläge vom 11. September rückte Afghanistan wieder in den Fokus der US-Außenpolitik (Voje 2014: 290–306). Osama Bin Laden und andere Führer der Terrororganisation Al-Qaida befanden sich in Afghanistan und wurden vom Taliban-Regime unterstützt. Für die USA stand fest, dass Al-Qaida hinter den Anschlägen vom 11. September steckte. Die Taliban weigerten sich aber, Bin Laden an die USA auszuliefern. Washington erklärte dem islamistischen Regime den Krieg und beseitigte es innerhalb weniger Wochen.

Die USA machten der afghanischen Bevölkerung nach dem Sieg über die Taliban große Versprechungen. So erklärte zum Beispiel Präsident George W. Bush in einer Rede 2002, Washington habe den Anspruch, in diesem neuen Konflikt nicht nur den Terrorismus zu bekämpfen, sondern zugleich Freiheit und Demokratie in die Welt zu tragen: „America will lead by defending liberty and justice because they are right and true and unchanging for all people everywhere“ (zit. nach Voje 2014: 232).

Vor diesem Hintergrund wurde die neue afghanische Regierung unter der Regie der USA in Petersberg bei Bonn aus der Taufe gehoben. Doch der neuen Regierung fehlte es an Sicherheitskräften und erfahrener Personal. Vor diesem Hintergrund beschloss die UNO in der Resolution 1386 die Entsendung der International Security Assistance Force (ISAF) für Afghanistan. Der Hauptauftrag von ISAF lautete: Die Regierung in Kabul sowie das zivile Personal der Vereinten Nationen zu schützen. Den Wiederaufbau des Landes sollte „United Nations Assistance Mission to Afghanistan“ (UNAMA) voranbringen (Voje 2014: 229).

Doch nicht demokratische und moderate Kräfte hatten die Unterstützung Washingtons, sondern Warlords, die von den USA in den 80er Jahren bewaffnet worden waren, um gegen die Rote Armee in Afghanistan einen „heiligen Krieg“ zu führen (Ruttig 2021). Konrad Schetter konstatierte, „die USA rüsteten etwa im Kampf gegen die Taliban viele Milizen hoch und brachten alt gediente Kriegsfürsten zurück in den Sattel der Macht“ (Schetter 2004: 19). Dabei sei erwähnt, dass dieselben Warlords in 80er Jahren von den westlichen Medien romantisch verklärt „Freiheitskämpfer“ genannt wurden (Weisflog 2016).

Die Bush-Regierung sah nach dem Sieg über die Taliban ihre Mission in Afghanistan eigentlich als beendet an:

Nach dem Sturz des Taliban-Regimes stand für den Präsidenten fest, dass die USA keine Wiederaufbauarbeit am Hindukusch leisten wollten und nicht planten, längerfristig in der Region zu bleiben. Die Bush-Doktrin verdeutlichte dies mit ihrem globalen Ansatz der Terrorismusbekämpfung, der Afghanistan nur als einen kleinen Teil der Gesamtstrategie sah. (Voje 2014: 245)

Aus diesem Grund wollte Washington einerseits sehr schnell Afghanistan zu einer neuen, zumindest formal demokratischen Regierung verhelfen und auf der anderen Seite zeigen, dass militärische Intervention ein adäquates Mittel zur Lösung von komplexen Krisen sein kann. „Der US-Historiker John Lewis Gaddis beschreibt den Kern der Bush-Doktrin als ‚Fukuyama plus force‘ – der Verknüpfung der

Frieden schaffenden Wirkung des Demokratieexports mit dem Einsatz militärischen Nachdrucks“ (Voje 2014: 240).

Den Warlords, die bereit waren, mit den USA zusammenzuarbeiten, gab Washington einige in den USA ausgebildeten und dort seit Jahrzehnten lebenden Afghanen, wie den letzten afghanischen Präsidenten Ghani, zur Seite, um der afghanischen Regierung ein zivilisiertes Gesicht zu geben (Schetter 2003: 579). Eine Gesamtstrategie für den Wiederaufbau der Wirtschaft, die innerafghanische Versöhnung, den Ausbau der Rechtsstaatlichkeit oder die Bekämpfung der Korruption gab es nicht.

Wahlen, ein Parlament, Schulbildung auch für Mädchen wurden Dank enormer Hilfsgelder finanziert. Das triste, zerstörte und traurige Gesicht Afghanistans sollte sich schnell zu einem besseren ändern. Bilder von einem offenen Afghanistan gingen rasch um die Welt. Doch alle Strukturen, die in Afghanistan aufgebaut worden waren, waren nicht auf Dauer angelegt, wie die aktuellen Fernsehbilder belegen.

Dennoch schöpften viele Menschen, nachdem der Barbarei der Taliban im Jahre 2001 ein Ende gesetzt worden war, Hoffnung. Die Afghanen waren viel zu kriegsgeschädigt, um zu begreifen, dass keine ausländische Macht ohne eigene Interessen in ein fremdes Land einmarschiert. Entweder schaffen es die Menschen selbst, ihr Land aufzubauen, oder gar nicht. Aber bittere Armut ist ein gefährliches Betäubungsmittel. Hilfsorganisationen brachten Unmengen von Geldern mit ins Land. Man konnte wieder frei leben und von einer besseren Zukunft in Frieden und Wohlstand träumen. Doch die Wünsche der Menschen wurden von der eigenen Regierung nicht ernst genommen. Sie wurden wieder einmal betrogen.

Vor diesem Hintergrund konnte der Wiederaufbau natürlich nicht gelingen. Afghanistan ist nach wie vor ein Land, das ohne Hilfsgelder nicht einmal die Gehälter der eigenen Streitkräfte bezahlen kann. Eine produzierende Wirtschaft wurde nicht aufgebaut. Die heimische Landwirtschaft, die Arbeitsplätze hätte schaffen können, wurde nicht ernsthaft unterstützt. Dafür feierte aber die Drogenmafia in Afghanistan, unter den Augen der NATO-Truppen, große Erfolge.

Drogen seien der größte Wirtschaftszweig des Landes außer dem Krieg, sagt Barnett Rubin, ein ehemaliger Berater des US-Außenministeriums für Afghanistan. Die Vereinten Nationen schätzen, dass die Taliban zwischen 2018 und 2019 mehr als 400 Millionen Dollar mit dem Drogenhandel verdient haben. In einem Bericht des US-Sondergeneralinspektors für Afghanistan (SIGAR) vom vergangenen Mai wird ein US-Beamter zitiert, dem zufolge die Taliban bis zu 60 Prozent ihrer Jahreseinnahmen aus Anbau und Handel mit Drogen beziehen [...]. Das geschätzte Rekordhoch der Opium-Produktion wurde 2017 mit 9900 Tonnen erzielt. Das spülte den Landwirten rund 1,4 Milliarden Dollar Umsatz in die Kassen, berichtet das UNODC. Das entspricht etwa sieben Prozent des Bruttoinlandsproduktes (BIP) des Landes. Werden noch der Export und importierte Chemikalien hinzugerechnet, dürfte die gesamte illegale

Opiatwirtschaft in diesem Jahr bis zu 6,6 Milliarden Dollar ausmachen. (WiWo 2021)

Die Rechnung der USA, sich schnell aus Afghanistan zurückziehen zu können, ging nicht auf. Die Bush-Regierung hatte offenbar damit nicht gerechnet, dass die Taliban wieder erstarken und den Kampf gegen die neue Regierung in Kabul aufnehmen würden. Washington hatte, wie es aussieht, die besondere geostrategische Bedeutung Afghanistans für die Groß- und Regionalmächte in der Region nicht berücksichtigt. Russland, China, Iran, Pakistan und die zentralistischen Staaten sahen ihre Interessen in Afghanistan durch eine von den USA installierte Regierung bedroht. „Was für die Region einem ‚geostrategischen Erdbeben‘ gleichkam, war für Washington somit nur ein Mittel zum Zweck im globalen Kampf gegen Terrorismus“ (Voje 2014: 248).

## Schluss

Die Lage in Afghanistan wurde im Laufe der letzten 20 Jahre immer prekärer. Die USA wollten aber an diesem Zustand offenbar nichts mehr ändern. Washington entschied sich für einen Rückzug, ohne für klare Verhältnisse zu sorgen. Die Taliban kehrten zurück und dürfen das Land weiter terrorisieren. Das heißt: in den letzten 20 Jahren kamen in Afghanistan mehr als 3800 ausländische Soldatinnen und Soldaten (59 aus Deutschland) ums Leben. Außerdem etliche Entwicklungshelfer\*innen und Journalisten\*innen. Auf der afghanischen Seite ist die echte Zahl der Opfer nicht einmal beziffert. Schätzungsweise sind mehr als 110 000 Menschen (Zivilisten und Sicherheitskräfte) getötet worden. Viele Tausende Afghanen haben das Land verlassen müssen (Wenger u.a. 2021).

Die Kosten des Afghanistan-Einsatzes werden laut Watson Institut für Internationale Studien der Brown University allein durch die USA auf rund zwei Billionen Dollar geschätzt Tendenz steigend (Brown University 2021). Die Bundesrepublik Deutschland hat laut Bundesverteidigungsministerium über 12 Milliarden Euro Steuergelder allein für den Bundeswehreininsatz in Afghanistan ausgegeben (ARD-Hauptstadtstudio 2021).

Und die Fragen, die sich danach viele Menschen stellen, lauten: Wofür so viele Opfer, wofür diese immensen Kosten? Die Taliban sind zurück. Sie halten sich nun für unbesiegbar. Die Menschen in Afghanistan sind wieder einmal die Verlierer. Der amerikanische Präsident Joe Biden sagte in seiner Rede am 16.08.2021 zu den Zielen seines Landes in Afghanistan: „Our mission in Afghanistan was never supposed to have been nation building. It was never supposed to be creating a unified, centralized democracy“ (White House 2021).

Zurzeit herrschen in Afghanistan Chaos und Angst. „Alle wissen, dass die Zukunft schrecklich sein wird. Wir haben das Gefühl in einem Dschungel zu leben, nicht zu wissen, wann uns welches wilde Tier angreift. Der Stadt scheint man jede

Hoffnung genommen zu haben“, fasst ein ehemaliger Lehrer aus Kabul die Lage seines Landes aus seiner Sicht zusammen.

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## Forschung und Lehre

# ***Berbahasa Indonesia di Yerusalem — Speaking Indonesian in Jerusalem — A language encounter funded by the Small Grants Programme of the DGA***

Mirjam Lücking

*Kelihatannya sepele, cuma bahasa, tetapi konflik dan perang terjadi karena "lost in translation." Sewaktu acara ini dilaksanakan, saya terharu sekali bertemu orang Israel yang bisa berbahasa Indonesia. Semoga acara ini terus bisa berlanjut dan pesertanya bertambah banyak.*

It seems trivial, just language, but conflicts and wars occur because of being "lost in translation." When this event was held, I was very touched to meet Israelis who can speak Indonesian. Hopefully this event can continue, and the participants will increase.

(Arif Maftuhin, Indonesian participant in the project)

## **Introduction: Getting together in a “Warung Bahasa”**

Language can build bridges and, particularly in regions in which everything seems to be said and done, switching to a third language might open new pathways of understanding, as the quote above indicates. Speaking Indonesian in Jerusalem can broaden students’ horizons beyond their study of Indonesia in regard to transregional encounters. This was the initial thinking when planning a transcultural online encounter in the Indonesian language with Israeli, Palestinian and Indonesian students.

The special constellation of Indonesian, Israeli and Palestinian students revealed the influence of the relationship between language and power. For instance, Hebrew is seen as the “language of the occupation” by most Palestinians and Arabic is considered the holy language of the Qur’an for Muslims around the world, granting the language a superior status, including in Indonesia. Opting for Indonesian as the language of encounter created a more neutral atmosphere in a context where meeting people from the other “side” is often complicated.

During the academic year 2021/22, seventeen students and four lecturers from Israel, Palestine and Indonesia met for online encounters in the Indonesian

language. The project was named “Warung Bahasa,” meaning “language booth.” The Indonesian term *warung*, referring to an informal food kiosk, was meant to underline the flexibility and informality of getting together. Speaking *Bahasa Indonesia* in this constellation was new for the participants, who would usually resort to more dominant languages such as English, Arabic or Hebrew in their communication with one another.

For Israeli and Palestinian students, it was a welcome opportunity to practice their language skills with Indonesian people, whom they rarely meet, and for Indonesian participants it came as a surprise that people in the Middle East, which is widely seen as the historical center of Islam, learn the language of Indonesia—a perceived periphery in the Muslim world and a country that shares no diplomatic relations with Israel.

Naturally, conversing in a foreign language also fosters understanding of different cultural customs for expressing oneself. As the quote above indicates, the participants experienced “understanding” beyond the literal meaning of a specific vocabulary. Moreover, the Warung Bahasa supports the ability to speak in the language of one’s study/research area. This ability is also supported by a new Indonesian language study book for speakers of Palestinian Arabic. In addition to the personal encounters on the online meeting platform Zoom, the students were invited to lectures about Indonesian culture and society. The following report gives some background information and insights about the project.

## **Indonesian Studies in Israel and Palestine**

Since 2012/13, the Hebrew University’s department of Asian Studies has been offering courses on Indonesia and since 2013/14 Indonesian language courses as well. Having Indonesian studies in Israel is remarkable since the two countries share no diplomatic relations. Prof. Ronit Ricci has built a fruitful community of students and researchers, including an ERC project on interlinear translations in Javanese manuscripts.

At the same time, students on the other side of the separation wall, in Bethlehem and Hebron, study Bahasa Indonesia as well. An academic institution that must remain anonymous here offers language courses as part of their tourism studies program.

My own research on Indonesian religious tourism to Israel and the West Bank made me aware of the increasing interest in Indonesian language and culture in the Middle East. While one can find Indonesian cultural centers in Cairo and Amman, for people in and around Jerusalem creating connections with Indonesia and Indonesians remains a complicated matter and many Indonesian language students have never visited Indonesia.

The Small Grant Program of the German Association of Asian Studies (DGA) enabled an experimental language encounter between Israeli, Palestinian and

Indonesian students and the completion of an Indonesian-language study book for speakers of Palestinian Arabic. The fact that the funding came from a third unrelated party was helpful in light of the controversies about normalizing relationships with Israeli institutions. It is therefore important to note that even though the participants are members of specific institutions, the event was detached from institutional frameworks and several participants emphasized that they were participating as individuals and not as representatives of an institution or nation.

## **Project Activities**

On the one hand, the project allowed the completion of an Indonesian-language study book for speakers of Arabic, referring specifically to the Palestinian context. Mahmoud Abu Arqoub had worked on this book for more than two years with an Indonesian colleague and was now able to finish his work on it. On the other hand, the core of the project were online meetings for students from Israel, the West Bank and Indonesia. The aim of the meetings was to offer room for personal encounters and conversations in the Indonesian language.

Because of the COVID19 pandemic, the project had been planned as an online encounter from the beginning. The online format also meant that participation was free from concerns about entry permits or visa regulations, even though several students said after the meetings that they would like to meet in person one day. Participating in an online event is an easily accessible option to experiment with one's language skills, not demanding any further commitments. Most importantly, students established personal relations between one another and their language study was filled with life.

The participating students came from the disciplines of Asian Studies, Tourism Studies, Social Anthropology and Islamic- and Middle Eastern Studies from Jerusalem, Yogyakarta, Bethlehem and Hebron. The online meetings and the accompanying lectures were facilitated by Betty Susiarjo (The Hebrew University of Jerusalem), Mahmoud Abu Arqoub (from Hebron), Nor Ismah (Universitas Islam Negeri Yogyakarta) and Mirjam Lücking (The Hebrew University of Jerusalem).

The first online meeting started with a round of introductions and was followed by short presentations about everyday life in Israel, Palestine and Indonesia, which were further discussed in smaller groups in "breakout rooms." Since the second meeting took place on 28 October, which is the day of language in Indonesia, we discussed the significance of Indonesian language for Indonesian independence. In the second part of the meeting, students gave short presentations on music in Israel, Palestine and Indonesia.

