Illegal but licit

Itty Abraham

A housewife in Kolkata buys bhindi (okra) from her neighbourhood vegetable seller for her child’s dinner. In doing so, she may have participated in an illegal activity. Depending on how far back we want to go, the chain of illegality can be said to have begun with the Bangladeshi farmer who planted the vegetable six months earlier. Or it may be more sensible to start with the social ‘commodity chain’ of women who transport bundles of vegetables by foot and ferry in the early hours of every morning across the hundreds of legal and unmarked border-crossing points from Bangladesh into India. Crossing without papers or passports, they sometimes bribe border guards to let them pass. This is when the first ‘crime’ takes place.

The ‘criminals’ include both the vegetable seller and the state border representative. Once in India, some women sell their produce to intermediaries in border villages and return to their homes in Bangladesh. Others board crowded passenger trains to Kolkata and sell their produce at the city’s wholesale vegetable market. Then they return home, sometimes stopping to purchase goods with a high resale value in Bangladesh and other household items. They reach Bangladesh that evening, sometimes bribing border guards again, depending on the tacit, socially sanctioned norms that govern this illicit flow. Before they arrive home, they may have stopped in a border village to meet relatives, drink tea and chat with friends, and to help arrange marriages for young men and women.

From the city vegetable mandi (market), mini-wholesalers and retailers fan out into the city’s neighbourhoods, sometimes selling directly to consumers who may include undocumented Bangladeshi maids working in middle-class households, who sometimes resell the produce at a slight mark-up to neighbourhood shops. This is where the second ‘crime’ takes place. Clearly no taxes are paid on Bangladeshi okra. The ‘criminals’ include the (Indian) vegetable sellers and her (possibly undocumented) consumers. This is micro-business, comparable to micro-credit in scale, and it is not without its dangers. Women, especially those travelling long distances alone, risk conducting business without guarantees of safety or reliability. Credit is rare, as this is almost entirely a cash business, making them vulnerable on their return: they may be caught up in random police sweeps or threatened by goondas (thugs). What protects them is the ubiquity of their behaviour and the well-known social rules that govern their international travel and transactions.

Illicit flows

Illicit movement across national borders takes place worldwide on a daily basis. Operating in the conceptual and empirical gap between these illicit activities and the means of describing and understanding them, the research project Illegal but Licit (see p.3) does not seek to condone or justify the undocumented crossing of national borders or the wilful breaking of municipal laws. Our aim, rather, is to understand and analyse the linked chain of social activities that violate one or another country’s laws. Furthermore, we seek to do so without recourse to the state’s languages of (il)legality or national...
Taking over...

In my first director’s note I think it appropriate to make some retrospective observations. I wish to use the opportunity to thank my predecessor Wim Stokhof for what he has achieved as founder/director of the International Institute for Asian Studies. I will keep this word of thanks brief, if only because Wim feels uneasy with personal praise and finds such expressions of appreciation a waste of time. After 13 years of directing the institute, Wim retired from office on 1 September of this year.

I have known Wim Stokhof since 1993, when I was setting up a European grant scheme for Asian Studies at the European Science Foundation in Strasbourg. With support from the governments of the Netherlands, France and the Nordic countries, the initiative developed into a major programme for the humanities and social sciences. The then newly established IAS was the secretariat and its director Wim Stokhof the secretary to the ESF Asia Committee; Thommy Svenson, then at the Nordic Institute of Asian Studies in Copenhagen, was chairman. Together we ran the Asia Committee, gathering scholars representing the major Asian Studies research institutes in Europe. From this experience we learnt how to navigate decision-making within complex fields of national interests and disciplinary traditions, experience which still informs decision-making within our present grant schemes of the European Alliance for Asian Studies/AESF workshop series. After I left the European Science Foundation in 1996, I kept in touch with IAS and became a member of the board.

Wim Stokhof founded IAS in 1993 and managed to create an institute that has gained a worldwide reputation for its breadth of activities. With offices in Leiden and Amsterdam, and with a board hailing from universities across the Netherlands, the institute has a truly national character. With its focus from around the world, and with its many linkages to other institutes, IAS at the same time has a broad international character. This is reflected in its range of research programmes, workshops, conferences, lectures and masterclasses. Stokhof always emphasized the need to be outward looking, to break through institutional and disciplinary boundaries, to collaborate and keep an open mind to what sometimes seemed risky endeavours. Typically, as one of my colleagues recently put it, where others would automatically say no to someone with a budding new research initiative, Stokhof would in principle say yes and inquire how a proposal could be improved to increase chances for funding. With his enthusiasm and constructive attitude, he helped many researchers on their way. He fully realized that an institute such as IAS should be complementary to the university departments, that this offered opportunities for IAS to do things the departments could not do. Unhierarchical and flexible, the institute has offered opportunities to scholars from around the world and created new momentum for Asian Studies in the Netherlands. This we owe largely to the vision and unconventional ideas of its founder. As far as I am concerned, the institute will continue to fulfil this pioneering function.

We are fortunate that Wim is not leaving IAS for good. He will remain in charge of the organisation of the International Convention of Asia Scholars (ICAS) under the wings of the institute. For myself, I am proud to stand on Wim’s shoulders and will do my best to keep up the good work. There will be new programmes, new forms of co-operation, many new fellows, and of course the good old newsletters. I am grateful to the IAS board for confiding Wim’s creation to me.

Max Sparreboom
Director, IAS
Defining what is illegal is no easy task. No global legal authority exists to define it, so the law almost always refers to states. And what is legal in one state may be illegal in another, just as what is state considers illegal today may become legal tomorrow. It is therefore impossible to objectively distinguish between the illegal and the legal when it comes to flows of people and commodities crossing international borders.

What makes matters more confusing is that those who violate laws are not necessarily outside state structures; state personnel regularly – some would argue structurally – engage in illegal practices. For example, ‘reasons of state’ may impel them to tap their fellow citizens’ phones, get rid of embarrassing documents, or undermine a neighbouring government. In addition, bent cops, corrupt officials, smuggling border guards and vote-selling parliamentarians are familiar characters who use their positions within states for personal gain. In short, what customarily passes for ‘international crime’ is a coherent whole whose parts are sometimes legal, sometimes illegal.

Discussions of legal and illegal can be furthered by introducing the distinction between ‘licit’ and ‘illicit’. These latter terms refer less to state law than to social perceptions of activities defined as right or wrong. Thus you may feel entitled to reside in a certain state’s territory, even though the laws of the land make you an unauthorised immigrant. You may have no qualms about using illegally copied software, wearing fake designer clothes or smoking that cheap smuggled cigarette. And you may happily employ a house cleaner who is an illegal resident. In all these cases you may know that you are doing something acceptable, or licit, and are likely to be in continual dialogue about what is licit and what is not permissible. Some Japanese may freely use heroin while others will frown upon it; some Pakistanis will enjoy drinking illegally imported whisky whereas others will condemn it as un-Islamic; you may take your whisky to the hawala (underworlds & borderlands) dealer and buy it for a fraction of its official cost.