The meetings were a platform to create ongoing connections between individual students. Moreover, the project activities motivated students of Indonesian language in the Middle East to pursue their studies and to reach out to fellow

students on both sides of the separation wall between Israel and the West Bank, and to students from Indonesia who study the Middle East.

For the project facilitators, the honorarium from the Small Grants Program funding was an important symbolic remuneration for their continuous endeavor to create fruitful relations at eye level between Indonesians, Israelis, and Palestinians. Bahasa Indonesia was elevated as a useful language for encounters in this constellation. The increasing interest in Bahasa Indonesia also shows acknowledgement of the growing (economic) relevance of Indonesia for the Middle East, in particular in the field of incoming tourism.

The project facilitators described their experiences as follows:

Original in Indonesian	English Translation
<p>Pengalaman saya di warung bahasa Indonesia, yang pertama saya sangat tertarik untuk acara-acara yang seperti ini biar membuat Palestina dan Israel lebih dekat dengan bahasa Indonesia dan budayanya, dan karena saya bukan orang asli Indonesia lebih bagus membuat saya lebih lancar berbahasa Indonesia. Semoga tetap terus menerus ke depan dan membesarkan warungnya menjadi toko, demikian terima kasih banyak kepada semua yang mengikuti program ini.</p>	<p>My experience at <i>Warung Bahasa Indonesia</i> is that firstly I am very interested in events like this so that Palestine and Israel get closer to the Indonesian language and culture. And because I am not a native Indonesian speaker, it is important to become more fluent in Indonesian. Hopefully we will continue and move forwards and grow from a small <i>warung</i> into a big shop (<i>toko</i>). So thank you very much to all who participated in this program. (Mahmoud Abu Arqoub)</p>
<p>Warung Bahasa Online itu ide yang menarik dan kreatif. Meskipun dalam situasi pandemi Covid, kita tidak terhalang untuk membangun jaringan dan kerja sama, terutama antara mahasiswa Indonesia, Palestina dan Israel. Acaranya juga seru karena Warung Bahasa Online membuka ruang bagi para peserta untuk berani berbicara dan bertanya dalam bahasa Indonesia, berbagi pengalaman dan pengetahuan tentang budaya masing-masing negara. Bahasa bisa menjembatani sekat, jarak, dan perbedaan budaya di antara mahasiswa. Semoga program ini tetap bisa dilaksanakan dan diikuti oleh mahasiswa yang lebih banyak lagi.</p>	<p><i>Warung Bahasa Online</i> is an interesting and creative idea. Even in the Covid pandemic situation, we are not hindered from building networks and cooperation, especially between Indonesian, Palestinian and Israeli students. The event was also fun because <i>Warung Bahasa Online</i> created space for participants to dare to speak and ask questions in Indonesian, share experiences and knowledge about the culture of each country. Language can bridge barriers, distances, and cultural differences between students. Hopefully this program can still be implemented and followed by more students. (Nor Ismah)</p>
<p>Bagi saya, tantangan terbesar menjadi seorang guru Bahasa Indonesia di Israel, adalah kurangnya interaksi dan kesempatan untuk mahasiswa-mahasiswa saya melatih berbicara bahasa Indonesia secara langsung. Sedangkan pemahaman sebuah bahasa itu terjadi bukanlah sekedar melalui pelajaran di kelas atau melalui teks, tapi dengan seringnya keterlibatan kita dengan interaksi dan percakapan bahasa tersebut dengan orang lain. Acara Warung Bahasa Indonesia di wilayah Israel dan Palestina ini memiliki posisi yang penting</p>	<p>For me, the biggest challenge of being an Indonesian teacher in Israel is the lack of interaction and opportunities for my students to practice speaking Indonesian directly. The understanding of a language depends not only on lessons in class or through texts, but on interactions and conversations with speakers of that language. The <i>Warung Bahasa Indonesia</i> event in Israel and Palestine has a very important meaning for all of us who live here. The experience of sharing stories, knowledge, culture, or just greetings and</p>

sekali untuk kita semua yang tinggal di sini. Adanya saling membagi sebuah cerita, pengetahuan, budaya, atau sekedar sapaan, perkenalan antara satu dan yang lain, cukup memperkaya pengalaman mereka yang sedang belajar bahasa ini dan juga dalam membuka diri mendengar, menerima, mengetahui tentang negara masing-masing. Saya tidak bisa berhenti mengatakan betapa unik dan berartinya pertemuan kita di Warung Bahasa. Dalam hal ini, saya merasa apa yang sudah dimulai, harus tetap dipertahankan, demi kebersamaan dan persahabatan kita di masa depan.

introductions between one another, is enough to enrich the experience of those who are learning this language and also open themselves to hearing, accepting and knowing about their respective countries. I can't stop saying how unique and meaningful our meeting at *Warung Bahasa* was. In this case, I feel that what has been started must be maintained, for the sake of our togetherness and friendship in the future.  
(Betty Susiarjo)

## Outlook

One presumption of the project was the existence of language hierarchies. Bahasa Indonesia is a language with one of the largest number of speakers in the world and yet, in international research on Indonesia, research results are more widely discussed and published in English, even if foreign scholars' work on Indonesia includes research in local languages. Creating a room where Bahasa Indonesia is the language of discussion and representation in an international context is an important step. For the participants, it was an enriching experience and the project partners aspire to realize future in-person meetings.

The DGA funding for the Warung Bahasa meetings and the Indonesian-language study book for Arabic speakers laid a meaningful foundation for future encounters between the Palestinian, Israeli and Indonesian participants of the program and for further academic analysis on the role of language in inter/trans-cultural encounters.

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## Forschung und Lehre

# SpEAKing: Language Skills as a Key for Contemporary Research on Southeast Asia

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### Summary

In order to connect language learning and other classes and to enhance the quality of language classes, the SpEAKing project at the Department for Southeast Asian Studies at the University of Bonn consists of four parts: digitalization of language learning materials, eTandems in cooperation with Universities in Southeast Asia, a module which combines Thai classes with classes on social and political issues in Thailand, and research practices classes together with Students from Southeast Asian Universities.

**Keywords:** cooperative learning, intercultural learning, digitalization, language learning, Southeast Asia

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## **Introduction**

A main advantage of area studies as a subject in universities is that language teaching can be integrated into classes on topical issues that the respective departments are dealing with (Platt 2006). In the case of the Department of Southeast Asian Studies at Bonn University, for instance, these issues include human-environment relations and labor networks, on which we regularly offer courses. Language skills are necessary for understanding social dynamics in the countries we are dealing with. This distinguishes area studies from, for instance, political or social sciences, which might also deal with the areas in question, but in which students and scholars often have to acquire language skills on their own. Our aim is to enable students to eventually use their language skills for their own research. The SpEAKing project aims to better integrate language classes and the contents of other courses. It also fosters digital learning methods as well as cooperative learning through tandem language learning and research exchange for students. The project is funded by the University of Bonn for three years and started in October 2021. SpEAKing consists of four pillars, namely digitalization of language classes, tandem learning, a new module on Thai language and society, as well as research exchange. The project will be accompanied by evaluations and feedback from students in order to measure the impacts of these pillars on learning progress and student' satisfaction.

## **Digitalization of language teaching materials**

For a few semesters, our department has digitalized most of the teaching material for Vietnamese classes. In addition to mandatory texts, vocabulary cards and assignments there are voluntary assignments for further study that students can access online. These additional assignments fit with the respective teaching unit. Digitalization came in handy during the coronavirus pandemic, and it can complement and in part replace traditional textbooks. We aim to implement such digitalization for Indonesian classes as well over the coming semesters. Our aim is a blended learning concept (Quade 2017) that relies on in-classroom teaching, but that also makes some digital elements obligatory for the classes and offers additional material in order to motivate the students toward further study.

## **Tandem learning**

In order to improve speaking skills we have started to integrate tandem learning sessions into our Indonesian teaching courses. We cooperate with the German Department of the Padjajaran University in Bandung, Indonesia, and use Zoom as a tool. Tandem learning will also be implemented for Vietnamese in the coming semesters. Our aim here is to enable the students to become capable of communicating in everyday situations and to get accustomed to talking to and understanding native speakers. The tandem classes are guided by both the teaching

staff from our department and our Southeast Asian counterparts. Topics for each session are given in advance so that the students can prepare. During the tandem sessions, teachers enter the breakout rooms and, if necessary, support and guide the students. Later, the tandem partners meet on their own and prepare presentations for the whole group. They are encouraged to use photos and other visual material which has been proven to be effective support. In this format, cultural understanding aligns with linguistic skills as we aim to improve the intercultural communicative competence (Byram 1997, 71) of both German and Southeast Asian students.

### **Research exchange**

In the research exchange, students from Southeast Asia visit our department in Bonn and students from Bonn visit students from Southeast Asia in order to conduct joint research projects that they prepare together. About five to seven students from a partner university in Southeast Asia visit the Department of Southeast Asia Studies at Bonn University during the summer semester and five to seven students (preferably those with high-level language skills) visit our partner universities in Southeast Asia during the winter semester. This is another opportunity to apply language skills. In the upcoming semester, we will start a research exchange with the Department of Anthropology at Universitas Indonesia in Depok, followed by research exchange with Universities in Vietnam and Thailand. Beside intercultural communicative competence, students can improve their intercultural awareness, especially in engaging with cultural informants and in intercultural communication both face-to-face and online (Baker 2011, 7).

### **Module on Thai language and social issues in Thailand**

Thai will be another language that we will offer in our department from 2022 onward. Thai classes are integrated into teaching modules which also cover political and ecological issues in Thailand. In this regard we also cooperate with teaching staff from universities in Thailand in order to explore trans-cultural teaching methods. With three languages, we aim to make our degree program more appealing for people who want to study Southeast Asian Studies. We intend to offer research exchange seminars later when the students have acquired some Thai language skills.

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Forschung und Lehre

## **Principles of Critical Development Studies: A Minifesto**

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### **Why we want to become the chair of “Critical Development Studies—Southeast Asia”**

Renaming the chair of “Comparative development and Cultural studies with a focus on Southeast Asia” to “Critical Development Studies—Southeast Asia” is the outcome of an intense intellectual, political and yet intimate process over the last three years. In autumn 2019 a group of international students from the MA Development Studies program reported the shock of experiencing racism in study groups and when looking for shared housing. While confined to online teaching, during class one student found the courage to share their experience of a racist incident on public transport in Passau, the perpetrator humiliating him before vanishing into anonymity.

These distressing and painful aggressions urged us to start reflecting on our responsibilities and capabilities, as a chair at the university, to act upon discrimination and racism which still permeate higher education, and the field we teach - development practice. During regular research labs over the last year, we read and discussed texts and debates from critical theory and perspectives from fields such as feminist political ecology (FPE), post-development, decolonial theory and new area studies. This process of learning, unlearning and relearning built up to this minifesto. Following Kallis (2018), we call this a minifesto because unlike a *manifesto*, which would present our grand theory or idea, we present here a collection of small but significant ideas. We believe these ideas and the commitment to pluralism will help shape the teaching practice and learning environment at the chair.

Through this process, we have come to the understanding of “Critical Development Studies” as a way of recognizing development studies and development practice

itself, as a power-laden field of knowledge production. As a collection of diverse practices, development is temporally and spatially situated, and is rooted in colonialism, mirroring histories in higher education institutions. Acknowledging these tensions we intend to keep the chair's origin in Southeast Asian Studies and yet work with critical academic perspectives in different social science disciplines to transform it into meaningful university research and teaching in the 21<sup>st</sup> century. The following sections outline the principles and epistemological communities which inform our teaching, research, and public engagement of critical development studies.

### **Addressing intersectional inequalities at the university and in development cooperation**

Oppressive structures are seldom one-dimensional. On the contrary, intersectionality suggests social identities are formed by various intersecting dimensions of oppression and privilege (Crenshaw 1991). Therefore, an intersectional approach allows us to understand the interlinkages between different forms of discrimination (Hoffmann 2021), enabling researchers to shed light on how different forms of inequality interact and may exacerbate each other. Furthermore, this approach does not understand inequalities as only accumulative but also co-constituting particular experiences of oppression (Crenshaw 1991; Mollett and Faria 2018). We believe that we need to address structural, political, and representational intersectionality in academia and development studies to realize the different potentials of both fields (Carastathis 2014). This involves raising awareness of the interconnection and co-constitution of different dimensions of discrimination based on race, class, gender, caste, sexuality, religion, ability, physical appearance, language etc., instead of treating them separately. Universities can play a significant role in reinforcing such structures if they are ignored or not sufficiently addressed. At the same time, this pivotal role carries great potential to drive social change.

We recognize the responsibility of the university to position itself in ongoing debates around power, privilege and intersectionality in the academic context and to act accordingly. Therefore, we seek to deconstruct social and cultural forms of power to reveal discrimination and privilege that are often not addressed in mainstream education and challenge them through research, teaching and public engagement. For instance, we support safe spaces for students to talk about racism and the university's ongoing anti-racism work (Lakshmana, Still and Padmanabhan 2021). Concrete activities include creating platforms for current debates in our weekly research colloquium and continuously developing our reading list to reflect plural epistemological approach to teaching. Furthermore, we offer an annual seminar introducing intersectionality and decoloniality, exploring what they mean in the context of higher education. These different activities are designed to

encourage critical reflections on power and intersectionality in our seminars and beyond.

### **Why we promote a relational approach to the social, political, and the ecological**

One of our aims is a critical reflection on various inequalities in development practices and scholarship. The metrics of development that delimit the 'developed' and 'developing' were established in the post-second world period, after the collapse of European empires (Escobar 1994). Despite the success of decolonization movements across the world, the new geopolitical order was rooted in existing colonial power structures. These historical underpinnings create imbalances between so-called developed and developing countries that are now being recognized and critically addressed. Such economic and political power imbalances, which manifest in multiple ways, create a culture and system of dominance and oppression that allows those members of society holding a dominant position to reap the benefits of the system, independent of whether they are supportive of it or not. This system of privilege is often referred to as invisible power or assets, as it often remains unacknowledged and obscured by institutional structures (Bhopal 2018). These systemic conditions are further obscured when experiences of inequality are presented as individual incidents instead of structural. Being able to overlook discriminatory patterns and systems of oppression is only possible from a position of privilege, therefore reflecting on positionality is essential to undoing these systemic inequalities (Idahosa and Bradbury 2020; Sultana 2007).

We therefore aim at learning and teaching about different ways of seeing that allows us to realize the links between location, positionality and intersectionality, and takes into account the relationality of our knowledge and experience (Padmanabhan 2022). Relationality assumes that the "meaning of self is never individual, but a shifting set of relations that we move in and out of, often without reflection" (Rowe 2005: 25). This being-in-relation points to understanding subjectivities as *starting from* the social relations which constitute our everyday life (Nightingale 2011). A politics of relation therefore centers belonging as a place to think from—to *critically* understand situatedness, positionality and intersectionality. To interrogate these different ways of seeing in the contexts of the university, we need to look at the relational conditions out of which our seeing arises.

There are many critical theoretical and methodological contributions which can be drawn on for this purpose. Feminist political ecology (FPE) seeks to understand how power operates within socio-ecological relations, focusing on intersectional perspectives that highlight everyday and marginalized experiences, such as multi-species caring practices and the co-constitution of human and non-human political subjectivities (Nightingale, 2013; Singh, 2013; Desai and Smith, 2018; Leder *et al.*,

2019; Sato and Soto Alarcón, 2019; Elmhirst, 2020; Harcourt, 2021; Sultana, 2021) This lens and the work by FPE enables us to understand what is meant by relationality in its most simple sense—experience as primarily *relational*, rather than through the prism of the individual (Rocheleau and Roth, 2007; Nightingale, 2011; Bawaka Country *et al.*, 2013; Padmanabhan 2022). This enables us to disrupt colonial ways of seeing that reduce complex relations to binaries and produce hierarchies based upon narrowly defined concepts of what it means to be human, such as heteronormativity, gender hierarchies, racial hierarchies, knowledge hierarchies. At the chair we therefore want to incorporate critical theory and method, such as FPE, that explicitly complicates the way in which human and more-than-human relations are represented and reproduced in the academic environment into our teaching syllabi and research.

### **Bringing area studies into conversation with critical development studies**

With its regional focus on Southeast Asia, the chair is committed to engaging with area studies and, in particular, to contributing to debates on decoloniality in the discipline. This includes the ethics of how we conduct research in Southeast Asia, the way we cooperate with partners and how international power structures in academia collide with approaches like transdisciplinarity (Padmanabhan 2018).

The University of Passau looks back on a long history of Southeast Asian Studies. In 1984, the University of Passau was the first German university to establish a chair in Southeast Asian Studies. Bernhard Dahm, the first chair to be appointed, shaped the character of Southeast Asian Studies at the university, focusing on the legacy of pre-colonial cultural traditions and its effect on countries in the post-colonial era. Courses on a range of topics, such as modern history, languages and literature, anthropology, urbanism and environment have been offered throughout the years. From the start, the syllabus of the chair included Southeast Asian language courses with close relationships to research and teaching agendas.

We are aware of this important heritage and intend to build on and continue our involvement in the field. The chair has developed strong networks inside and outside of academia with partners in Southeast Asia, in other Asian countries and in Europe, and continues to strengthen these collaborations through joint research and exchange. Currently, the research and teaching of the chair focuses on socially relevant issues in Southeast Asia including the analysis of development and transformation processes in urban and rural settings (Trotier 2021, Padmanabhan 2020), social-ecological research towards sustainable society-nature relations (Rudokova 2020, Keilbart this volume), intersectionality, gender inequality and decoloniality (Maimunah this volume). The aim to make situated knowledge on these topics visible and relevant in global debates motivates our engagement in research projects and classroom teaching alike.

Within the environment of the university, the chair aims to strengthen networks between different area studies and to elicit debates on diverse topics such as the role of area studies at (German) universities, fruitful cooperation between language training and lectures/seminars, and possibilities to advance the undergraduate International Cultural and Business Studies program.

### **The knowledge we consume, produce, and teach is “situated knowledge”**

The chair’s historical roots in Southeast Asian studies inform our thinking on the interlinkages between positionality, politics of representation, and reading lists (including citation practice) in academia. As scholars and scholar-activists as part of an institution of higher education, we represent “others,” but also “us,” through our research, writing, and teaching (Millora et al. 2019). These processes are central in knowledge production (Chua and Mathur 2018), but also in how we relate to and interact with other human and non-human existence. As co-constitution of margins and centers is embedded in academic practices, we emphasise how marginalization is reproduced in relation to the situatedness of knowledge claims (Sultana 2020). The shared concern in “research and practice that empowers and promotes social and ecological transformation for women and other marginalized groups” (Elmhirst 2020) in FPE informs this thinking (Still this volume, Maimunah this volume).

We acknowledge that where we speak from is a composition of our disciplinary backgrounds and positionality. The former are tightly linked to particular bodies of literature, while the latter is bound to particular culture and relations of power. These aspects have implications on the centering and marginalization of different ways of knowing and doing. Nevertheless, as a way to cultivate plurality of knowledge and avoid canonization, we investigate development studies using sets of concepts and practices instead of sets of texts and scholars. The choice of reading list and citation practice matter (see Mills 2021).

In addition, we are aware of how knowledge production in academia is shaped by broader political economy, which has implications on who is represented by whom, through what means, and whose knowledge counts. Therefore, in our international research collaborations and teaching, we recognize the precarity and the differentiated material conditions of other scholars and students (see for example Fernandez et al. 2018).

### **Knowledge only exists in plural**

Colonial ways of knowing and seeing have sought to reduce the multiplicity of ways of being in the world. Logics of civilization and progress, which fueled practices of exploitation and capital accumulation, were foundational to the colonial project. They continue to shape contemporary global processes such as



food production and consumption, knowledge production and extractivism. The moral, political, economic and social dimensions of these processes have become embedded in capitalist societies (Akram-Lodhi et al. 2021). The capitalist organization, for instance, of globalized food consumption, fossil fuel consumption, and international development practice has become normalized to the extent that the violence involved in capitalist modes of production and reproduction has become invisible. Assumptions about the supremacy of a particular type of scientific knowledge and accompanying ideologies of economic progress and growth reinforce this concealment of violence. The normalization of these practices and narratives, leaves little room for the multiplicity of knowledge and ways of being that inform and shape people's lives and their environments (Chakrabarty 2000).

These hegemonic ways of seeing and knowing in the field of development have their roots in the university and have been critiqued by anti-colonial thinking and practice in the Global South, as well as by other oppressed groups in the Global North, since pre-independence times (see for example, Cooper 1892; Kumarappa 1984). Whilst decoloniality as a political process has been historically related to the reclaiming of land, livelihood and self-governance (Tuck and Yang 2012), scholars have more recently been calling for a decolonization of the academe and knowledge production, as a key site of colonial control that has continuities in relation to how knowledge is produced and taught today (Bhambra, Gebrial, and Nişancıoğlu 2018). The decolonization of knowledge enables inquiry into the ways colonialism functioned in parts of the world where settler colonialism didn't occur such as in Southeast Asia (Bhambra et al. 2018). Post-colonial scholarship, unravels and contests the ways in which colonization occurs not only through the dispossession of land of indigenous communities, but also through knowledge production processes, cultural manipulation or appropriation, discourse or other forms of representation. This is integral to an understanding of the coloniality of knowledge (Spivak 1990, Mohanty 1984, Said 2016, see also Bhambra 2014).

Boaventura de Sousa Santos (2018, 2) argues that the epistemologies of the south have been made absent through post-colonial unequal relations of power. These epistemologies "...necessarily invoke other ontologies (disclosing modes of being otherwise, those of the oppressed and silenced peoples, peoples that have been radically excluded from the dominant modes of being and knowing)." We agree with de Sousa Santos that "redeeming them is an eminently political gesture" (ibid, pp.3) and one that is necessary for us as actors within the university, an institution involved in hegemonic knowledge production. Rather than contribute to the silencing, we want to explore the possibilities to change the conditions that maintain silences in the knowledge we draw upon for our teaching, research and public engagement. This position of relative power within the knowledge production process means that there is a possibility, through careful and creative inquiry and praxis (Laksmana forthcoming), to not only make visible the epistemologies that have been silenced or obscured but to engage with them in our

own practices of research, teaching and public engagement at the university. For example, in development studies we aim to bring into the curriculum and work with activist knowledge and experience that often contradicts conventional developmentalist thinking. Furthermore, as a chair with a focus on Southeast Asia, we believe it is important to consciously involve scholars from Southeast Asia who critically address issues of development and transformation, sustainable society-nature relations, as well as intersectional relations of power in all areas of our work—research, teaching and public engagement. We recognize these commitments to pluralizing knowledge production as an important act within a broader project of decolonizing the university.

### **We need to unlearn universities as centers in the “colonial matrix of power”**

Tracing the university’s colonial continuities is not a very difficult task. Coloniality is embedded in its materiality and memorialization practices, its economic foundations, the hegemony of scientific knowledge, and the Euro-American bias and whiteness of the curriculum. We can therefore “see” colonialism in both material things and immaterial practices at the university.

### **Materiality of colonialism in universities**

The coloniality of educational institutions is perhaps most visible in countries such as the UK, where the materiality of those institutions still embodies the colonialists themselves and their practices of “collection” of artefacts, culture and ethnographic data. This is evident in libraries, museums and statues that serve as a constant reminder (more often than not, a celebratory one) of the colonial histories that still condition everyday life in and outside the university. In Germany, controversies around the Berlin Humboldt Forum triggered a debate on the colonial amnesia of the German public and political leaders. In September 2021, the museum opened in the replica of the former Hohenzollern royal palace. Art pieces appropriated and plundered by German colonizers were relocated from Berlin Dahlem to the Humboldt Forum, despite longstanding repatriation demands, for example by the government of Nigeria.

Universities have also been sites of resistance against such colonial amnesia. The Rhodes Must Fall movement, which began at the University of Cape Town and later spread to universities across the African Continent, the UK and the US, called for a decolonization of university spaces and curricula (Bhambra et al. 2018). In removing the statue of Cecil Rhodes, they challenged the uncritical and often celebratory memorialization of Rhodes and drew attention to the multiple ways in which the university institution remained a colonial institution, overshadowed by statues of various colonial figures (Gebrial 2018).

## **Immateriality of colonialism in universities**

The symbolism of this acquired wealth is not only found in statues but also in the *types* of knowledge that are taught and *whose* knowledge(s) are given space in the curriculum. The collective colonial mindset, developed through an ideology of empire and white supremacy and inculcated through educational institutions (Horn 1988; Linne 2017), worked in tandem with extractive and exploitative economic policies and practices that reaffirmed the power of the colonial metropolises and their capitalist elite. Reflecting this system of oppression, universities today, founded with colonial wealth, maintain global social and economic hierarchies that were established during colonial rule, through homogenous curriculums that do not engage with knowledges outside the established norms of “the scientific,” and by working predominantly with scholarship from European or North American Institutions.

In German universities, whilst the materiality of colonial histories is less visible in statues and memorialization, the colonial continuities become apparent when students and institutions choose to investigate and reflect on their colonial past. At the chair, we are engaging with the history of former colonial schools whose successor institutions turned into sites of development studies. In North Hesse’s Witzenhausen, members of the chair have been learning how such an institution addresses the legacy of the “Colonial School for Agriculture, Trade and Industry,” which at the turn of the 20th century was established to educate young German men who were going to work as agricultural professionals in the former German colonies. Given the permeation of coloniality through institutions all over Germany, we welcome any collaboration with initiatives that seek to uncover the traces of colonial history in Passau. Such traces can, for instance, be found at the “Africa museum” in the Schweiklberg monastery Vilshofen, which exhibits artefacts and culture brought by missionaries to the district of Passau.

The historically engrained and interwoven power dynamics, or what Quijano (2000) more succinctly refers to as a “colonial matrix of power,” will continue to be maintained unless scholars and universities actively attempt to unlearn these normative practices and actively make space for other epistemologies and ontologies to inform teaching, research and public engagement.

## **Principles of Critical Development Studies at the University of Passau**

- Address intersectional inequalities at the university and in development cooperation
- Promote a relational approach to the social, political, and the ecological
- Bring area studies Southeast Asia into conversation with critical development studies

- Recognize the knowledge we consume, produce, and teach as “situated knowledge”
- Acknowledge and engage with a plurality of knowledge(s)
- Interrogate the role of universities in the “colonial matrix of power”
- Problematize the materiality and immateriality of colonialism in universities

The outlined principles are the results of an ongoing process of discussion. We invite students, researchers, activists, and practitioners to join the discussion. We welcome you to shape curricula, craft research, and create spaces with us where we can reflect together on “Critical Development Studies.” To get in touch, contact Prof Padmanabhan: [martina.padmanabhan@uni-passau.de](mailto:martina.padmanabhan@uni-passau.de).

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## **2021 Annual Meeting of the Working Group on Social Science Research on China (ASC), “Tensions and Conflicts”**

The Working Group on Social Science Research on China (ASC),  
November 26–27, 2021

### **Report by Marc Henrici**

The Working Group on Social Science Research on China (ASC) met for their 2021 annual meeting under the topic of “Tensions and Conflicts”. The meeting was held online on the 26th and 27th of November with around 55 members from Germany and abroad. The agenda consisted of three panels and one roundtable discussion. After a warm welcome and introduction by the organizers of the conference, Prof. Dr. Sabrina Habich-Sobiegalla and Prof. Dr. Genia Kostka, the first panel, titled “International Relations”, was chaired by Prof. Dr. Sarah Eaton. The first paper “Norm-maker SCO? The Shanghai Cooperation Organisation as a platform promoting China’s vision of a changed international order” by Dr. Eva Seiwert was discussed by Dr. Franziska Plümmer. The paper gives crucial insight in what an international order led by China could look like by focusing on the Shanghai Cooperation Organisation (SCO), which is an organization founded and led by China, as a case study. The paper was well received for its rich data and the importance of this case study. How to better organize the paper and to shift the focus more on the tensions were the main parts of the discussion. The second paper, “African Song and Dance: Racial Scandals and the Role of African Studies Experts in China” by Dr. Cheryl M. Schmitz, was discussed by Prof. Dr. Bettina Gransow. The paper examines two commentaries by Chinese African Studies scholars that were written in the aftermath of two alleged anti-Black racism incidents which happened during events organized by the Chinese State. Furthermore, the paper focused on the question of what is allowed to say in a context like this and how China scholars from outside China can interpret and understand these Chinese colleagues. The paper got great feedback for its excellent analysis of the two commentaries by the Chinese African Studies scholars. During the discussion Prof. Dr. Bettina Gransow gave three options to strengthen and sharpen the research purpose of the paper and suggested to put the analysis of racial scandals as a social phenomenon as main point for the paper. Other commentaries recommended to be more precise when talking about “the West” and also to include racism accusations not only from “the West” but from Africa as well.

After a short break, the meeting went on with the roundtable discussion “Mitigating threats to academic freedom in Germany: the role of the state, universities, learned societies and China” chaired by Prof. Dr. Elena Meyer-Clement with the discussants Dr. Andreas Fulda, David Missal and Prof. Dr. Björn Alpermann. The roundtable started with introductory statements of Andreas Fulda

and David Missal about academic freedom and self-censorship in academia and Germany. Björn Alpermann's response focused on the paper written by Fulda and Missal, pointing out some weaknesses in regards to the lack of a clear definition of academic freedom as well as to the vagueness and lacking evidence of some statements in the paper. The following discussion evolved around the paper itself, and academic freedom and self-censorship overall were discussed very intensively by many participants of the plenum. After an hour-long discussion, Genia Kostka ended the first day of the conference by thanking everyone for their engagement in the discussion.

The second day of the annual meeting started with the second panel on "Chinese domestic politics" led by Dr. Anna Ahlers. Prof. Dr. Doris Fischer discussed Dr. Christina Maags' paper "Elder care service development across China's urban-rural divide — The case of Hangzhou". The paper examines the development of elder care services in the city of Hangzhou. It shows that some explanations in the existing literature are not really helpful to explain the regional distribution of elderly care where other explanations fit better. Prof. Dr. Doris Fischer recommended to change the narrative of the paper by starting with the puzzle that elderly care in Hangzhou seems to be good but is not located in the center. She also suggested to make more explanations of specific terms and include more about the limitations of the study. Overall, the paper was praised for its rich description of Hangzhou and the commentators enjoyed reading it. The next paper with the title "Digital Doubters in Different Political and Cultural Contexts: Comparing Citizen Attitudes Across Three Major Digital Technologies" written by Prof. Dr. Genia Kostka was debated by Prof. Dr. Christian Göbel. The paper argues that digital doubters have been overlooked and wants to explore who these people are. Data is gathered through three online surveys about the Social Credit System in China, Facial Recognition Technology in Switzerland, Germany, the UK and the US and COVID-19 Tracking apps in Switzerland, Germany and the US. The following discussion evolved about questions in regards to the research question, the theory, the data and the results. The paper was overall appealing to the audience because of its important and academically relevant question with major policy implications but some issues with regards to the literature review and methodological concerns were raised in the subsequent debate.