Illicit Flows and Criminal Things: States, Borders, and the Other Side of Globalization

Willem van Schendel
University of Amsterdam
w.vanschendel@uva.nl


Other Side of Globalization

Willem van Schendel
Guest editor

Are you reading this newsletter, you may be indulging in illegal activity. Are you authorised to be in the place where you are reading this? If you are online, did you pay for the software you are using? Are you wearing fake designer clothes? Has that cigarette in your hand been smuggled into the country? And who is cleaning your house?

This special issue of IIAS Newsletter looks at practices that states prohibit, but are nevertheless widespread and often regarded as acceptable. Although such practices are in no way exclusively Asian, there are many ways in which examples from Asia can shed light on them. The authors assembled here share an interest in practices that are transnational, that is to say, involve movement across national borders.

Globalisation and transnationalism, though not new phenomena, have become more prominent over the past decades, resulting in worldwide movements of money, goods and people which have captured the imaginations of social scientists as never before. Most studies of transnational flows are framed in terms of the modern nation-state because most social scientists, consciously or unconsciously, take state territories as their starting point. Even international relations – a field that seeks to understand the world beyond the state – uses the state as its foundational unit of analysis. We thus rely on analytical categories that presuppose social immobility to understand mobile practices.

This issue explores the limitations of ‘seeing like a state’ and privileges the perspectives of participants in cross-border activities. This leads us to different understandings of processes of transnational movement, and to focus on a theme that is rarely highlighted in the study of transnational practices: the interface of legality and illegality. We do not start from the common image of societies as consisting of a moral core of upstanding citizens and a state guided by legal institutions to which criminals ‘out there’ lay siege, an approach that leads to thinking in terms of good guys and bad guys and the language of law enforcement. Key words reserved for bad guys and their organisations (syndicates, cartels, gangs, triads, secret societies, mafias, guerrilla outfits, traffickers and terrorist networks) all denote their special and separate status of being unauthorised, clandestine and underground. Such language constructs conceptual barriers between outlawed bad-guy activities (smuggling and trafficking) and state-approved good-guy activities (trade and migration) that obscure how these are often part of a single spectrum. It makes sense to break down such simple dichotomies and to accept that legality and illegality are interwoven in the lives of a great many people – and break down such simple dichotomies and to accept that legality and illegality are not necessarily outside state structures; state personnel regularly – some would argue structurally – engage in illegal activities. For example, ‘reasons of state’ may impel them to tap their fellow citizens’ phones, get rid of embarrassing documents, or undermine a neighbouring government. In addition, bent cops, corrupt officials, smuggling border guards and vote-selling parliamentarians are familiar characters who use their positions within states for personal gain. In short, what customarily passes for ‘international crime’ is a coherent whole whose parts are sometimes legal, sometimes illegal.

Defining what is illegal is no easy task. No global legal authority exists to define it, so the law almost always refers to states. And what is legal in one state may be illegal in another, just as what is state considers illegal today may become legal tomorrow. It is therefore impossible to objectively distinguish between the illegal and the legal when it comes to flows of people and commodities crossing international borders.

What makes matters more confusing is that those who violate laws are not necessarily outside state structures; state personnel regularly – some would argue structurally – engage in illegal activities. For example, ‘reasons of state’ may impel them to tap their fellow citizens’ phones, get rid of embarrassing documents, or undermine a neighbouring government. In addition, bent cops, corrupt officials, smuggling border guards and vote-selling parliamentarians are familiar characters who use their positions within states for personal gain. In short, what customarily passes for ‘international crime’ is a coherent whole whose parts are sometimes legal, sometimes illegal.

Tell us about the world we live in...

Write for IIAS Newsletter

letters, commentary, opinion
research essays, photo essays, interviews
book, journal, film, website reviews
fiction, poetry, visual art

Iiasnews@let.leidenuniv.nl

Takeo David Hymans & Natasja Kershof
editors

Theme intro

THE BORDERLANDS OF LEGALITY

Powerplay at bay?

Introducing South Asia

The interuniversity credit course is open to the public and held from 30 October until 2 November 2006 in Amsterdam on Thursdays at the University of Amsterdam starting at 12.30 hours to ensure participation of non-students.

Iias newsletter 843 autumn 2006 3
and the state's own terms of defining the difference between sharp contrast between social mores of acceptable behaviour like Liberia and Panama, whose sole purpose is to give ship Cayman Islands, Liechtenstein and the Channel Islands, called criminal behaviour flourishes: the tax havens of the essence of of criminality in their transactions; they are more likely to the consumer of the illegal commodity acknowledges the stigma of criminality in their transactions; they are more likely to appreciate the extent to which formal illegality surrounds us in the world is full of criminals, but that we have not yet begun to make the same point about. The US Border Patrol, driving along the most militarised and high-tech-defended border in the world, must allow hundreds of undocumented Mexican and other migrants to enter the US every day – or else the price of daily wage labour rises and Californian's powerful farm lobby starts to complain. In Jakarta's enormous Pramuka bird and pet market, hundreds of illegally trapped birds and animals are openly on sale. And sales are brisk: according to one estimate the average trader sells their stock in two weeks, which would mean 40,000 wild birds are sold to local customers every month. The penalties for illegally capturing and trading in protected species are severe but are of little effect.

To point to these or other examples is not to argue that the world is full of criminals, but that we have not yet begun to appreciate the extent to which formal illegality surrounds us in the course of our daily lives. It should further be noted that people involved in criminality of this order do not consider themselves criminals. Of course it could be said, what criminal does? But the point here is that neither the 'criminal' nor the consumer of the illegal commodity acknowledges the stigma of criminality in their transactions; they are more likely to point to the difficulty of separating crime from licit activity, and, by extension, perpetrators from victims.

The more sophisticated among them will point to the existence of legally sanctioned spaces where what can only be called criminal behaviour flourishes: the tax havens of the Cayman Islands, Liechtenstein and the Channel Islands, or the maritime ‘flags of convenience’ offered by countries like Liberia and Panama, whose sole purpose is to give shipping companies a legal way of avoiding regulations. What makes these sites of non-'criminality' different from slipping across the border between Burma and Thailand to work below minimum wage or buying smuggled Bollywood DVDs in Karachi markets? What we are pointing to is more than a sharp contrast between social mores of acceptable behaviour and the state’s own terms of defining the difference between licit and illegitimate activity; it is also the difficulty of doing so consistently and without recourse to circular reasoning.