The third panel started after the break with Prof. Dr. Tobias ten Brink as chair and addressed the topic of "Skill Formation and Economic Upgrading". Dr. Armin Müller jumped in for Prof. Dr. Boy Lüthje for the discussion of Dr. Isabelle Harbrecht's paper "China's Quest for Talent". The paper is about the vocational school system in China and uses data gained from a three-year panel study from two vocational high-schools in Shanghai. It is argued that China could improve its vocational education system through the strengthening of students' motivations, the improvement of the internship organization and the offering of more development opportunities in order to reach the Chinese goal of a nation of high-income status. During the discussion it was suggested to further streamline,



integrate and restructure some parts of the paper. It was also concluded that more work on the methodological and theoretical parts should be done. The paper was praised for its in-depth data. The next paper with the title “The Cooperation of Schools and Enterprises Collective Action Problems in China’s Skill Formation Systems in the 21st century” was authored by Dr. Armin Müller and discussed by Dr. Julia Marinaccio. The study concentrates on the cooperation between vocational colleges and companies and how they handle institutional weaknesses and market failure. Dr. Julia Marinaccio had recommendations in regards to the two research questions and the structure of the paper. She recommended to formulate a new research question, to restructure some parts of the paper and consider to write two different research articles instead of one paper. The paper was highly acclaimed for its well-done research, the timeliness of the topic and the rich data. The last paper “Chinese blue-collar workers — moving on to decent work? A psychological contract perspective of current HR practices” was written by Marina Schmitz. The paper focuses on HR practices and how they decrease the turnover rate among Chinese blue-collar workers in 22 German subsidiaries in China’s coastal provinces. The article concludes that Chinese blue-collar workers not only focus on the security of their material safety, but also see value in the company’s contribution to their personal development and organizational support which decreases the possibility to leave the company. The discussion evolved around questions about data gathering the turnover rate. The paper was overall well received by the plenum. The 2021 ASC Digital Conference then ended with concluding words by Prof. Dr. Sabrina Habich-Sobieggalla and Prof. Dr. Genia Kostka who thanked the participants for their participation and appreciated the engagement in the discussions.

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## **6th Annual Conference, Bangladesh Studies Network**

SAI Heidelberg, 29.–30. Oktober 2021

### **Bericht von Hans Harder**

Das Bangladesh Studies Network ist ein informelles Netzwerk von Forschenden in Europa zu Bangladesch-relevanten Themen. Es wird von Dr. Manpreet Kaur Janeja koordiniert und hat nach coronabedingtem Aussetzen im Herbst 2021 zum sechsten Mal getagt. Ausgerichtet wurde das diesjährige Treffen gemeinschaftlich von Manpreet Kaur Janeja, Max Stille und Hans Harder an der Abteilung Neusprachliche Südasiestudien am Südasien-Institut (SAI) der Universität Heidelberg in den neuen Räumlichkeiten des CATS (Centrum für Asien- und Transkulturelle Studien). Finanziell unterstützt wurde es durch einen Small Grant der Deutschen Gesellschaft für Asienkunde (DGA).

Mit etwa 25 Teilnehmenden war die Tagung gut besucht. Neben den Vortragenden und unmittelbar Involvierten nahmen auch Kolleginnen, Kollegen und Interessierte aus dem Institutsumfeld aktiv an der Tagung teil. Allerdings konnten drei auf dem Programm ausgewiesene Vortragende (Tareq Hasan, Sumaya Shantonu Haque, Masudur Rahman) aus verschiedenen Gründen nicht zur Konferenz erscheinen. Die Zulassung zur Tagung erfolgte nach 3G-Richtlinien. Dadurch, dass die Tagung im geräumigen Hörsaal stattfinden konnte, war die Einhaltung von Mindestabständen unproblematisch.

Die zweitägige Veranstaltung war in insgesamt fünf Panels und zwei separate Diskussionen aufgeteilt. Das erste Panel zum Thema „State“ wurde von Prof. Harun-or-Rashid geleitet, bangladeschischer Gastprofessor („Bangabandhu Chair“) am Südasien-Institut. Bablu Chakma (Kassel) berichtete von seinen Forschungen zum Umgang minoritärer ethnischer Gruppen in den Chittagong Hill Tracts mit staatlicher Obrigkeit vor Ort. Hosna Jahan (Hamburg) beschäftigte sich mit den sich wandelnden Formen öffentlicher Proteste in Bangladesch, und Mostafizur Rahman (Heidelberg) besprach Aspekte der bangladeschischen Wirtschaftspolitik unter Sheikh Mujibur Rahman und in der Folgezeit. Alle Beiträge führten zu lebhaften fachlichen Diskussionen.

Das zweite Panel zum Thema „Class“ leitete Dr. Wolfgang Peter Zingel, ehemaliger Mitarbeiter der Abteilung Entwicklungsökonomie am Südasien-Institut. Dina M. Siddiqi (New York) diskutierte die Verwerfungen und prekären Situationen, die die Corona-Pandemie für die Arbeiterschaft in Bangladesch mit sich gebracht hat, und Marie Percot (Nantes) berichtete von ihrer Feldforschung in Hatia und Golfstaaten, wobei sie sehr eindringlich die extrem harten Bedingungen der aus Hatia stammenden Arbeitsmigranten beleuchtete. Im Anschluss wurden in einer Podiumsdiskussion Aufstellung und Probleme der Bangladesch-Studien in verschiedenen europäischen Ländern und den USA dargestellt und besprochen. Der Tag endete mit einem Abendessen in der Heidelberger Altstadt.

Der zweite Konferenztage begann mit einem Panel über „Challenges“, das von Dina M. Siddiqi geleitet wurde. Es sprach zunächst Nadiruzzaman (Hamburg) über den Konflikt zwischen verschiedenen lokalen und internationalen Ansätzen mit Blick auf Naturschutz in den Sundarbans, dem weltgrößten Mangrovenwald im südlichen Gangesdelta. Im Anschluss stellte Davis Lewis (London) ein neues Projekt vor, das sich mit der Rolle von Beratung in Entwicklungsansätzen im Vergleich von Bangladesch und Sri Lanka beschäftigt.

Im zweiten Vormittagspanel („Dynamics“) unter Manpreet Kaur Janejas Leitung referierten Aniruddha Kar und Dieter Reinhardt (Heidelberg) über ihr derzeit in Heidelberg laufendes Projekt zur bangladeschischen Diaspora in Deutschland und insbesondere zur Situation der hier von Bangladeschis betriebenen Moscheen. Deborshi Chakraborty (Berlin) präsentierte seine Arbeit zur früheren Geschichte des bengalischen Sprachnationalismus und schilderte die Aktivitäten des Muslim Sahitya Samaj in der ersten Hälfte des 20. Jahrhunderts. Das Vormittagspanel wurde beendet mit einer Buchpräsentation von Max Stille (Wetzlar/Heidelberg), der in die Themen und Fragestellungen seiner Monografie „Islamic Sermons and Public Piety in Bangladesh: The Poetics of Popular Preaching“ einführte und mit dem Publikum diskutierte.



Nach einem durch einen Caterer angelieferten Mittagessen fand das fünfte und letzte Panel unter der Überschrift „Time“ statt. Hier präsentierte zuerst Andrea Priori (Rom) seine soziologische Studie der religiösen Vorstellungen und migrationsbezogenen Erwartungen bangladeschischer Migranten in Italien. Danach diskutierte Aniruddha Kar (Heidelberg) anhand einiger Interviews die Lage der sogenannten „Biharis“, 1947 aus Nordindien nach Ostpakistan migrierter Muslime, im heutigen Bangladesch. In einer kurzen Abschlussdiskussion wurden Vorlauf und Ergebnisse der Zusammenkunft positiv kommentiert und Ideen für das Zusammentreffen 2022 ausgetauscht.

Diese Konferenz hat durch ihr Format und ihr Niveau überzeugt. Der Kreis der Teilnehmenden war aufgrund der schwierigen internationalen Reisebedingungen relativ klein, der lange vermisste persönliche Austausch war um so intensiver. Die Diskussionen waren durchweg angeregt, bisweilen kontrovers, immer aber sachorientiert, offen und fair. Das Netzwerk bleibt ein einzigartiges Forum für die Vernetzung von Wissenschaftlerinnen und Wissenschaftlern, die zu Bangladesch forschen.

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## **5th World Conference of Chinese Studies 2021**

DCG/WACS, Witten/Brüssel, 7.–9. August 2021

### **Bericht von Thomas Weyrauch**

Mit 122 ReferentInnen aus der Volksrepublik China, der Republik China (Taiwan), der Republik Korea, Spanien, Deutschland, den USA, der Türkei, Japan, Indien, dem Iran und der Schweiz fand die inzwischen 5. World Conference of Chinese Studies vom 7.–9. August 2021 sowohl in Witten als auch in Brüssel statt.

Die Jahrestagungen der World Association for Chinese Studies (WACS) werden seit 2017 gemeinsam mit der Deutschen China-Gesellschaft (DCG) ausgerichtet und versammeln jedes Jahr im August zwischen 100 und 150 ReferentInnen in zwei Städten Europas. Einer der beiden Orte (7.–8. August 2021) ist grundsätzlich die Universität Witten/Herdecke in Deutschland, wo sich auch das DCG-Büro befindet. Andere Orte waren in den Jahren zuvor Brüssel, Wien, Paris und London.

Die Idee zu dieser Konferenz entstand aus dem Wunsch, chinesischen und amerikanischen KollegInnen die halbe Flugdistanz für ein Treffen in den USA oder China zu ersparen. Normalerweise nutzen auch TeilnehmerInnen aus Russland und Spanien diese Mittelpunktfunktion in Nord-Süd-Richtung. Wegen der Corona-Lage fehlte diesmal Russland auf der Teilnehmerliste. Zudem nahmen die meisten ostasiatischen WissenschaftlerInnen nur online teil.

Thematisch bot diese Konferenz in der Tradition der Veranstaltungen der Vorjahre ein breites Spektrum. Regelmäßiger Schwerpunkt war wieder „Redology“, die Erforschung des Romans Honglou Meng (Traum der roten Kammer), in englischer Sprache „Dream of the Red Mansion“. Darüber hinaus wurden Panels angeboten, zu denen „Chinese Philosophy in Dialogue“, „Digital Media and Culture“, „History of Chinese Studies“, „Practical Translation Issues“, „Linguistics of Classical Chinese“, „Chinese History“, „Traditional Literature“, „Scoring in China and Germany“, „Ethnology“, „Qing Translation Politics“, „Psychology“, „Philosophy from the Western Perspective“, „Modern Literature“, „China and India“, „Contemporary Literature“, „Culture & Communication“ sowie „China’s Modernization“ gehörten.

Grußworte vom Vizepräsidenten der Universität Witten/Herdecke Jan Ehlers, WACS- und DCG-Präsidenten Martin Woesler und dem Schweizer Juristen und Sinologen Harro von Senger eröffneten die durchaus anstrengende Tagung mit einer beachtlichen Dichte an Beiträgen. Doch jeder der 122 Vorträge dürfte ein Gewinn für die Konferenz und ein Nachweis des Forschungsstandes sein.

Darüber hinaus stuft der Berichterstatter einige der Präsentationen als besonders erwähnenswert ein. So etwa die brillante Darstellung des Niedergangs der Qing-Dynastie durch George „Sam“ Crane. Sein Thema „Philosophical Reasons for Political Instability in Imperial China“ untersuchte den philosophischen Anspruch

sowohl des Konfuzianismus als auch des Legalismus an eine Monarchie, sie müsse hochgradig zentralistisch organisiert sein, um staatliche Stabilität zu gewähren. Tatsächlich habe aber das sture Beharren auf jenen philosophischen Dogmen zum Zerfall der kaiserlichen Herrschaft beigetragen.

Mandana Hassanbeigis Auseinandersetzung mit dem iranischen Nationalepos *Shānāmeh* des Dichters Abū I-Qāsim Firdausī (940–1020) „The connection between Turan and China in Literature works ‚Shahnameh‘ as resource“ ist gleichermaßen hervorzuheben. In dem über drei Dekaden niedergeschriebenen Buch Firdausīs finden sich Erwähnungen der Beziehungen zwischen der „Turan“, der mythischen zentralasiatischen Urheimat der Turkmenen, und China.

Liang Shihe (梁世和) befasste sich in seinem Thema „Pursuing The Way to Solve the Collisions Between Different Civilizations“ mit dem vietnamesischen Mönch Thích Nhất Hạnh (\*1926) und seinem buddhistischen Engagement, das neben dem Bemühen um Ausgleich, Frieden und Umweltschutz auch den Dialog mit dem Christentum fördert.

Eine Vielzahl deutscher ReferentInnen griffen Fragen zur modernen Datenverarbeitung und zum Sozialkreditsystem Chinas (Lars Nowak, Martin Warnke und Martin Woesler) auf oder wandten sich philosophischen Betrachtungen (Uwe an der Heiden, Gabriele Holz, Helmut Schneider) zu. Zur letzteren Gruppe zählt Karl-Heinz Pohl mit „The Contribution of Mencius on Chinese Thought“.

Unter den geschichtlichen Themen war Yasser Nassers Untersuchung „Making Friendship: Asian Solidarity in India and China, 1949–1956“ besonders erhellend. Die heutige Rivalität beider Länder existierte nach der Gründung beider Staaten noch nicht. Die Beziehung zwischen Jawaharlal Nehru und Zhou Enlai einerseits sowie Vorstellungen einer friedlichen Koexistenz andererseits waren zunächst eine gute Basis für beide Staaten.

Aktuelle politische Angelegenheiten kamen bei der Veranstaltung nicht zu kurz. So setzte sich etwa Martin Woesler in seiner Darstellung „China and the West — System Comparison“ mit Unterschieden auseinander, wie China und westliche Länder beispielsweise mit dem Daten- und Umweltschutz, der Ethik, der Bedeutung von Freiheit und Glück, geopolitischen Strategien oder internationalen Vertragswerken und Organisationen verfahren.

Diese Thematik ist eng verzahnt mit Luo Huilings (罗慧玲) Vortrag „China’s Smart Power in the Actual Grand Chessboard“. Ihre Untersuchung betraf Chinas Smart Power in der internationalen Partizipation oder die Einführung chinesischer Theorien und Normen in die Weltordnung.

Sabina Knights Ausführung „‚Lying flat‘ (躺平) and the Wages of Desire“ griff ein besonderes Phänomen der jugendlichen Subkultur auf. Tǎng píng (躺平), „Flach liegen“, ist zu einem Slogan junger Menschen geworden, die sich Xi Jinpings „chinesischem Traum“ (中国梦) und sämtlichen damit zusammenhängenden

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sozialen Normen verweigern. Das „Flachliegen“ sei – so Knights – im Allgemeinen eher ein Lebensstil als eine soziale Bewegung. Doch die Enttäuschung junger Menschen verdichte sich zu einer neuen „Nicht-Kooperationsbewegung“.

Wie in den Vorjahren, so werden auch die Verträge der 5th World Conference of Chinese Studies des Jahres 2021 in einer umfangreichen Publikation der Academic Press of the USA und des Europäischen Universitätsverlages erscheinen.

Inzwischen können sich bereits WissenschaftlerInnen für ihre Teilnahme an der 6th World Conference of Chinese Studies für die Zeit zwischen dem 12. und 14. August 2022 in Witten und Berlin unter dem Link <http://shijiehanxue.mikecrm.com/x0UJTU2> anmelden.

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## **Neues Format: Virtuelle DGA-Roundtable-Reihe zu Schwerpunktthemen der Asienforschung**

Erster Roundtable, 26. November 2021

### **Bericht von Nele Noesselt**

Dem Ziel verpflichtet, der Pluralität der Sichtweisen, Interpretationsansätze und Meinungen der China- und Asienforscher\*innen ein Forum zu bieten, hat der seit 2021 im Amt befindliche Vorstand der DGA ein neues Format ins Leben gerufen: eine virtuelle Roundtable-Reihe, mittels derer der Austausch mit der interessierten Öffentlichkeit und insbesondere mit Vertreter\*innen aus Politik und Wirtschaft gesucht werden soll.

Die Debatte über den Indo-Pazifik und die potentielle Herausforderung der liberalen regelbasierten internationalen Ordnung durch die VR China verdeutlicht, dass es ein breites Interesse an Analysen der gegenwärtigen Entwicklungen in Asien und ihren möglichen Implikationen für die zukünftige Ausgestaltung regionaler und globaler Ordnungsstrukturen gibt. Vor diesem Hintergrund ist es essenziell, der Asienforschung einen Raum zu erschließen, die Vielschichtigkeit der historischen und gegenwärtigen Akteurskonstellationen ebenso wie ihre philosophisch-kulturellen Grundlagen im offenen Gespräch theoriegeleitet und basierend auf aktuellen Forschungsergebnissen darzulegen und damit zu einer nuancierteren Bewertung dieser Entwicklungen beizutragen.