The underground and the borderland
A simple matrix (above) can go beyond the contrast between socially acceptable forms of criminality, or ‘licit’, and legally banned forms of activity, which the state calls ‘illegal’. It is useful to think of the social space that emerge from this simple contrast of two idealised forms of authority, one emanating from the state, the other from society, producing the terms legal/illegal and licit/licit, respectively.

The left diagonal boxes (A) and (D) are end-points of a continuum, representing spaces privileged by liberal political theory. (D) represents a space where neither social nor political rules matter: it is nothing but a ‘state of nature’ where individual might and illegitimate force rules the day. For the original social contract theorists, and for contemporary writers like John Rawls, societies seek to move from such ‘naive and brutish’ places to (A), which represents the ideal political space where social norms and political rules mesh seamlessly and are indistinguishable.

Far more interesting (and realistic), however, are the spaces represented by (B) and (C). Consider in particular (B), the ‘underground’ space produced by the intersection of ‘illicit’ and ‘licit’. The underground represents social zones of interaction that, though banned by formal political authority, are nonetheless sanctioned and supported by prevailing social mores. Among the many sites that can fit this description are physical locations such as gay bathhouses, brothels, gambling dens, pornographic video parlours, certain kinds of social clubs and coffee houses, and virtual locations such as chat-rooms and private list-servers. This space may also be represented by mobility, as in the chain of writers, translators, copiers and readers who circulated samizdat literature in the Soviet Union. What marks these spaces as distinct entities are the conditions of entry because, as Igor Kopytoff puts it, ‘consumers...must first purchase access to the transaction.’ In other words, these are spaces that may exist in plain view, but in order to get access to their offerings an additional resource, usually information, is needed. This resource may be coded in ethnic, political, religious, linguistic, social, sexual or class terms; the effect is to produce what we call the ‘underground’, a space that is set apart from everyday life by these socially produced and enforced barriers to entry, and where the writ of formal law is suspended.

Also typical of cell B is the ‘borderland’. If the underground is characterised by a temporary dominance of private social orders over the legal order, the borderland is a zone where privately produced social order and formal political rules are in a constant state of uncertainty and conflict. As numerous studies of borderlands have shown, these regions are characterised by a complex interplay of power and authority. For those living in the borderland, it is a zone unto itself, neither wholly subject to the laws of states nor completely independent of them. Their autonomous practices make border residents and their cross-border cultures a zone of suspicion and surveillance; the visibility of the military and border forces an index of official anxiety. Yet to the outsider the everyday life by these socially produced and enforced barriers to entry, and where the writ of formal law is suspended.

In summary, this project seeks to draw attention to the intertwined nature of the legal and the illegal – the illicit – in many cross-border activities, emphasising the conceptual and practical difficulty of establishing fixed criteria for identifying one or another activity as ‘criminal’. Its ultimate goal is to help analyse the effects of illicit flows on spaces that are produced by the intersection of legitimate social and political authority, and to do so without (circular) recourse to the state’s own categories of legitimate and legal. We developed this framework in order to help advance the study of the varieties of everyday social behaviour that break laws and cross national borders, but which in our view do not constitute ‘criminal behaviour’ as conventionally understood. Nowadays, when so much activity is described by the all-encompassing term of international terrorism, it is important that scholars do not unwittingly endorse and participate in the fulfillment of powerful state interests without due reflection and concern for human rights.
Borderlands are often described as ‘frontier zones’ characterised by ‘rebellenousness, lawlessness and/or an absence of laws’ (Kristof 1959: 281). Anecdotes resonate with popular images of a remote underworld (or perhaps ‘outerworld’) where state authority is weak and lawlessness prevails. In the upper Mekong borderlands of Thailand, Laos and Burma, the imagery of borderland illegality persists both as spectacle and lure, but the substance of what happens there reveals a state and society in league.

Andrew Walker

**Fragments of borderlands trade**

In late 1994 a golden Buddha image appeared in the doorway of a main street warehouse in Chiang Khong, a busy Mekong River border town in northern Thailand and key trading point with northern Laos and beyond. Its long main street sprawls with shops, banks, restaurants and warehouses. The large Buddha image added colour to one of the more non-descript parts of town; a large banner above it invited participation in a major merit-making festival in a Luang Namtha temple 200 kilometres away in northern Laos. The Buddhist image, and a major cash donation, would be presented to the temple following the procession that would set off from Chiang Khong’s major river port at nine a.m. on 9 November. Merit-makers were advised to present three images of the imagery of borderland illegality persists both as spectre and lure, but the official paperwork for travel to Laos could be prepared.

This auspicious display of trans-border merit was the initiative of the Lao Savan Milling Company run by a larger-than-life Thai businessman with a long history of timber export operations in northern Laos. Visit Wongprasert’s most recent venture was a Luang Nantha sawmill originally built by Lao provincial authorities who, desperately short of capital, entered into a partnership with Visit. His investment transformed the mill into the most technologically advanced in the far northern provinces. On the information sheet distributed to merit-makers Visit was listed as fund-raising committee ‘chairman’. Given his investment arrangement with the provincial authorities, it comes as no surprise that the governor and vice-governor of Luang Namtha province served as committee deputies.

Sourcing timber is a complex business in Laos. Government quotas place limits on how much timber can be harvested. In Luang Namtha the quota lay well below the production capacity of Visit’s sawmill. In other words, the mill’s economic viability depended on relationships with provincial regulators to facilitate the extraction of logs well in excess of the quota (including logs from the fringes of the nearby biodiversity conservation area). The strategy appeared to work: in 1994 Thai customs (renowned for their under-reporting, given collaborative evasion of import duties) recorded that Visit exported sawn timber amounting to 4,000 cubic metres when that year’s quota was only 1,000 cubic metres. Elaborate merit-making with senior members of the provincial government was a small price to pay for this convenient oversight.

Somjit was a Lao petty trader and cross-river boat operator. She was the only woman I met who regularly operated a boat between Chiang Khong and Houeyxay on the far side of the Mekong border. Most mornings her long blue boat was a regular sight, cutting across the Mekong to Chiang Khong’s muddy port, where she casually wandered the main street’s wholesale shops, filling orders placed by customers in Houeyxay. Having made her purchases, she usually waited among the riverside sheds and restaurants directly opposite the Thai customs house. Eventually, her tuk-tuk arrived and headed down the concrete ramp to the port below where her goods would be loaded into her boat. Nonchalantly, she finished her conversations over a bowl of noodles, paid the tuk-tuk driver, loaded her boat out into deeper water, started the engine and rounded one of the islands that marked the beginning of Lao territory.

The profitablity of Somjit’s petty trading depended heavily on the non-pay-ment of border duties and fees. On the Thai side Somjit rarely paid the 50 baht immigration charge, the ‘process-ing charges’ or export taxes. She often avoided port fees collected by Thai boat-operators who controlled cross-border passage. When relations with customs officers were strained or the cross-river boat association was being particularly diligent in collecting fees, she moored her boat at the port’s far end (only 50 metres downstream) and loaded her goods via a muddy lane that avoided the customs house but ran past a restaurant where customs officers often chatted and planned their evening bad-minton games. On the far side of the river, where Lao import duties on many items were prohibitively high, Somjit rarely had to resort to the wads of Thai baht and Lao kip tucked in her fake leather handbag. She was friends with the customs officers, had known them for years and sometimes brought them treats like pornography videos. More often they invited her to share a beer.

The state of illegality

Both accounts illustrate aspects of borderlands illegality: above-quota logging, smuggling, bribery, peddling pornography. Most interesting is that both accounts involve close collaboration with the state (for other accounts see Walker 1999). Somjit’s success was not based on cross-border smuggling streetsters: she did not slip across the Mekong at night to collect goods hidden in riverbank overgrowth. Her passage through official ports was highly visible and often noticed by border officials. Somjit was much admired amongst the more powerful port formalities. The petty officials and cargo-port notables seemed keen to engage her in the flip-flopping and sexualised banter in which she excelled. Some may have entertained forlorn hopes of sexual access but for most her poh-skinned presence was an end in itself.

One group of Thai immigration police seemed so captivated that they gave her small gifts, even asking her what brand of beer she preferred. No doubt the relationships Somjit cultivated on both sides of the border varied in their nature and intensity, but it is clear that her ‘smuggling’ was based on a personalisation of engagement with – rather than avoidance of – state border officials. Visit’s case is similar: he did not seek to operate in a ‘non-state’ illegal timber economy but rather to forge new, more secure and profitable forms of regulatory collaboration.

It’s tempting to suggest that these remote local officials are simply out of control, subverting central government regulations and in urgent need of what international development agencies call ‘capacity building’ or that the actions of Visit and Somjit typify the undermin-ing of central state power as traditional state control, subverting central government effectively (for other accounts see, for example the LaoCIM study). But working under conditions of illegality become problematic – not just because transnationalism introduces non-state frames of reference, but because diverse and hybrid forms of governmentality become apparent. The national border itself emerges as a site where various forms of power, agency and constraint creatively (and often une-quality) interact, rather than as a place where state power stands opposed to local aspiration.

**Beyond hills and plains**

These insights encourage the rethink-ing of conventional models of social space in mainland Southeast Asia, which generally posit that frontiers are formed – and state power established – through a process of diffusion from powerful centres in the lowland plains to less powerful peripheries in the hills, where social life in the ‘periphery’ be-comes a simple confrontation between the ‘penetration’ of pre-existing states and the ‘resistance’ of pre-existing local communities. While the symbolic divi-sion between hills and plains culturally persists, we need to be aware of how the ‘lived essentialism’ (Scott 1999) of this simplifying narrative constrains schol-arly analysis.

An alternative approach would be to explore processes of collaborative state and community formation that take place in frontier regions. For while the reality of unequal power relations cannot be denied, neither can the creative and unpredictable agency of people in frontier areas in forming these rela-tions. The subtle interplay between the illegal and the licit provides one useful point of entry into the multi-faceted governmentality of Southern Asia’s seemingly peripheral regions.

References


Andrew Walker

To explore diverse forms of borderlands governmentality in other contexts, scholars at the Australian National University, The National University of Singapore and Yunnan University are developing a new project called ‘Beyond Hills and Plains: Rethinking Economy, State and Society in the Southeast Asian Mekong’. For further information contact the author.

**Image of the Buddha en-route to Luang Namtha.** Courtesy of author.
Smuggling and states along a Southeast Asian frontier

What is the nature of commodities in transit as they move across unstable spaces like international boundaries? How do time, geography, and culture influence whether or not goods are considered to be contraband? Who gets involved in smuggling, and why? Is involvement influenced by ethnicity, language, and class? How do states ‘see’ – especially along their frontiers? And what strategies do smugglers use to outwit the state’s normally superior resources?

The development of a border between the British and Dutch colonial regimes in Southeast Asia was intimately linked with smuggling across their frontier. While advances in technology and organisation enhanced European abilities to create and maintain borders during the period 1865-1915, western, and particularly Dutch fears of the ‘wild space’ of frontier areas never really waned over the course of this period.

Smuggling in its many manifestations (of drugs, arms, people, and currency, for example) had much to do with this paradoxical dynamic. Though these states waged fairly successful wars against certain ‘secret trades’ (such as counterfeit currency), other goods such as narcotics were never controlled during these 50 years. Other contraband commodities including human beings, in the form of prostitutes, coolies, and slaves, metamorphosed over time and more or less went underground. The Anglo-Dutch border, created and strengthened by modernising colonial states, was rife with smuggling, stated another way, boundary-production and boundary-transgression were two sides of the same coin.

Evidence in fragments

The story of smuggling across the sensitive and evolving Anglo-Dutch border in Southeast Asia is complex, and available information is fragmentary at best. Grand economic and political narratives do not tell the full story. To get an idea of how borders and smuggling actually interacted on the ground, we need to look at individual people and specific places: testimonials of Chinese woodcutters who were trafficked to coastal Sumatra; witness statements of men whose ships were pirated off the shore of Aceh; data on morphine seizures to coastal Sumatra; witness statements of men whose ships were caught up with local smugglers, the latter resisted by using guard cutters and police; there were always too many sampan policemen and criminals, 1870-1890.

Some spaces were judged to be better than others for smuggling, giving rise to a geography of contrabanding. Historically, undertrading has flourished in borderlands and peripheries; at natural choke points, such as mountain passes and narrow waterways; and in urban confusion, where the state has difficulty seeing through the frenzy of activity. Singapore – situated along the narrow waterway of the Straits and being a maritime border town – was a perfect focal point for smuggling. The city was also a crucial haven for smugglers because of its size and chaotic complexity. Here the vision and reach of the state turned elsewhere at the appropriate time.