Den Auftakt der virtuellen DGA-Reihe bildete der Roundtable „China, Deutschland und die Chinawissenschaften in Geschichte und Gegenwart. Politische Kontexte — wissenschaftliche Positionen — gesellschaftliche Rollen(zuschreibungen)“, der am 26. November 2021 von 18:15 bis 19:30 Uhr via Zoom durchgeführt wurde. Die Bestandsaufnahme der Geschichte und Gegenwart der China-Analyse erfolgte aus vier sich ergänzenden Perspektiven. Prof. Dr. Mechthild Leutner (Berlin) und Prof. Dr. Susanne Weigelin-Schwiedrzik (Wien) widmeten sich in ihren Beiträgen dem Wandel der China-Forschung unter Berücksichtigung der jeweiligen politischen Rahmenbedingungen und den sich über die Zeit, nicht zuletzt durch Veränderungen der weltpolitischen Lage, verschiebenden (mitunter stereotypen) China-Bildern. Prof. Dr. Thomas Heberer (Duisburg-Essen) thematisierte die zentrale Funktion von Feldforschung für das Verständnis der chinesischen Politik und Gesellschaft unter Rückgriff auf seine Erfahrungen während langjähriger Forschungsaufenthalte in der VR China im ländlichen wie im urbanen Raum. Prof. Dr. Markus Taube (Duisburg-Essen) unterstrich in seinen Ausführungen die Bedeutung der Kombination fachdisziplinärer Theorien und Modelle (BWL, VWL) mit Sprach- und Kulturkompetenz für die Gegenwart und Zukunft der wirtschaftswissenschaftlichen Lehre und Forschung zu China. Auf die Input-Statements der vier Vortragenden folgte die Diskussion von Fragen und Kommentaren aus dem virtuell zugeschalteten Publikum.



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Die Reihe wird 2022 fortgesetzt – auf dem Programm stehen u. a. die aktuellen Entwicklungen in und um Korea sowie die Analyse der neuen Akteurskonstellationen im Indo-Pazifik.

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**Lin Chu-mei 林初梅 / Yoshida Shingo 吉田真悟: T'ai-wan Hua-yü 台灣華語 [Taiwanese Mandarin]**

Osaka 大阪: Osaka University Press 大阪大學出版會, 2022. 233 pp., 2600 Yen (plus taxes). Also available in electronic form.

**Review by Thilo Diefenbach**

I have to admit this is the first time that I write a review about a book which is mostly written in a language I cannot understand. This textbook, consisting of 30 lessons, was written for Japanese students and is meant to teach them not only some specifics about Taiwanese Mandarin (in comparison with the “standard language/ *putonghua* 普通話” spoken in China), but also about the languages and writing systems of Taiwan in general, as well as the historical, cultural and political background of Taiwan’s current linguistic situation. This means, of course, that all of the commentaries and grammatical explanations are written in Japanese and therefore incomprehensible to me. The reason why I write this review in spite of this is that I can at least understand the main text of each lesson since it is written in (Taiwanese) Mandarin. And it is exactly because of the highly informative content of these lessons that I want to recommend this book to Europeans who are interested in the languages of Taiwan.

This book is No. 18 in a series which presents languages from all over the world (No. 2 being, by the way, dedicated to “*Zhongguo yu* 中國語”, which might be understood as “The languages of China”, but in reality is supposed to mean “Chinese Mandarin”). It consists of three parts. The first one introduces the historical background of Taiwan’s language situation from prehistoric times until today, the second part aims to define and explain the characteristics of “Taiwanese Mandarin”, and the third part provides more details about Taiwan’s multilingual and multicultural landscape, for example the various ways in which the different languages—aboriginal idioms, Taiwanese 台語, Hakka 客語, Japanese 日語—influenced each other.

Two thirds of the 30 lessons were authored by Lin Chu-mei 林初梅, a Taiwanese professor teaching at the Department of Languages and Cultures at Osaka University. While she provides a kind of “insider’s view”, her Japanese co-author Yoshida Shingo 吉田真悟 (who used to teach at the same department as Lin before changing to Hitotsubashi University 一橋大學) often describes his experiences with the languages of Taiwan from his viewpoint as a foreigner. The fact that both authors regularly mention their personal experiences, be it from their everyday life or from their field trips, adds to the liveliness of the lessons. After each text, the authors provide a vocabulary list that contains the meaning and the pronunciation of certain words, which is especially helpful since they always point

out differences between Taiwanese and Chinese Mandarin, for example for the word 夾帶: *jiádài* in Taiwan, *jiādài* in China. They also mark colloquial 俗 pronunciations common in Taiwan, such as *piànjí* instead of *biànjí* 遍及.

Just in order to give an impression of the range of topics touched upon by the authors: lesson No. 2 offers an insight into the different dialects of Taiwanese and Hakka, No. 3 and 4 explore the connection between language and identity in Taiwan, No. 6 explains the history and language situation of those aboriginal tribes that are known as “lowlanders 平埔族”, and No. 10 even informs us about the growing importance of Taiwanese languages in the curriculum for national schools at the elementary level: since the latest reform, carried out in 2019, pupils from the 1st until the 6th grade have been able to choose one of Taiwan’s “local languages 本土語言” or one of the “languages of new immigrants 新住民語言” such as Vietnamese, Thai or Indonesian. This chapter is especially interesting since it demonstrates how languages other than Mandarin, after a long period of marginalization and neglect, gradually have increased in importance and today even enjoy governmental support. Some chapters in the second part of the book introduce the various writing systems that were or are used in Taiwan, including the Mandarin Phonetic Symbols 注音符號, also known as Bopomofo ㄅㄆㄇㄏ (lesson No. 14). No. 16 then goes on to explain the reasons for the sometimes confusing multitude of transcription methods for Mandarin which, for example, can often be found on street signs or shop signs. No. 19 introduces some specimen of current “internet slang 網路語言”, which is influenced both by Taiwanese and Japanese. One of the most fascinating lessons is No. 20, which shows how much Taiwanese and Chinese Mandarin may differ when it comes to translations. Here, Professor Lin offers some photographs which show that in Japan, texts in public places (stores, monuments, train stations) are sometimes translated into two kinds of written Mandarin — simplified characters (used in China and some other countries such as Singapore and Malaysia) and traditional ones (used in Taiwan and Hongkong). The surprising detail is that these translations differ not only in their set of characters, but also in style, expression and tone. For example, the Japanese phrase “Pets allowed” reads “You can take your pets inside 可攜帶寵物” in the simplified version and “Your pets may accompany you 寵物可以隨行” in the traditional writing system, indicating that animals are seen as a mere “thing” in China, but as a companion in Taiwan. Other chapters are dedicated to the Taiwanese language and its writing systems, such as the one known as Pêh-ōe-jī or Church romanization (No. 21). When written with Sinitic Characters, Taiwanese sometimes can be downright funny, for example in the phrase 蛙愛呆玩, which to the uninitiated seems to mean “frogs like to play foolishly”, while in reality it is supposed to mean “I love Taiwan”! Lesson No. 23 explains why television programs in Taiwan are almost always equipped with subtitles in Mandarin (but nearly never in Taiwanese), and No. 25 analyzes the different terms that can be used for Taiwanese (T’ai-yü 台語, Min-nan 閩南, Ho-lo 河洛 / 鶴佬 / 福佬). Nos. 26, 27

and 28 are three lessons that actually do require a certain knowledge of Japanese since they name some examples for Taiwanese and Taiwanese Mandarin words that derive from Japanese vocabulary. The same is true for lesson 29, where we get to know about the so-called Yilan creole 宜蘭克里奧語, a mixture of Japanese and Atayal. And finally, lesson No. 30 describes the role of the “languages of new immigrants” in today’s Taiwan in more detail.

The book also contains a brochure with Japanese translations of all lesson texts and a QR code that leads to a website on which all 30 lessons are read out in flawless Taiwanese Mandarin.

It is to be hoped that this very useful and interesting book will be translated into one or more European languages soon, even though it might also be put to good use in European seminars in its original form. However, teachers should be aware that the lessons do have a certain level of difficulty and are definitely only suitable for students who have a solid knowledge of Mandarin, China and Taiwan. For them, this book will prove extremely valuable.

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## **Yuanshi Bu: Chinese Civil Code — The General Part**

Baden Baden: Nomos, 2019. 264 S., 170 EUR (gebundene Ausgabe), ISBN 978-3-406-71478-8

### **Rezension von Thomas Weyrauch**

Als der Rezensent vor 45 Jahren den Allgemeinen Teil des Bürgerlichen Gesetzbuches studierte, befand sich die Volksrepublik China in der Kulturrevolution und damit in einer rechtlichen Wüstenlandschaft. Mao Zedong hatte mit der Machtübernahme 1949 alles „reaktionäre“ Recht der Republik China für nichtig erklärt, darunter das Zivilgesetz, das seine Wurzeln im deutschen BGB hatte. Rechtsneuerungen ließen jedoch bis zum Tod Maos auf sich warten. Dann war die Zeit gekommen: Gerade im Zivilrecht schossen von den 1980er Jahren an Gesetze wie Pilze aus dem Boden, doch sollte das Inkrafttreten eines Zivilgesetzbuches (*Zhonghua renmin gongheguo minfa dian* 中华人民共和国民法典, kurz: *Minfa*) bis zum 1. Januar 2021 dauern.

Diese Kodifikation fußt auf der römischrechtlichen Pandektentradition, hat das deutsche BGB zum Vorbild und besteht aus 1260 Artikeln. Sie ist folgendermaßen gegliedert:

Teil I Allgemeine Bestimmungen (Artikel 1–204),

Teil II Eigentumsrechte (Artikel 205–462),

Teil III Verträge (Artikel 463–988),

Teil IV Persönlichkeitsrechte (Artikel 989–1039),

Teil VI Ehe und Familie (Artikel 1040–1118),

Teil VI Erbschaft (Artikel 1119–1163),

Teil VII Haftung für unerlaubte Handlungen (Artikel 1164–1258),

Übergangs- und Schlussvorschriften (Artikel 1259–1260).

Die Freiburger Rechtsordinaria Bu Yuanshi hatte dem Zivilrecht der Volksrepublik China in ihrer Arbeit „Einführung in das Recht Chinas“ bereits 2009 und in 2. Auflage 2016 breiten Raum gewidmet. Aus diesem Grund ist es naheliegend, dass Bu nun auch ein Lehrbuch zu dieser brandneuen Kodifikation vorlegt. Allerdings betrifft ihr Werk zunächst nur die Allgemeinen Bestimmungen (*Zongze* 总则). Vergleichbar mit ähnlichen deutschrechtlichen Lehrbüchern von Brox oder Stadler, aber ungleich spannender und farbiger, präsentiert Bu die noch nicht abgeschlossene Genese der chinesischen Zivilistik, fragt nach Urhebern des Gesetzeswerkes, ihren Motiven und Theoriendebatten. Gerade kontinentaleuropäischen Jurist\*innen (D, F, A, CH) werden zwar die Inhalte bekannt vorkommen, doch wird ihnen nicht verborgen bleiben, dass das Gesetz ein

Produkt des 21. Jahrhunderts ist, wie etwa der Schutz persönlicher Daten in Art. 111 offenbart (86).

Im ersten Teil, der Einführung und den Erläuterungen der Grundprinzipien, schildert sie die Entstehungsgeschichte des *Minfa*, die Rechtfertigung seiner Entstehung, die Technik der Kodifikation, ihre Beziehung zu anderen Rechtsquellen, die Teilnahme von Wissenschaftler\*innen und schließlich die Rolle des deutschen Rechts als Vorbild. Teil II behandelt die Person (natürliche, juristische Personen sowie nichtjuristische Personenorganisationen). In den folgenden Teilen führt Bu die Leser\*innen in die subjektiven Rechte, Rechtsgeschäfte (mit Willenserklärungen und Rechtswirkungen), die Stellvertretung, die zivilrechtliche Haftung und die Fristen bzw. Verjährungen ein.

Dass die Verfasser\*innen des Gesetzes nicht blind den Rechtsvorbildern folgten, sondern sehr analytisch vorgehen und sich mit ihnen kritisch auseinandersetzen, zeigen Passagen wie z. B. die zur zivilrechtlichen Haftung, in denen etwa Wei Zhenying, der 2016 verstorbene Mitverfasser der Allgemeinen Prinzipien des Zivilgesetzes und Professor der juristischen Fakultät der Beijing Universität, zitiert wird, der hervorhob, das deutsche BGB habe kein entsprechendes Kapitel über die zivilrechtliche Haftung, da es Schuld und Haftung vermenge (182).

Ein anderes Beispiel der Auseinandersetzung mit Rechtsvorbildern findet sich bei den Rechtsgeschäften, die in der Tradition des römischen Pandektenrechts liegen, zugleich aber den Weg in die chinesische Rechtssprache über den Umweg des japanischen Zivilgesetzbuchs gefunden haben: „The crucial term of Chapter 9 of the GRCL (General Principles of Civil Law) is ‘civil juristic act’ (民事法律行为). [...] a creation of the GPCL, which has added ‘civil’ to the original German term ‘juristic act’. Borrowed from Japanese, the Chinese translation of the term ‘juristic act’, namely 法律行为, has been challenged for being inaccurate by scholars for more than a decade. Despite several proposals of new translations, the GRCL (General Rules of the Civil Law) sticks to this term, mainly because of associated costs of adaptation that might thereby arise” (99).

Ein Blick in das Literaturverzeichnis zeigt fast ausschließlich chinesische Autor\*innen, was darauf schließen lässt, dass die Jurisprudenz der heutigen Volksrepublik China nicht von ausländischen Wissenschaftler\*innen bzw. ihren Publikationen abhängig ist. Abgerundet wird Bus Werk am Ende durch eine Tabelle relevanter Gesetze und Verordnungen (253–258).

Dem Kritiker fällt es schwer, Schwachstellen zu finden, und so bleibt etwa das verbesserungswürdige Layout der zu hoch eingefügten Tabelle auf Seite 29 oder der zu kleinen Schrift auf Seite 109. Das Abkürzungsverzeichnis sollte unbedingt um die Abkürzung „GRCL“ (General Rules of the Civil Law) erweitert werden, selbst wenn sie schon auf Seite 1 erläutert wird. Beim späteren Nachschlagen dürfte sie nämlich in Vergessenheit geraten sein, obgleich sie überall präsent ist (XIX–XXI).

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Es wäre wünschenswert, dieses für die Theorie und für die Praxis des Internationalen Privatrechts gewinnbringende Kompendium zu den Allgemeinen Bestimmungen des Zivilgesetzes um einen weiteren Band zu ergänzen, in dem der Besondere Teil des chinesischen ZGB ähnlich erschöpfend, tiefgehend und spannend behandelt wird. Die Rechtspraxis konkretisiert nämlich das Zivilrecht in den folgenden sechs Teilen: Eigentumsrechte, Verträge, Persönlichkeitsrechte, Ehe und Familie, Erbschaft und Haftung für unerlaubte Handlungen. Yuanshi Bu hat hierzu bisher nur den Entwurf unter dem Titel „Der Besondere Teil der chinesischen Zivilrechtskodifikation“ (Tübingen: Mohr Siebeck 2019) publiziert.