Smuggling also took place in the networks of corruption and private interest that riddled the state in the form of its own civil servants. The collaboration of civil servants was often crucial to the success of contrabanding as they could ensure that the gaze of the state turned elsewhere at the appropriate time. This happened in both the British and Dutch spheres in 19th century Southeast Asia. Yet it is difficult to find records of these liaisons, as both colonial powers had much invested in their regimes’ supposed moral superiority, at least in the face of their subject populations. Nevertheless, corruption on the part of civil servants was an important part of the history of contrabanding.

Who were the smugglers?

Who smuggled commodities in colonial Southeast Asia? It would not be an exaggeration to answer ‘just about everyone’’. Chinese populations of various sub-groupings and linguistic affiliations, ‘Malays’, Bugis, Dayaks, Japanese, ‘Sea Gypsies’ and Europeans all took their turn. Redistributing commodities to subordinates to ensure vassalage was common throughout the region. The stakes for trading or smuggling successfully were high, ensuring the flow of goods could mean the difference between maintaining one’s power or losing it to rivals. Many could participate as the overhead needed for smuggling was often very low – a boat, some provisions, and local knowledge of tides, sandbars, and winds. With the imposition of powerful European states in the late 19th century, many local people did indeed try to make money in this way.

Such forms of state-designated criminality and resistance against ruling regimes have taken on many guises in human history. If James Scott is right in that the peasantry had everyday ways to resist state and elite exactions, how much more was this the case for merchants and long-distance traders? Possessing capital and distant contacts which peasants lacked – and a mobility that was part and parcel of their occupation – merchants (and the corrupt officials who were very often their allies) found many ways to resist the tightening stric.

tures of government, especially by smuggling. Some traders were merely continuing age-old commodity lines that now were designated as contraband by governments. Others saw the new imposition of borders and rigidified controls as an opportunity to make money. Many passed from being colonial comptodars into outlaws, though some of the smartest seem to have been able to occupy both niches at once.

For further reading


Eric Tagliacozzo
History Department, Cornell University
et54@cornell.edu

Indian policeman and criminal, 1870

Eric Tagliacozzo

> underworlds & borderlands
When anthropologists Clifford and Hildred Geertz arrived in a small village on Bali in the late 1950s, they were outsiders. It was, Clifford Geertz wrote, ‘as though we were not there. For them, and to a degree for ourselves, we were non-persons, specters, invisible men’ (1973:412). Things changed ten days later when they visited their first cockfight.

I witnessed these events in an era and place very different from the one Geertz was a part of. I couldn’t help but think the cockfight is still a helpful metaphore to understand the broader world of which it is a part. It was not, however, the particular ‘culture’ of Kundur that it helped me think about. What kind of homogenous culture could I possibly find in a place where Singaporean gamblers, West Javanese prostitutes and itinerant men from Kundur assemble temporarily? The cockfight on Kundur brings together people who are not primarily bound together by a shared system of values, but rather engaged in an illicit economic system (cf. Roseberry 1982). We might therefore think of the cockfighting ring as a kind of ‘contact zone’ (Pratt 1992) where people who have been historically separated come together socially in contexts of inequality and subordination.

The cockfight is therefore best understood, not as a story that reflects a relatively coherent system of meaning, which people tell themselves about themselves, but rather as an event in which strategies for survival and illicit desires converge in the shadows of economic globalisation. It is certainly a place where meaning is being produced (or at least communication is taking place) between individuals, but in a context structured by emergent forms of inequality, and facilitated by a transnational border regime that has no clear geographical boundaries. Despite these differences – between Kundur and Bali, and between my perspective and Geertz’s – the illegality of the cockfight has remained constant. What an ethnography of the cockfight suggests is that opening the black box of illegality can reveal structures of meaning and power that lead us to critical perspectives on the contemporary world.

**References**

Johan Lindquist
Department of Social Anthropology
Stockholm University
johan.lindquist@socant.su.se

**Notes on the Indonesian cockfight in a globalising world**

Forty years ago after Geertz left Bali, I witnessed my own cockfight near Tanjung Batu, a small port town on the Indonesian island of Kundur in the Riau Archipelago, located just off the coast of Singapore and the Malaysian Peninsula.

In 1844, five years after the founding of Singapore, the Anglo-Dutch Treaty made the Straits of Malacca the border between the English and Dutch colonial empires, dividing the Malay Peninsula from the Riau Archipelago and creating the geographical basis for what would become Indonesia, Malaysia, and Singapore. Until recently these borders were of limited importance. When Geertz was conducting fieldwork on Bali – Indonesia had become an independent nation only 15 years earlier – the whole Riau Archipelago was tied to the Singaporean empire. Since then regulation of the borders has intensified. With the transformation of Singapore into a financial hub in the 1980s, a transnational economic zone – the Growth Triangle – connects Riau, the Malaysian peninsula of Johor and Singapore.

The still largely rural island of Kundur counts 50,000 inhabitants who have mainly subsisted on rubber planting and fishing. Kundur is nowhere to be found in tourist guidebooks. Like many other islands in the region, it has been affected by the Growth Triangle project, but remains on the periphery of formal economic development. Informal change has been more obvious. Most notably, Kundur has the dubious distinction of housing some 1,000 young women in the largest brothel village in the region. Batu 7 is located seven km from Tanjung Batu and caters mainly to Singaporean tourists.

As I approach, a young man sitting in a booth takes a break from smoking his clove cigarette and points to a sign that reads in English: ‘Entrance 1,000 rupiah.’ As I pay, I notice a uniformed police officer standing with another man a few meters away. Recalling Curt's introductory talk to Balinese society, I smile to myself, certain that I will not be running away from the police today.

I turn my attention to the two men in their mid-20s standing next to me, who are far more talkative when I address them in Indonesian. ‘The Singaporeans make up the majority of the gamblers,’ they tell me, ‘but sometimes people will come from Thailand, or Brunei.’ Evidently, the only Indonesians who have enough money to compete in this contest are the tai kongs, the men who smuggle Indonesians illegally from Kundur across the border to Malaysia.

The two men are from the island but have just been deported from Malaysia where they were working illegally for nearly two years. Most of the Indonesian men hanging out around the ring, it turns out, frequently travel to and from Malaysia looking for work, though not all of them are from Kundur. When I ask them about their future plans, they claim that ‘It is only two hours across the Straits of Malacca, and there is no work to be found here anyway. Once they stop deporting people, we will go back.’

I look at the Chinese men who are making all the noise. One bangs his head against the fence and walks towards the exit while two raise their arms in triumph. The others, neither excited nor subdued, slowly make their way toward the brothel complex as everyone turns to watch them. When I ask the man standing next to me, he tells me they are from Singapore.

After the police guard the post guard at the entrance to the brothel, he gestures with his hand toward the man sitting there, who barely lifts his head in recognition. The blue and white paint has not yet begun cracking on the wooden building and the large porches where the women hang out, most of them in their latex teen and early 20s. I engage in a bit of idle conversation. All of them claim to be from West Java, a recognisable pattern in cheap brothels throughout Indonesia. Near the back of the complex is a small gate leading to the cockfighting ring and I decide to have a look.

As I turn my attention to the two men in their mid-20s standing next to me, who are far more talkative when I address them in Indonesian. ‘The Singaporeans make up the majority of the gamblers,’ they tell me, ‘but sometimes people will come from Thailand, or Brunei.’ Evidently, the only Indonesians who have enough money to compete in this contest are the tai kongs, the men who smuggle Indonesians illegally from Kundur across the border to Malaysia. The still largely rural island of Kundur counts 50,000 inhabitants who have mainly subsisted on rubber planting and fishing. Kundur is nowhere to be found in tourist guidebooks. Like many other islands in the region, it has been affected by the Growth Triangle project, but remains on the periphery of formal economic development. Informal change has been more obvious. Most notably, Kundur has the dubious distinction of housing some 1,000 young women in the largest brothel village in the region. Batu 7 is located seven km from Tanjung Batu and caters mainly to Singaporean tourists.
Our Newsletters — 2006
Underworlds & Borderlands

The earliest historical reference to hawala is in Egyptian records over a millennium ago, when it signified an ‘exchange of debt’ between those providing financial services to long distance traders. These financial service providers were known as ‘hawaladars’, a form of ‘underground bank’. Aware of the system; after 9/11 suspicion of the North West Frontier Province, to recipients within 48 hours, no matter how remote, to family members in their home countries – the diaspora supported their kinsfolk back home.

A modernised version of hawala was playing a significant role in financial transactions throughout the Islamic world before 9/11. Used by migrant workers of Muslim origin as a cheap and convenient means of sending savings to their families back home, ‘hawaladars’ are found at the heart of virtually every community established by Asian migrant workers in Europe, North America and the oil-rich Middle East. Migrant workers had little more than a telephone, computer and fax machine – often in the corner of an inner-city store selling anything from cheap ticket to groceries to a largely migrant clientele – hawaladars guarantee delivery to recipients within 48 hours, no matter how remote the destination, at a fraction of the cost charged by formally constituted agencies such as Western Union, and to a far wider range of destinations. Cash deliveries to remote valleys in the Pir Panjal, to the mountains of the North West Frontier Province, to war-torn Afghanistan and Somalia are all routine. A similar system used by Chinese migrants is called ‘fei-chao’, ‘flying money’ – an apt description of hawala’s wonders.

Terrorist finance?
Hawala is big business: millions of dollars a day flow through the system globally. Prior to 9/11 few outsiders were aware of the system, after 9/11 suspicion of all things Islamic suddenly labelled hawala a form of ‘underground banking’. But this is clearly banking with a difference. Hawala networks are based on the clerical procedures of formally constituted banks and their mounds of documentation – cheques, deposit receipts, account statements, transaction summaries – hawala operations appear to operate on an ‘impossible casual basis open to exploitation by terrorists and other malefactors.

Hawala is indeed an ‘informal’ system by contemporary Euro-American standards. Relying wherever possible on trust rather than written contracts to guarantee the security of their transactions, and transmitting only the data necessary to complete them, hawaladars deploy conventional banking procedures of consolidation, settlement and deconsolidation, but reduce record-keeping to a bare minimum. This ‘lean and mean’ approach dramatically reduces overheads and cost per transaction. It also alarms regulators: such operations appear to be unactable by conventional standards. During the post-9/11 panic, hawala was routinely described as ‘a system without records’.

Much of that was hype. Careful inspection reveals that hawaladars do keep essential records – amounts delivered, recipient names and addresses – with out which they could not run their operations. But these front-office practices were not what stumped outside observers; it was their back-office procedures culminating in cash deliveries to remote locations that remained shrouded in mystery. Sending funds overseas by conventional means meant using a cash nexus, which is why banks charge substantial commissions. How could ‘back-street’ hawaladars achieve the same end so much more cheaply? Many sceptical observers smiled a rat.

While the American military rounded up ‘illegitimate combatants’ over the world, the US Treasury Department took aim at illegitimate financial networks suspected of supporting terrorists. When the American embassies in Nairobi and Dar es Salaam were bombed three years earlier, the US alleged that al-Qaida operatives had received funds through local hawaladars. On the grounds that those responsible for the 9/11 atrocities must have done the same, American authorities soon found a target: the al-Barakaat network, the principal means through which members of the Somali diaspora supported their kinsfolk back home. The network was promptly shut down and all its assets confiscated, despite vociferous protests that al-Barakaat had a legitimate function and that the cash remitted by immigrants had kept the entire Somali economy afloat for the past decade. Suggestions that al-Barakaat was the underground banking arm of al-Qaida turned out to be largely spurious. The 9/11 Commission concluded most funds used in finance the Twin Towers operation were channelled through the Suntrust Bank in Venice, Florida, where two of the perpetrators had opened a conventional account.

Know your customer
In the heated post-9/11 political climate, lack of evidence did not preclude taking action. Within six months Congress passed the Patriot Act, fully entitled: Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism. Among its draconian measures was requiring all US-based financial institutions to provide the Federal Financial Laundering and Countering Terrorist Finance (AML/CFT) regulations promulgated by the US-sponsored Financial Crimes Enforcement Network. In addition to monitoring individual customer transactions, these regulations also required American financial institutions to ensure that the financial institutions with which the former did business – including those operating elsewhere in the world – complied with AML/CFT requirements. Thus American war-on-terror strategists aimed not only to detect and sweep up terrorists from their ranks, but to perform a similar operation with respect to suspect financial flows. Given the status of the dollar as the globally-preferred unit of exchange, no major financial institution in the world could afford to ignore the new provisions if they wanted to continue routing transactions through New York’s markets – as they had to in order to stay in business.

The American Treasury clearly felt it had the enemy cornered. The Patriot Act also imposed ‘Know Your Customer’ (KYC) regulations, which required all financial institutions to perform ‘know your customers’ checks on all of its customers and to ensure funds deposited were ‘clean’. KYC non-compliance could lead to multi-million-dollar fines. The Financial Crimes Enforcement Network’s main objective was to firewall the global financial system. If all institutions complied with its new requirements, of which KYC was the key, criminally acquired funds would be unable to penetrate the legitimate financial marketplace. ‘Clean money’ would circulate freely, while ‘dirty’ money generated by drug smugglers, criminals and terrorists would stagnate outside the firewall and, theoretically, get mopped up by authorities. In principle, the new regulations did not ban hawala networks. They simply demanded compliance from USAML/CFT, KYC and other financial services industry regulations. Hence American authorities had the great success closing down ‘terrorist’ networks in breach of regulatory requirements. Many European governments took the same sceptical view of hawala networks.