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## **You Jae Lee: Glück Auf! Lebensgeschichten koreanischer Bergarbeiter in Deutschland**

Tübinger Reihe für Koreastudien, 4. München: iudicium, 2021. 209 S., 20 EUR

### **Rezension von Florian Pölking**

Im Jahr 2013 begingen Deutschland und die Republik Korea (im Folgenden Südkorea) zugleich zwei runde Jahrestage. Zum einen jährten sich die offiziellen Beziehungen zwischen den beiden Ländern zum 130sten Mal, auch wenn der „Handels-, Freundschafts- und Schifffahrtsvertrag“ im Jahr 1883 noch vom Deutschen Kaiserreich und dem Königreich Chosön abgeschlossen wurden. Zum anderen beging man den 50sten Jahrestag des Deutsch-Koreanischen Abkommens über die Anwerbung koreanischer Bergleute, das offiziell den Beginn der koreanischen Arbeitsmigration nach Deutschland und somit der koreanischen „Gemeinde“ in Deutschland darstellt. Dabei wurde zugleich der Anwerbung koreanischer Krankenschwestern gedacht, die auf private Initiative bereits in den 1950ern begann und deren offizielle vertragliche Ausgestaltung nicht so leicht nachzuvollziehen ist. Im Kontext dieser Jahrestage hat Professor You Jae Lee, Lehrstuhlinhaber der Abteilung für Koreanistik der Universität Tübingen, im Rahmen eines Oral History Projekts die Migrationsgeschichte der koreanischen Bergarbeiter anhand von zehn Lebensgeschichten erforscht. Die Ergebnisse dieses Projekts sind nun in diesem Buch veröffentlicht worden. Auf eine Danksagung folgt eine 30seitige Einleitung. Den Großteil des Buches machen die Interviewauszüge aus, die in zehn Kapiteln in gekürzter und ins Deutsche übersetzter Form vorliegen. Ihre Titel beinhalten den Namen des Interviewten, ergänzt um ein selbstbeschreibendes Schlagwort.

Das Einleitungskapitel als Analyse der Interviews ist in drei historische Phasen gegliedert: das Leben der Bergarbeiter vor der Entsendung, Leben und Arbeit auf den Zechen, sowie Leben und Arbeit nach den vertraglich vereinbarten drei Jahren als Bergmann. In Kontrast zu den vorgestellten Standardnarrativen in Deutschland und Korea zeigt Lee, dass die Biografien seiner Interviewpartner sehr heterogen sind und dass die Motive für Ihre Bewerbung um eine Entsendung nach Deutschland vielfältig und sehr viel weniger von patriotischem Geist als nicht selten ökonomischen Motiven geprägt waren. Ursache dafür war Armut als gemeinsame Basis der Entsendeten, die Lee am Beispiel des freiwilligen Militärdienstes vieler Koreaner im Vietnamkrieg kontextualisiert. Dieser brachte den Soldaten einen hohen Sold, wohingegen der Kampf um Demokratie und der Schutz eines verbündeten Landes vor kommunistischer Invasion zweitrangig waren, wenn überhaupt erwähnenswert. Die darüber hinausgehende Einfassung der Situation Südkoreas während des Kalten Kriegs gerät an dieser Stelle allerdings etwas knapp und ist teilweise nur mit entsprechendem Vorwissen nachzuvollziehen, so zum Beispiel die Hinweise auf die militarisierte Gesellschaft



und die Yushin-Verfassung. An dieser Stelle hätte ich mir weitere Schlussfolgerungen für mögliche Gründe des Entsendeabkommens auf staatlicher Ebene gewünscht. Insbesondere die Heterogenität der Entsendeten und die nachweisliche, vielfache Untauglichkeit, die aber ohne gravierende Konsequenzen auf beiden Seiten blieb, bieten durchaus Raum für Fragen. Lee deutet beispielsweise ideologische, ökonomische und arbeitspolitische Aspekte an, ohne sie jedoch zu vertiefen. Diese verkürzte Darstellung ist aber durch Fokussierung der Untersuchung auf die individuelle Ebene vollkommen gerechtfertigt.

Mit dem Kapitel zur Arbeit auf den Zechen gelingt es Lee, das Standardnarrativ gänzlich aufzubrechen und die Arbeit der koreanischen Bergleute in unterschiedlichen positiven, vor allem aber bisher nur wenig bekannten alltagsnahen, teilweise durchaus befremdlichen Aspekten zu beleuchten. Die Darstellung von Urkundenfälschung, Vortäuschung von Krankheit, und Konflikten zwischen Deutschen und Koreanern sowie innerhalb der koreanischen Gemeinschaft wirft nicht nur ein neues Licht auf die Alltagsbedingungen. Sie legt auch die wenig durchdachte Gastarbeiterpolitik der Zeit offen. Darüber hinaus wird auch die oftmals verschwenderische Verwendung und schlechte Verwaltung des nach Südkorea geschickten Geldes und die Undankbarkeit der unterstützten Familienmitglieder thematisiert. Derartige Erlebnisse sind auch Teil der Erinnerung vieler südkoreanischer Krankenschwestern, und ich hätte mir an dieser Stelle eine weitere Einsortierung gewünscht, beispielsweise in Bezug auf die wachsende Kluft zwischen Erwartungen und Perspektiven der Entsendeten und ihrer Familien in Südkorea. In seinen Aussagen ergänzt das Kapitel die offizielle Geschichte des positiven Beitrags der Koreaner und Koreanerinnen zum Wirtschaftsaufbau Südkoreas um eine zentrale, aber bislang unterbeleuchtete Facette.

Das Leben der in Deutschland verbliebenen Koreaner nach den drei vertraglich vereinbarten Arbeitsjahren analysiert Lee anhand verschiedener Aspekte: Familiengründung, Beruf, Selbstorganisation, Diskriminierungserfahrungen und Lebensabend. Mit diesen Basisthemen gelingt es dem Autor, die Verschiedenartigkeit der Erfahrungen der Koreaner zusammenfassend darzustellen und zur Entwicklung der koreanischen Gemeinde in Deutschland wie auch der zunehmenden wirtschaftlichen Verflechtung der beiden Länder in Beziehung zu setzen. Darüber hinaus zeigt Lee, wie diese erste Generation zum Aufbau der koreanischen Gemeinde in Deutschland beigetragen hat, welche strukturellen und sozialen Barrieren sie zu überwinden hatte, und vor welche Herausforderungen sie im Alter gestellt ist. Die Stärke dieses Teils liegt darin, sich nicht auf rein historische Betrachtung zu beschränken. Lee gelingt es, entlang der Interviews die gegenwärtige Situation nachvollziehbar zu verknüpfen und den Facettenreichtum koreanischen Lebens in Deutschland sinnvoll und kohärent zusammenzufügen. Er schärft dadurch nicht nur den Blick auf die Koreaner selbst, sondern auch auf die Veränderungen in Deutschland.

Die erste Generation der Koreanerinnen und Koreaner in Deutschland ist im Verschwinden begriffen und nicht nur deswegen leistet das Buch von You Jae Lee für die immer noch sehr überschaubare Literatur zur Geschichte der koreanischen Diaspora einen äußerst willkommenen Beitrag. Dieser erscheint umso wichtiger, als das Gros der Literatur zur Geschichte der „Gastarbeiter“ in Deutschland auf Menschen aus süd- und südosteuropäischen Herkunftsländern abstellt, mit einem merklichen Gewicht auf Italien, Griechenland und der Türkei. Für diese Unwucht mag es gute Gründe gegeben haben, das vorliegende Buch kann Anstoß für eine differenziertere, auch wissenschaftliche Auseinandersetzung sein. Dahingehend hätte ich mir an manchen Stellen für die wissenschaftliche Verwertung mehr Verweise auf weiterführende Literatur relevanter Disziplinen gewünscht, was aber verständlicherweise in dem vorliegenden Format kurz gehalten werden musste. Derartige Aspekte, auf die der Autor sowie die Interviews Hinweise liefern, zielen unter anderen auf Fragen zur Entwicklung des Familienbilds, des Heimatverständnisses, zu Rassismus oder zu Generationenkonflikten. In dieser Hinsicht bietet das Buch eine Reihe von Anschlussmöglichkeiten an weitere, interdisziplinäre Felder wie beispielsweise die Migrations- oder Erinnerungsforschung. Gleichwohl liefert „Glück auf!“ einen umfangreichen und gut verständlichen Einstieg, Überblick und Einblick; es ist für Studierende, interessierte Wissenschaftler\*innen wie auch eine breitere Öffentlichkeit gleichermaßen geeignet.

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## **Jie Guo: Reshaping Chinese Cities: Neoliberal Transition, Embedded Contestation, and Urban Renewal of Lanzhou**

LIT Verlag, 2020. 309 pp., 34,90 EUR

### **Review by Michael Malzer**

In her monograph on urban renewal in Lanzhou, the capital of China's northwestern Gansu province, Jie Guo analyzes the interplay between different stakeholders during the relocation of industrial enterprises from the urban core to the outskirts of the city. While studies on Chinese urbanization largely tend to be concerned with metropolises in eastern China (p. 267), and urban renewal is often only associated with the relocation of residential housing (p. 261), this study specifically focuses on industrial restructuring in an understudied second-tier city. Just as the rest of the country, Lanzhou has witnessed a rapid expansion of urban space in recent decades. However, Lanzhou's geographical location in a valley basin limits the natural growth of its core city (p. 155). Since the 1950s, Lanzhou had been developed as an industrial center and transportation hub (p. 148), and pollution by its industry was exacerbated by the limited airflow in the valley (p. 161). To free up land for residential and commercial development and to alleviate environmental problems, the city has relocated many of its factories to new Industrial Parks outside the valley (p. 164ff).

Guo's study is concerned with how global neoliberal discourses are selectively applied and integrated into the Chinese context and what impacts the resulting hybrid institutional system (partly neoliberal, partly authoritarian) has on urban governance (p. 16f). She suggests a research framework that aims to cover 1) macro-structural forces that shape the "rules of the game", 2) microphysics of governance that implement these rules on a local level, and 3) micro-practices of resistance and cooperation in local settings (p. 8). The author admits that social aspects (i.e. the relocation of factory workers) and bottom-up dynamics have largely been left out (p. 282f).

Guo's research is based on secondary literature, policy documents, statistical data and local news media items (p. 22). Unfortunately, the bibliography does not contain information on these Chinese language documents. While some weblinks are provided in footnotes, a more systematic approach to these sources would have been helpful. The author also conducted a few semi-structured interviews with stakeholders. However, these should have been contextualized more clearly.

After the introduction, the book contains four main chapters. The first two form the more theoretical part, whereas the latter two provide the actual empirical study on Lanzhou. Chapter 2 consists of a literature review and theoretical discussion, which focuses on institutional change theory and the role of neoliberalism in urban governance in general — without direct reference to China. Chapter 3 then

provides a general overview on China's institutional transition from a planned economy to a "socialist market economy" since the 1980s. This part includes some odd categorizations and wordings — e.g. a timeline which omits the years 1990 and 1991 without explanation (p. 104ff), or labeling the period 1949–1952 as "public oriented reform" (p. 112), to name just a few. It may also be mentioned that the whole book could have profited from more rigorous editing, so that mistakes like naming the well-known politician Zhao Ziyang "Zhang Ziyang" (p. 98) could have been avoided. Readers short on time may consider only skimming the first part of the book and skip directly to the empirical sections.

Chapter 4 starts with an overview of Lanzhou's geographical and historical background, with special focus on its role as an industrial city. It then analyzes urban renewal policies of the last two decades and highlights the methods by which the Lanzhou municipal government engaged in "entrepreneurial attempts" in order to share "the burden" of urban development with other actors (p. 178), namely by outsourcing administrative functions and conducting market-oriented strategies of land development and financing.

Chapter 5 then analyzes the interactions between stakeholders during industrial relocation projects. Guo successfully illustrates the complexity that arises when the municipal government, district governments, enterprises (some still state-owned and associated with higher-level governments) and real estate developers all pursue their own interests during the process of demolition, land transfer, redevelopment of original factory land and relocation of factories to Industrial Parks outside the core city. Case studies of two Lanzhou enterprises show that these interactions are multi-layered and context-dependent. One enterprise, which had to make way for a high-speed railway station, strongly supported relocation but kept tactically delaying the process until it negotiated a lucrative deal, which included redevelopment rights for its factory land, keeping most land-transfer fees, and obtaining special funds for technological upgrades as well as financial bonuses for its leadership. In return, it guaranteed a smooth relocation process and had to handle construction, redevelopment and employees' placement by itself (p. 246). Another enterprise, which had run into financial problems, was in a weaker position – it had to keep transferring parts of its land to developers to stay financially afloat, and requested the city government to assume all costs for redevelopment of its workers' residential area (p. 257). It then turned out that it could not handle relocation costs for its factory either, which delayed the whole process. Backed by the district government (which was under pressure to clear the area) it once again asked the municipal government for help. The latter managed to find a relocation site outside the city, and helped the enterprise get a bank loan and a joint-venture partner to complete relocation.

Guo finds that unlike during most residential relocations, actors are generally not opposed to urban renewal through industrial relocations. However, all stakeholders act in an entrepreneurial manner and attempt to maximize their financial profits

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(p. 261). While the municipal government dominates the “game” of urban renewal (p. 264), it has to keep making tactical concessions to other actors in order to ensure a smooth relocation process (p. 233).

By focusing on industrial relocation in a second-tier city, this study provides a highly relevant contribution to the field of Chinese urbanization. Readers should ideally possess some background knowledge and not expect an introductory work to the field.

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## Care and Ageing in North-West and South-West China

**Rose K. Keimig, *Growing Old in a New China: Transitions in Elder Care***

Rutgers University Press, 2021. 195 pp.

**Heila Sha, *Care and Ageing in North-West China***

Berlin: LIT, 2017. 307 pp.

### Omnibus Review by Björn Alpermann

Since China is facing rapid demographic ageing, a lot of scholarly attention has been paid to study how this process plays out within its society. However, most studies focus on the Eastern coastal regions and its metropolises. In contrast, the two books reviewed here examine the issues of care and ageing and what they tell us about larger societal transformations by looking at Xinjiang and Yunnan, respectively. There are several reasons to review them together. Both books share an anthropological approach, use life-course theory as their guide to focus on ageing from the perspective of the elderly, grapple with theories of modernization and individualization in the Chinese context and study somewhat “unusual” organizations as sites of care and ageing. In Heila Sha’s case, this organization is the Xinjiang Production and Construction Corps (XPCC; *Xinjiang shengchan jianshe bingtuan* short: *bingtuan*) — a powerful and complex organization. Its oxymoronic existence is best summarized in a quote from Y. Bao: “[it] is a military, but without pay, it is a government, but it has to pay taxes, it is a corporation, but it has its own society, [and] its farmers join the labour union” (Sha, p.50). It is a wonderful case to show that within China you can find examples for everything — as well as its opposite. Her primary research site is XPCC Tuan 143 in northern Xinjiang, consisting of regiment farms (*liandui*), i.e., villages, alongside the regiment headquarters (*tuanbu*), a rural small town. Taking a life-course approach, she starts by laying out the history of the *bingtuan* from its start as a form of employment for demobilized soldiers in the 1950s. She shows how distinct groups of *bingtuan* elders were created through the various ways by which they joined the XPCC. Significant inequality exists between those properly employed (*zhigong*, mostly male former soldiers) and those later lured or sent to Xinjiang to “support the border” by marrying the ex-soldiers and categorized as *wuqigong* (May 7 workers). Having established this historical and socioeconomic backdrop, the book then tackles the major themes in elderly peoples’ lives, namely: health and self-care; urbanization, housing, and social status; inter-generational support and conflict; long-term care as well as late-life marriage and cohabitation. Facing high health care costs most elderly nowadays take self-care very seriously, as a moral obligation toward their children to not unduly “burden” them. This “burden discourse” (Sha, p.102) is characteristic for contemporary Chinese elderly,

yet strikingly in conflict with traditional notions of “filial piety” (*xiao*). It gives rise to numerous health-promoting practices, some of which make the elderly vulnerable to fall prey to unsavory businesses. New urbanization policies introduced in 2010 and significantly more generous pension payouts for *zhigong* mean that old inequalities have been reinforced and new ones created. While the elderly poor “left behind” in villages (or rather *liandui*) are a familiar finding from all over urbanizing China, a significant number of new *tuanbu* residents are retired *zhigong* living comfortably in their own flats. In fact, there is an inversion of the usual “skipped-generation households” in which grandparents and grandchildren live together in the villages, while the middle generation is absent due to their labor migration to cities: In the *tuanbu* the elderly and the young live in the urban area, whereas the middle generation toils in the fields of the *liandui*. Patterns of co-residence also confound clear-cut categories of tradition versus modernity when elderly parents stay with their single or divorced adult child. Moreover, the usual stereotype of urbanites being more culturally sophisticated than rural dwellers is shattered, when we consider that many of the *bingtuan* elderly now living in towns are illiterate while the younger generations of their children and new in-migrants working the fields have higher educational attainments.