At first these initiatives appeared to have the desired effect. Fixed with the possible seizure of infantile sector transfers, many migrants switched to the more expensive services of formally constituted money transfer systems to send money home. The results were spectacular: in Pakistan, for example, the formally recorded annual inflow of remittances rose from US$1 billion in 2001 to US$2 billion in 2004. Since then, however, formal channel inflow has slackened and no evidence suggests the end of informal networks. The World Bank’s 2005 estimates suggest the annual global flow of migrant remittances through formal channels exceeded US$335 billion worldwide, of which developing countries received US$167 billion. Unrecorded flows are conservatively estimated at 50% of worldwide recorded flows.

Informal value transfer systems – of which hawala is one – are still very much in business. Wherever possible they adjust their practices (or how they represent them) to comply with AML/CFT regulations. They take advantage of local variations, given that countries interpret AML requirements differently. In Britain, for example, customs inspectors have confined their attention to front-office KYC compliance; in keeping with the Financial Crimes Enforcement Network’s ‘firewall’ policy, inspectors rarely, if ever, consider the back-office procedures of those engaged in trans-national and trans-border transactions and as a result most hawaladars have registered themselves as licensed Money Service Businesses. Meanwhile, in France, Germany and the Netherlands, those seeking to operate such businesses are required to register as banks, with all the associated regulatory consequences. Nevertheless, hawaladars have managed to keep their heads well below the parapet. The Patriot Act has not killed off hawala, adjusting to local circumstances, the operation is thriving.

From swapping debts to swapping data
Post-9/11 paranoia spawned conspiracy theories about how hawala enables criminals, drug smugglers and terrorists to run wild. Before jumping to such conclusions, it is worth examining these. Do the excellent terms hawaladars offer migrant workers really result from large premiums criminals and terrorists pay to get their hands on ‘clean’ dollars? Or have hawaladars simply devised a highly efficient means of long-distance value transfers with which formal institutions cannot compete? From their customers’ perspective, the most attractive dimension of hawala-style delivery systems is their capacity to provide financial services swiftly and at a fraction of the cost charged by Western Union or Travellers. Customers depositing cash in any one country and currency can expect a sum of similar value in local currency to reach its destination in another country within 48 hours.

How are hawaladars able to do this? The efficiency of their back-office procedures incur overhead costs dramatically lower than those of formal sector rivals. These costs have two major components. The first is a premium on global financial services that can be conserved, traded and de-consolidated. In principle, while information is transmitted far more cheaply than cash, information processing also costs money; this is the second source of overheads. Hawaladars, like banks, often keep funds in a different country; seek to reduce by turning cash into value financial instruments that can be conserved, traded and de-consolidated. In principle, while information is transmitted far more cheaply than cash, information processing also costs money; this is the second source of overheads. Hawaladars, like banks, often keep funds in a different country; seek to reduce by turning cash into value financial instruments that can be conserved, traded and de-consolidated. In principle, while information is transmitted far more cheaply than cash, information processing also costs money; this is the second source of overheads. Hawaladars, like banks, often keep funds in a different country; seek to reduce by turning cash into value financial instruments that can be conserved, traded and de-consolidated. In principle, while information is transmitted far more cheaply than cash, information processing also costs money; this is the second source of overheads.
be instantly transmitted to anyone with access to a telephone, whether a landline, mobile phone or satellite link. Hawaladars owe their competitiveness to marrying their ancient commercial art with modern communications technology.

Most migrants rarely remit sums of more than a few hundred dollars at a time. They demand receipts, receive cash deliveries swiftly and reliably, even if they live in remote villages. For formal sector banks, meeting the demands of such customers is extremely challenging. Their procedures are cumbersome and overheads substantial: their migrant customers frequently find that between 15 and 20% of their hard-earned cash disappears in transfer and delivery costs. While hawaladars use conventional settlement and deconcentration, they substitute mainstream banks' expensive formal procedures with 'informal' reciprocities of trust and by using a distributed system of information-exchange (rather than storing masses of data in expensive central registries) to implement long-distance value transfers. Because hawaladars trust their financial services require far more cheaply, migrants flock to them.

**Trust**

Whilst hawalas and other similarly constitut ed value transfer networks are commonly identified as 'informal', they are anything but small-scale. In Dubai, the hub of contemporary global hawala networks, multi-million-dollar transfers-settlements are brokered every day using IF facilities and financial methods no different from those deployed by formal rivals. What is different is the virtually成本less coalition of trust binding all participating hawaladars together within an alliance that maintains system security and allows bewilderingly complex transactions. Dubai mega-deals can involve multiple tranches of £500,000 assembled by a 'constituting hawala' operating at a national level. This is where the physical dimensions of hawala – including the physical transfer of currency notes – are more easily grasped by the uninstructed. Consider the sketch below, a simplified illustration of how two parallel sets of consolidation and deconsolidation in Britain and Pakistan and a back-to-back swap of value between consolidating hawaladars can facilitate the transfer of funds from Pakistani settlers in Britain to their kinsfolk in Pakistan.

The core of the operation, executed on a daily basis, is an agreement between two hawaladars for a tranche of cash of the same value, say, one in pounds sterling and the other in Pakistani rupees, as a means of implementing a multitude of smaller deals on behalf of their respective clients. For example, assuming £1 equals 100 rupees, if a Britain-based hawaladar consolidates £5,000 from numerous Britain-based Pakistanis sending small sums back to family members in northern Pakistan, and his Karachi-based partner hawaladar accumulates in multiple rupee deals from local businessmen seeking to settle £5,000 of invoices from British suppliers, the two can do a straightforward swap: the Britain-based hawaladar physically transfers £5,000 in cash to the Pakistan-based hawaladar's representative in Britain, while a parallel cheque for 500,000 Pakistani rupees takes place in Karachi and the bank notes are delivered to the northern villages where migrant workers' relatives are living.

As the diagram illustrates, many actors are involved in such a deal. The tranches of value that the two consolidating hawaladars swap represent are almost always a product of many independent brokers and sub-deals negotiated by each hawaladar's agents and sub-agents. Networks even more complex than the kind shown below 'pulsate' on a daily basis. In essence, each deal is a transnational swap not so much of cash but of information between the two consolidating hawaladars – information that promptly generates two matched, simultaneous and local flows of hard cash: one flows in pounds down the left side of the diagramme, the other in Pakistani rupees up the right. Both movements of cash take place within the system's back-office dimension and lead to a steady deconsolidation of the transnational value that culminates when cash reaches hawaladars whose front-office procedures hand cash over to the ultimate recipients. To the end recipient, value transmitted from elsewhere is transformed as if by magic into cash in hand or in their bank accounts.