Sha carefully teases apart the various strands of care which connect the generations paying close attention to the way financial and living arrangements interact with traditional notions such as filial piety and modern ones such as independence and individualization. Again, in contrast to most Chinese who formerly worked in agriculture, at least the *zhigong* retirees draw decent pensions which prevents the decline in authority of the older generation observed by most China scholars elsewhere. Studying inter-generational conflicts, she finds: “‘Tradition’ provided discourses that could be strategically drawn upon to legitimate particular arguments, but could be discarded just as easily. Tradition did not dictate decisions; it was manipulated strategically in taking decisions” (Sha, p.194f). Yet, while this malleability pertains to notions such as *xiao*, gender roles prove more persistent. Likewise, when turning to long-term care, she finds that filial obligations and intra-family reciprocity are still operational — despite widespread claims of a moral crisis — but that they are tempered by actual circumstances. Gender and birth order of children continue to modulate care *responsibilities*, yet the individual relationships between the elderly and prospective caregivers are equally important and may determine care *quality*. These relationships often face additional strains when a new partner comes in late in the life of an elderly parent. Late-life marriage and cohabitation are another fulcrum of traditional gender roles, modern ideals of independent lifestyles in old age, moral dilemmas regarding care obligations and family conflicts about financial flows expertly analyzed by Sha. In conclusion, she emphasizes that the individualization thesis only partially applies to China, since family ties remain strong. However, “care arrangements are no longer understood as unconditional obligations, but as a product of ‘negotiated commitments’” (Sha, p. 265).

Though set in a radically different environment, Rose Keimig's study ultimately comes to similar conclusions. The "unusual" organizations constituting her field-sites are palliative care units and eldercare homes in Kunming, capital of Yunnan Province in South-West China. Though historically viewed as remote like Xinjiang, this border region has become a prime destination not just for tourism but also for eldercare services due to its pleasant climate. Like Sha, Keimig is mostly concerned with exploring the perspectives of the elderly themselves on processes of ageing, caregiving and dying — but in an institutional, not a family context. She asks first why institutionalized elderly parents would still insist on calling their children filial, even though this form of care runs counter to any traditionally established understanding of proper filial behavior. She argues that the pervasive "child-centric filial crisis narrative" (Keimig, p.41) is not incorrect but incomplete. It needs to be supplemented with the perspective of institutionalized elders themselves. Her respondents manage to construe their institutionalization as an active move and act of benevolence (*ren*) toward their children to lighten their "burden". Making limited demands of their children is a point of pride among these elders. She recognizes that the care home residents are "ideological pioneers" (Keimig, p. 46). Like Sha, she employs a life-course perspective to disentangle the various generational cohorts within today's elderly and their distinct experiences. This sets the stage for a discussion of how these life experiences are embodied — e.g., past political suffering is seen as reason for current bodily or mental ailments. She argues that new senior subjectivities based on self-reliance arise through novel ways of "active ageing" propagated by state and market forces alike. This chimes with Sha's discussion of self-care practices. Yet, taken to the extreme logical endpoint, this self-responsibilization leads some informants to consider taking their own life when the time has come (Keimig, p.66).

Next, Keimig turns to space and place making practices within the institutionalized care settings on a variety of quality levels. She examines how space can be marked as place when either bodily movement is constrained or the body itself becomes "notoriously leaky" (Keimig, p.84). Observing that place making has as much to do with space as with time, organizational rhythm, and routine, she finds that most elders eventually succumb to the rigid schedules of their care institutions, leading to feelings of estrangement and alienation between themselves, their bodies, and their environments. Within these spaces care is provided in an entangled fashion: Besides the much-discussed relationship of care between parent and child, Keimig also studies spousal care and self-care, both of which play important roles even in institutional settings. There is even scope for community care — be it by faith-based volunteers, mobilized school children or fitter elderly themselves. These forms of care tend to be overlooked in much of the literature. But ultimately, the heaviest burden of care rests on the shoulders of care workers (*hugong*) whose perspectives and lives are examined in some detail. As outside caregivers, they take up a novel role, if one does not count traditional care providers — daughters-in-law — as family outsiders as well (Keimig, p. 109). Yet, many care workers



invoke feelings of filial piety to muster the strength to fulfill these roles. While the institutions provide care through management (*guanli*), care workers do so via attending to the needs of the elders (*zhaogu*) — both with starkly varying quality. Relatives may attempt to improve care quality through small presents to *hugong*, and residents have their own strategies to influence care quality such as flattery. But the ultimate bottleneck is the lack of time experienced by severely overworked care providers.

Finally, Keimig addresses “delayed death” and “chronic living” — conditions routinely encountered in her study sites. She describes how in China, where the self is constituted to a large degree via one’s interpersonal relationships, institutionalization often is equivalent to “social death”. Palliative and hospice services are in short supply and many of her respondents openly expressed the wish to die sooner rather than later, deploring a lack of means to part from life on their own. In Keimig’s words they feel like “living too long and dying too slowly in an era that put[s] a high value on efficiency and speed” (p. 146). In the end, much like Sha, she argues against the simplistic notion of a “moral crisis” in China: While old social hierarchies may be undermined, this is setting free previously disempowered groups such as women (daughters-in-law, in particular) and younger people. *Xiao* is being re-interpreted and weakened, but it is also complemented by *ren* (benevolence). Individualization and atomization are social facts yet coexist with still extraordinarily strong family bonds. Looking at the dynamics of ageing and care from these geographical and institutional peripheries sheds new light on the debate surrounding China’s “care crisis”. Both books offer rich ethnographic detail and complement each other well for courses on social change in contemporary China, family ethics and related subjects.

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## **Daniel Leese: Maos langer Schatten. Chinas Umgang mit der Vergangenheit**

München: C.H. Beck, 2020. 606 S., 38 EUR, ISBN 9783406755453

### **Rezension von Thomas Weyrauch**

Denken wir an die Nürnberger und Tokyoter Kriegsverbrecherprozesse, den Internationalen Strafgerichtshof für das ehemalige Jugoslawien oder an den Ad-hoc-Strafgerichtshof zu Völkermordvorwürfen in Ruanda, so bewegten sich jene Tribunale auf dünnem Eis, weil systembedingtes Unrecht dort zu ahnden war, wo international geschützte Rechtsgüter missachtet wurden. Historisches Unrecht besteht nach Michael Schefczyk's Werk „Verantwortung für historisches Unrecht“ aus den Elementen 1) der gravierenden Rechtsverletzung, 2) der Zielsetzung, die Rechtsverletzung müsse natürliche Rechte betreffen, d. h. also durch Mord, Folter, Verstümmelung, Versklavung, Vertreibung, Raub begangen werden, 3) ihr muss ein politischer Charakter zu eigen sein, sowie 4) sie muss durch moralisch kompetente Akteure verübt werden (Schefczyk, S. 28).

In der Republik China fanden nach dem Zweiten Weltkrieg Prozesse gegen Verbrecher, etwa aus dem Machtbereich von Wang Jingwei, statt. Doch waren die Volksrepublik China und ihre Kommunistische Partei fähig, Straftaten aus den eigenen Reihen, die 1949 bis 1976 begangen wurden, zu ahnden? Daniel Leeses Arbeit „Maos langer Schatten“ thematisiert die Aufarbeitung von Systemunrecht dieses Zeitraums. Es handelt sich hierbei um einen Staat, in dem letztlich keine Systemtransformation vollzogen wurde, sondern, vergleichbar mit der Metamorphose eines Insekts, lediglich systemimmanent ein Paradigmenwechsel stattfand.

Als Beispiele von Systemunrecht führt Leese die Folgen der politisch verordneten Bewegungen an. Leese geht allein bei der von Mao angeordneten Bewegung des Großen Sprungs nach vorn von 32 Millionen Toten aus und gehört damit zu den vorsichtigen Autoren, da andere wie etwa Frank Dikötter nach ihren Archivauswertungen bis zu 45 Millionen Todesopfer annehmen. Maos Rechtsnihilismus ließ gesetzmäßige Verfahren gegen Opfergruppen überflüssig werden und führte zu einem Gewaltkontinuum, das mit dem Tod Maos und der Verhaftung der „Viererbände“ 1976 endete, dessen Blutspur sich aber noch immer in den meisten chinesischen Familien abzeichnet. Der Schätzung des Kanzleileiters des KP-Zentralkomitees zufolge seien 40 bis 50 Millionen Menschen zwischen der Staatsgründung und dem Ende der Kulturrevolution direkt Opfer von juristischem und administrativem Unrecht geworden. Unter Einbeziehung der mittelbar Betroffenen müsse jedoch laut Leese eine Zahl von deutlich über 100 Millionen Opfern angenommen werden. 1979 betonte Feng Wenbin, der Leiter der Kanzlei des KP-Zentralkomitees, rückblickend müssten die Zahlen von mittel- und unmittelbaren Opfern staatlich angeordneter Gewaltakte noch um weitere

Millionen erhöht werden, denn es gab Übergriffe einzelner Personen und Gruppierungen sowie Fraktionskämpfe. Personen, die jene Opferzahl zu relativieren suchten, entgegnete Feng: „Über 100 Millionen, das ist kein Staat mittlerer Größe mehr. Das entspricht der Bevölkerung eines großen Landes“ (S. 240). Diese Zahl deckt sich mit der Schätzung von Marschall Ye Jianying (S. 422).

Dass sich auch Behörden und Gerichte an politischen Verfolgungen beteiligen konnten, liegt an der Missachtung Maos für das Recht schlechthin: „Die Volksrepublik stand Kopf und für einige Zeit schien die Rechtlosigkeit tatsächlich zum Ideal erhoben“ (S. 89).

Nach Maos Tod und der Entmachtung der Gruppe um Maos Ehefrau Jiang Qing 1976 fand der tägliche Terror ein Ende und die weiterhin herrschende Staatspartei war imstande, eine Kehrtwende zu vollziehen. Das Recht sollte wieder Geltung bekommen, Täter bestraft und Opfer rehabilitiert werden. Hu Yaobang, der später Generalsekretär der KP werden sollte, verwies in diesem Kontext auf das Dilemma einer ungeheuren Täterzahl:

Wie wollen wir mit dem Problem der Verfolgung von Mördern umgehen? Wenn man dieser Art Fälle nachgeht so habe ich überschlagen, dann müsste man landesweit etwa eine Million Menschen verfolgen. [...] Das soll heißen, die Zahl derjenigen, die andere zum Krüppel geschlagen oder sogar totgeschlagen hat, ist sehr hoch! (S. 453).

Immerhin konnte endlich das Systemunrecht mittels umfangreicher Maßnahmen zur Rehabilitierung hunderttausender Opfer, Entschädigungen, durch Disziplinarverfahren, Parteiausschlüsse und Strafverfahren aufgearbeitet werden. Welche Wirkung Bestrafungen der Hauptverantwortlichen haben würden, war hierbei von großer Bedeutung. Insoweit beschäftigten sich Vertreter der Öffentlichen Sicherheit und des Militärs mit der Todesstrafe für Jiang Qing und ihren Komplizen Zhang Chunqiao. Rechtshistoriker zogen Beispiele wie das der entmachteten Isabel Peron, der Zarenfamilie oder Philippe Pétains heran, um eine Wirkung zu vermeiden, welche die Verurteilten unter ihren Anhängern zu Märtyrern werden ließen. Letztendlich ließ das Politbüro die Haupttäter zu Haftstrafen verurteilen.

Leese warnt in diesem Zusammenhang, diese Praxis sollte nicht zu falschen Schlüssen führen:

Es ist ein beliebter Topos, dass die Kommunistische Partei Chinas nach Mao Zedongs Tod einen Schleier der Vergessenheit über die Ereignisse der Kulturrevolution gelegt [...] habe. Für das Jahrzehnt nach dem Tod Maos könnte der Befund nicht gegensätzlicher ausfallen. Es gibt wohl kaum einen Staat, der sich im unmittelbaren Gefolge eines politischen Führungswechsels intensiver und großflächiger mit Fragen historischen Unrechts beschäftigt hat als die Volksrepublik China zwischen 1976 und 1987 (S. 482).

Angewandtes Recht und die noch herrschende Rechtskultur Chinas müssen unterschieden werden. Zhang Ming, Professor an der Volksuniversität in Peking, hält den Prozess der Aufarbeitung jedoch nicht für abgeschlossen. Noch immer würden Ideale der Kulturrevolution verteidigt, Täter zeigten kein Unrechtsbewusstsein und spielten Verbrechen herunter. Damit zieht Zhang den Schluss: „Eine Gesellschaft, welche die Kulturrevolution nicht überdenkt, ist möglicherweise immer noch ein primitiver Stamm von Menschenfressern“ (S. 494).

Leeses Untersuchungen und Deutungen in seinem Werk sind von hohem Wert. Es gibt ältere Arbeiten über das chinesische Systemunrecht aus den Jahren 1949, die etwa in der Sowjetunion oder in den USA (Richard Walker bzw. Walker-Commission) publiziert wurden. Man vermisst sie unter den reichen Literaturangaben. Deren Feststellungen könnten mit Leeses Ergebnissen abgeglichen werden und wären für die Leser gewiss interessant.

Ein weiter Kritikpunkt ist die Präsentation statistisch wichtiger Angaben. Wünschenswert wäre im Anhang eine Tabelle über die Zahlen der Toten, der Insassen von Hafteinrichtungen, der sonstigen Verfolgten bzw. zu einer Differenzierung zwischen staatlich verordneter und sonstiger politisch motivierter Gewalt. Diese Einwendungen mögen in einer Neuauflage berücksichtigt werden.

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## **Rosalie Stolz: Living Kinship, Fearing Spirits — Sociality among the Khmu of Northern Laos**

Copenhagen: NIAS Press, 2021. 349 S., ISBN: 978-87-7694-298-4

### **Rezension von Oliver Tappe**

Die Khmu gelten als die größte ethnische Minderheit von Laos. Die linguistisch wie kulturell sehr heterogene Hochlandgruppe aus der austronesischen Sprachfamilie zählt mehr als 700.000 Menschen, deren Alltagsleben geprägt ist vom Brandrodungsfeldbau und einer vielfältigen animistischen Vorstellungswelt. Rosalie Stolz legt mit ihrer Ethnografie des Khmu-Dorfes Pliya – ein Pseudonym – eine kenntnisreiche, tiefgründige und anschauliche Studie des sozialen und kulturellen Lebens im laotischen Hochland vor. Innerhalb des Dorfes – eine soziokosmologische Grundeinheit, die auch nicht-menschliche Akteure wie Tiere und Geister mit einschließt – spielt Verwandtschaft als Prinzip von Sozialität, als Matrix sozialer Verflechtungen im Spannungsfeld von Differenz und *sameness*, eine Schlüsselrolle.

Warum sollten nun allgemein (SO-)Asieninteressierte eine hochspezialisierte verwandtschaftsethnologische Studie zu einem Hochlanddorf in der Laotischen Demokratischen Volksrepublik lesen? Einen Hinweis gibt gleich die erste ethnografische Vignette, welche die existenzielle Bedeutung von Verwandtschaft für das Sozialleben der Khmu (und anderer ethnischer Minderheiten in Südostasien) illustriert: Die Bestattung einer verarmten Frau findet ohne besondere Todesrituale statt – die Frau ist damit den Dorfbewohnern zufolge „für immer gestorben“ (S. 2), d. h. ohne die Möglichkeit, ein Ahnengeist zu werden. Mangelhafte Familienbindungen korrelieren hier nicht nur mit Armut – die Aktivierung von Verwandtschaftsbeziehungen ist z. B. essenziell für den Hausbau, die Familiengründung oder die Logistik landwirtschaftlicher Arbeit – sondern auch mit der Existenz *post mortem*.

Im Laufe ihrer exzellenten Studie zeichnet Rosalie Stolz ein vielschichtiges Panorama von „lebendiger Verwandtschaft“, der gegenseitigen Bedingung von Verwandtschaftsbeziehungen und unterschiedlichen Aspekten der Khmu-Sozialität. Verschiedene verwandtschaftliche Bindungen und ihre kontextuelle Aktivierung bedingen ein erfolgreiches und gesundes Leben. Kooperation in der Landwirtschaft, im Dorfalltag oder bei Ritualen konstituiert und reproduziert diese „lebendige Verwandtschaft“. Jene bedarf eines erheblichen Aufwands, der Autorin zufolge Arbeit in Form von wechselseitigen Besuchen, Trinkrunden und Gabentransaktionen, der Beachtung rigider Regeln sozialer Interaktion sowie gemeinschaftsstiftenden, oft kostspieligen Ritualen.

Stolz erkundet nicht nur das Alltagsleben des Dorfes, sondern auch die Zwischenwelten von Leben und Tod – konfrontiert mit einer zunächst fremden

Logik, die sie dank ihres angstfreien Eintauchens in das soziale Leben dieser Dorfgemeinschaft zu entschlüsseln vermag. Dabei ist der entscheidende Faktor, dass sie ein ganzes Jahr mit ihrer Familie (Gatte und Kleinkind) in dem Dorf verbrachte, damit einen ganz anderen sozialen Status festigen konnte als allein Forschende. Die Autorin wurde eine vollständige Person im Sinne der Khmu, integriert in das komplexe soziale Gewebe der Dorfgemeinschaft, inklusive sozialer und kosmologischer Integration in ein Haus als grundlegende soziokulturelle Einheit der Khmu. Stolz stellt eindrucksvoll unter Beweis, was ethnologische Forschung zu leisten vermag im Verständnis menschlicher Sozialität in unterschiedlichen kulturellen Kontexten.

Bewandert in der Verwandtschaftsterminologie zu sein – zu wissen, wer die sogenannten „wife giver“ und „wife taker“ des eigenen Hauses sind und welche Verpflichtungen und Tabus damit zusammenhängen – ist eine Grundvoraussetzung des gemeinschaftlichen Lebens, auch für die Feldforscherin. Was Stolz als „performing kin knowledge“ (S. 25) bezeichnet, bedingt die Produktion wirkmächtiger Bindungen, die im Dorfalltag wie in Krisenzeiten mobilisiert werden können. Jene sind unerlässlich bei der Ernte, dem Hausbau, oder auch der Organisation von (prestigeträchtigen) Hochzeiten und Bestattungen. Sie gehen jedoch auch mit komplexen Regeln der Bewirtung und Beschenkung einher, stehen damit auch im Zusammenhang mit sozioökonomischer Differenz. Wohlstand und ein wirkmächtiges Verwandtschaftsnetzwerk sind bei den Khmu nicht voneinander zu trennen.

Kapitel 3 zeigt, wie sehr Verwandtschaft den Lebenszyklus von Geburt bis Tod (und darüber hinaus) prägt. Gerade bei einer Heirat, wenn eine Frau graduell in das Haus ihres Gatten inkorporiert wird, werden entsprechende Bindungen über Gabentausch und Ritualsequenzen aktiviert und reproduziert, damit wird idealerweise ein Beitrag zur sozialen Kohäsion im Dorf geleistet. Bestattungsrituale hingegen initiieren einen schrittweisen Prozess, in dem eine lebende Person zu einem Ahnengeist transformiert wird. Durch dichte Beschreibungen gelingt Rosalie Stolz ein facettenreiches Bild der komplexen Sozialität, der Vorstellungswelten und auch Emotionen der Khmu. So auch voller Detailfreude in den beiden Folgekapiteln zu (ritueller) Arbeit und Austauschprozessen – Ethnografie par excellence.

Es ist ein besonderes Verdienst von Rosalie Stolz, den komplexen animistischen Vorstellungen und Praktiken der Khmu mit einer klaren und sachlichen Analyse gerecht zu werden – ohne einem seit dem *ontological turn* obligat scheinenden, präventösen Jargon zu verfallen. Sie skizziert in Kapitel 6 eine soziokosmologische Logik, in der die Geister – potenzielle Schutzmacht, doch gefürchtet für ihre Unberechenbarkeit – selbstverständlich ihren Platz behaupten und Respekt und (rituelle) Fürsorge einfordern. „They watch us“ (S. 254), wie die Dorfbewohnerinnen zu sagen pflegen. Stolz wartet hier mit bisweilen unheimlichen Vignetten über geisterinduzierte Krankheiten, Besessenheit und

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Hexerei auf, die auf dysfunktionale Sozialbeziehungen, Misstrauen, insgesamt auf die Kehrseiten der Dorfsozialität verweisen.

An dieser beeindruckenden Studie werden sich zukünftige Ethnografien Hochland-Südostasiens messen lassen müssen.

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## **Sören Urbansky: An den Ufern des Amur. Die vergessene Welt zwischen China und Russland**

München: C.H. Beck, 2021. 375 S., ISBN 978-3-406-76852-1

### **Rezension von Eva-Maria Stolberg**

Der Amur oder Heilongjiang (Schwarzer Drachenfluss) ist ein Mythos auf der geopolitischen Landkarte Nordostasiens. Die russische Expansion nach Sibirien und an die Pazifikküste machte ihn seit dem 17. Jahrhundert zu einem Grenzfluss zwischen Russland und China. Fernab der Herrschaftsmetropolen St. Petersburg/Moskau und Peking stellt er auf der *mental map* der meisten Russen und Chinesen einen entrückten Ort dar. Sören Urbansky spürt in seiner interessanten und lesenswerten Reisereportage dieser vergessenen Welt, dem Grenzland zwischen Russland, der Mongolei und China nach. Er zählt vom Alltag der Menschen, die in Geschichte und Gegenwart marginalisiert wurden, denn der Amur liegt an der Peripherie der Kontinentalimperien Russland und China.

Der Autor verwebt in anschaulicher Weise den gegenwärtigen Zustand des Russischen Fernen Osten und Chinas Nordosten vor dem Hintergrund historischer Zeitläufte. Auf den Strecken der legendären Transsibirischen und Ostchinesischen Eisenbahnlinien erfährt Urbansky diesen Grenzraum entlang des Amur und seiner Nebenflüsse Ussuri und Songhua, macht an wichtigen Eisenbahnstationen Halt und erzählt die Geschichte dieser Städte und Ortschaften. Dieser Grenzraum, in dem Russen, indigene Völker, Mongolen, Mandschus und Han-Chinesen lebten und leben, rückte durch den transkontinentalen Eisenbahnbau im 19. Jahrhundert zusammen. Gleichzeitig verbanden sich mit dem Eisenbahnbau imperiale und imperialistische Visionen, die in der Realität zu Konflikten zwischen Russland, China und Japan führten. Vom Russisch-Japanischen Krieg von 1904–1905 bis zu dem sowjetisch-chinesischen Grenzkonflikt am Ussuri 1969 war diese Region ein immer wiederkehrender Krisenherd. Kosaken, Nomaden und chinesische Wanderarbeiter besiedelten dieses Zwischenland, das sich nach Urbansky zu Recht nicht in nationale Kategorien pressen lässt.

Das Buch, gegliedert in achtzehn Kapiteln, beschreibt Reiseetappen von Irkutsk am Baikalsee bis nach Vladivostok und Harbin. Diese Strecke hat der Autor für Archiv- und Forschungsreisen zurückgelegt. Entstanden ist neben dieser Reisereportage auch eine Dissertation, die 2020 unter dem Titel „Beyond the Steppe Frontier. A History of the Sino–Russian Border“ bei der Princeton University Press erschienen ist. Auch in der vorliegenden Reisereportage beschäftigt sich Urbansky mit den thematischen Aspekten Staatsgrenze, Peripherie und Grenzzone, und zwar, wie sie das Alltagsleben der Menschen bestimmen. In den Städten Ostsibiriens wie Irkutsk, aber auch Vladivostok am Pazifik macht sich der Zustrom von chinesischen Touristen und Geschäftsleuten bemerkbar. Die Reaktion der russischen Bevölkerung schwankt zwischen Pragmatismus und



Xenophobie. Einerseits beliefern chinesische Händler die Märkte mit Dingen des alltäglichen Bedarfs, andererseits bauen sie ihre eigenen Handelsketten auf. Letzteres schürt die Angst vor der „gelben Gefahr“.

Trotz Vladimir Putins Versprechungen ist der Russische Ferne Osten ein vergessener Ort, anders als das wirtschaftlich boomende China steht das postsowjetische Russland in Nordostasien auf verlorenem Posten. Der Name der Stadt Vladivostok, „Beherrsche den Osten“, ist längst eine inhaltsleere Reminiszenz an den russischen Imperialismus des 19. Jahrhunderts, als sich das Zarenreich durch die Ungleichen Verträge auf Kosten Chinas territorial bereicherte und die Region zwischen Amur und Ussuri annektierte. Der Baikalsee, das „Heilige Meer der Russen“, ist längst Ziel des chinesischen Massentourismus geworden. Chinesische Touristen, so schreibt Urbansky, kommen sowohl im Sommer als auch im Winter. Aber es sind auch Chinesen, die sich als Investoren betätigen, sie betreiben Hotelketten, übernehmen die Holzwirtschaft und zeigen Interesse an den Wasserressourcen. Die russische Bevölkerung befürchtet den „Ausverkauf“ Ostsibiriens und des Russischen Fernen Ostens. Urbanskys russische Gesprächspartner sehen die Angst vor China historisch verwurzelt. Schon im 19. Jahrhundert schürten russische Politiker, Militärs und Unternehmer die Angst vor dem benachbarten, bevölkerungsreichen China, um die russische Präsenz im Sinne einer *mission civilisatrice* in Nordostasien zu legitimieren.

Sören Urbansky beschreibt anschaulich, wie gegenwärtig die asiatischen Kultureinflüsse in Ostsibirien und dem Russischen Fernen Osten zunehmen. Nach dem Zerfall der Sowjetunion kam es zu einem Wiederaufleben des Buddhismus und Schamanismus, in der zu Russland zugehörigen Autonomen Republik Burjatien wird der Dalai Lama verehrt, der Ivolginskij-Tempel ist das spirituelle Zentrum des Buddhismus. Zur Sowjetzeit, vor allem unter dem Stalinismus, waren die Mönche massiven Repressionen ausgesetzt. Die sowjetische Propaganda sah in ihnen Spione des japanischen Imperialismus. Von Ulan-Ude, der Hauptstadt Burjatiens, reist Urbansky durch die benachbarte Mongolei, lange Zeit ein Satellitenstaat der Sowjetunion. Lenin-Museum und sozialistische Plattenbauweise zeugen von dem sowjetischen Einfluss.

Heutzutage sucht die Republik Mongolei nach ihrer nationalen Identität zwischen den großen Nachbarn Russland und China. Zu Recht schreibt der Autor, dass anstelle der Abhängigkeit von der Sowjetunion die von China getreten sei. Sören Urbanskys Reisereportage lässt den Schluss zu, dass der chinesische Einfluss den Grenzfluss Amur überschritten hat und sich über die Mongolei bis zum Baikalsee erstreckt. Seit dem Zerfall der Sowjetunion steht das Grenzland zwischen Baikalsee und Amur vor neuen Herausforderungen, denn die Grenzen verloren ihre Bedeutung. Ehemals kommunistische Länder wie Russland, die Mongolei und China mussten sich der globalen Marktwirtschaft öffnen. Gleichzeitig erstarkt der politische Autoritarismus unter den Regimen Vladimir Putins und Xi Jinpings. Die Frage, ob eine gemeinsame ökonomische und strategische Partnerschaft künftig

jenseits historischer Missverständnisse und Zerwürfnisse möglich ist, betrifft auch die Zukunft des Grenzlandes am Amur.

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Die COVID-19-Pandemie hat weltweit dazu geführt, dass quasi über Nacht Forschung und Lehre aus der Präsenz in die virtuelle Form verlagert werden mussten. Unterschiedliche Software wurde diskutiert und getestet, digitale Kompetenzen geschaffen oder weiterentwickelt, neue Methoden eingeführt und ausgebaut. Was bis vor kurzem noch als ein Ziel mittel- bis langfristiger Planung galt, musste in kürzester Zeit umgesetzt und auf seine Vor- und Nachteile hin getestet und adaptiert werden. Diese Umsetzung ging selbstverständlich nicht ohne Reibung vonstatten. Der Zwang zu online durchgeführten Konferenzen, Lehrveranstaltungen oder Vorträgen traf auf lang eingespielte Verhaltensweisen und führte unter Umständen zu ungewöhnlichen, bisweilen komischen, stets erinnerswerten Situationen. Er führte aber auch dazu, sich mit neuen Formen des wissenschaftlichen Arbeitens gezielt auseinanderzusetzen und sie auf Ihre Effizienz und Effektivität hin zu testen.

Im Rahmen unserer Rubrik „Forschung und Lehre“ möchten wir daher alle **Forschenden, Lehrenden und Studierenden** dazu aufrufen, die von Ihnen gemachten Erfahrungen mit unseren Leser\*innen zu teilen. Was waren Ihre Erlebnisse in der Überführung Ihrer Forschung und Lehre in digitale Formate? Was sind Vorteile und Nachteile der diversen Formate, die Sie ausprobiert und vielleicht wieder verworfen haben? Was sollte man Ihrer Ansicht nach für die Zukunft beibehalten und weiterentwickeln, worauf kann man möglicherweise verzichten? Welche Erlebnisse halten Sie für erinners- und teilenswert, als Teilnehmende oder Veranstalter\*innen von Konferenzen, Workshops, Vorlesungen und Seminaren? Neben der fachlichen Auseinandersetzung freuen wir uns mit diesem Call auch und vor allem auf Anekdotisches und Amüsantes (ggf. auch Anonymisiertes) aus Ihren Erlebnissen in der digitalen Wissenschaftswelt.

Beiträge können in englischer oder deutscher Sprache eingereicht werden und sollten einen Umfang von 25.000 Zeichen nicht überschreiten. Bitte reichen Sie Ihren Beitrag inklusive einer kurzen biografischen Notiz (max. 150 Wörter) bei der Redaktion ([asien@asienkunde.de](mailto:asien@asienkunde.de)) ein. Selbstverständlich dürfen Ihre digitalen Erlebnisse auch weiterhin in bei uns veröffentlichte Konferenzberichte einfließen.

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DGA CONFERENCE ON CONTEMPORARY ASIA

DGA-TAGUNG GEGENWÄRTIGES ASIEN

ROSTOCK, MARCH 1–3, 2023

## Sustainability “Made in Asia” — Challenges, Trends and Opportunities

### Call for Panel Proposals

The German Association for Asian Studies (DGA) is inviting panel proposals for its biennial conference which will be held from 1 to 3 March 2023 in Rostock. **The deadline for the submission of panel proposals is 31 July 2022.**

Sustainability has come a long way from a fuzzy concept to a guiding principle that sets the tone for the global discourse on the future development of humanity. Sustainability is not restricted to the natural environment but also extends to social, political, economic, and cultural resources and contexts. Thus, sustainability goes beyond environmentalism and also encompasses social equity, economic development, political change and many other dimensions. Against this background we invite proposals for panels that look at the many faces of sustainability in relation to Asia or from an Asian perspective.

The Conference on Contemporary Asia 2023 provides the framework for an interdisciplinary exchange and is thus aimed at a broad range of disciplines as well as subject areas that deal with sustainability at different levels. Contributions based on research (empirical-qualitative and -quantitative), theoretical-systematic works as well as reflected practical contributions are welcome.

The panel proposals should specify the topic, explain its relevance, provide an overview of the panel idea (max. 400 words) and include the contact details of the panel convenor. Names of panel contributors and the titles of their papers can already be included in the proposal but this is not an obligation.

The conference organisers will notify applicants by 25 August 2022 about the outcome of their proposal. This notification will be followed by a call for papers for the accepted panels. All participants will have an opportunity to submit their papers for a special issue of the journal ASIEN. Panel convenors will – in cooperation with the conference organisers – select papers and prepare the panels.

**Please follow <http://dga-conference.de> for panel submission.**

We look forward to your proposals!