**Should we be alarmed?**

Could such networks provide a financial haven for terrorists and drug smugglers? We know huge sums of dirty money regularly flow through the formal banking system, regardless of AML/CFT requirements. Informal systems are open to similar forms of malfeasance, but does it actually happen? If so, on what scale? Conspiracy theorists, uninterested in exploring how hawala networks actually operate, bemused by suggestions that they constitute a highly effective entrepreneurial initiative in the increasingly competitive global marketplace for financial services, leap for easy answers. For example, the Financial Action Task Force website unequivocally asserts that cash delivery of the kind shown in the bottom-left quadrant of the diagram is prima facie evidence of money laundering and a classic case of ‘cuckoo smuggling’ – the transfer of criminal funds through the accounts of unsuspecting persons. Other possibilities are considered.

This is not to suggest that money launderers do not or cannot exploit hawala networks. Some of those tranches of US$100,000 could indeed come from a heroin sale. But no matter how great the profits of international drug-smuggling, they are dwarfed by the scale of migrant remittances. And is it likely that Britain-based drug smugglers shrink their profits in Pakistani rupees? All serious commentators agree smugglers prefer US dollars in formally constituted banks located in well-sheltered Caribbean jurisdictions.

That said, one cannot exclude the possibility that criminals, terrorists and drug smugglers will take advantage of those jurisdictions where no formally constituted banks currently operate. In Somalia and Afghanistan, for example, financial transactions of all kinds, from the most innocent to the most criminal, can indeed pass through hawala networks. In more normal circumstances, however, hawaladars have a direct interest in avoiding suspicion. Coalitions of absolute trust depend on the reliability of their members and everyone their members do business with. Violated trust imperils the stability of the whole coalition and invites severe sanctions. Precisely because hawaladars expect to maintain a personal relationship with their customers, especially those with whom they engage in large-scale transactions, they effectively maintain their own ‘know your customer’ scheme. They also have an interest in excluding dodgy dealers: failure to do so imperils their position within the coalition.

Nobody denies the need for authorities to do everything in their legal power to contain the activities of their financiers. If such networks are small, the far-lasting results have not been impressive. It’s easy to impound cash passing through hawala networks and dam suc in destroying the financial sinews of terrorist and drug-smuggling operations. But if neither terrorists nor drug smugglers are apprehended, if heroin becomes cheaper and reliable means of sending money back home. The authorities are correct in believing that some ‘dirty money’ finds its way through the system underground. The challenge is not to frustrate the financial transactions of separating the sheep from the goats. But authorities appear to have issued those who guard the gates of financial rectitude with blunderbusses rather than stilettos – their efforts cause considerable collateral damage. Meanwhile, the goats continue to slip by undetected and are becoming more skilled at evading surveillance.

The authorities’ chances of success might have improved were they to formulate their strategies with a better appreciation of the character, location and modus operandi of their targets. They urgently need to understand the system underpinning the network – the currently preferred tactic – favours criminals much more than their pursuers, given that the ultimate targets are the terrorists and drug smugglers behind those alleged to be providing them with financial services. Rather than succumbing to panic, might not the authorities be more interested in finding out how such networks operate, how they co-opt the cooperation of hawaladars instead of subjecting them to random prosecution on specious grounds? If so, with more knowledge, it could be possible to find usefully the system, nobody is better placed than hawaladars to guide investigators to its source. But there is little chance of their voluntary cooperation if their normal commercial business places them in constant danger of arrest. 

**Notes**


3. Amongst other things this initiative led to the emergence of expensive AML/CFT compliance consultants, www.money laundering.com gives constant updates on the additional spheres of financial activity into which the regulatory regime has spread. In addition, training programmes which enable participants to become certified anti-money laundering consultants.

4. It is important to reserve provisions which have facilitated the shut-down in the financial networks of the Palestinian economy since the election of Hamas. Once labels of terrorist regime, no international banks have dared to transfer funds into Palestine for fear of having their facilities in New York tarred.

5. This strategy was based on a largely illusory premise. As Raymond bakery demonstrates in great and illuminating detail in Capitalism’s Achilles Heal: Dirty Money and the Global Financial System (Wiley 2005), trillions of shadily acquired dollars already circulate freely within the financial framework of the Financial Crimes Enforcement Network is so desperately seeking to erect.


7. The State Bank of Pakistan's best estimate was the annual total of inflow remittances, equating to about $33 billion and $US7 billion. In other words, despite the massive post-9/11 switch into the formal sector, around 95% of the inflow was channelled through hawala networks and informal sector. www.sbp.org.pk/publi cations/wapers/wp05.pdf


9. Anyone who has recently opened a bank account will be familiar with KYC regulations, which require two independent forms of personal and financial identification before the transaction can proceed.


11. In this example I am assuming that the two hawaladars are acting independently. In practice these localised swaps are often part of much larger global swaps brokered elsewhere, usually in Dubai.

More than 600 million small arms and light weapons are estimated to be in circulation worldwide. They are directly responsible for the deaths of more than 300,000 people every year through armed conflict, homicides and suicides. The indirect effects of small arms use and availability are graver still, and include injury, disease, poverty, trauma and underdevelopment for millions.

The illicit trade in small arms and light weapons

Nicolás Florquin

Contrary to other trafficked and deadly commodities such as narcotics, small arms usually begin their life legally. Perhaps as little as 1% of global small arms production is illegal; more than 1,200 companies in over 50 countries produce small arms, light weapons and ammunition with government authorisation. Asian producers are among the largest, and include China, India and Pakistan. China produces the full range of small arms including the Type-56 assault rifle modelled after the Russian Federation’s Kalashnikov. Indonesia, Iran, North Korea, the Philippines and Vietnam also produce a wide range of weapons although in global terms they are relatively small-scale producers. Japan has a highly developed defence industry and is among the few states currently developing technologically intensive light weapons such as anti-tank guided weapons and man-portable air defence systems.

The legal small arms trade comprises transfers that are authorised or licensed by governments. The value of the global legal trade in small arms and light weapons is estimated to be US$4 billion annually. Regrettably, the legal small arms trade lacks transparency. Only half of the world’s countries report their small arms imports and exports to the UN Commodity Trade Statistics Database (COMTRADE). In 2001-03, COMTRADE valued Japan’s small arms exports to its recipients including Australia, Belgium, Canada, France, Germany, Kenya and the United States at around US$70m. South Korean exports in the meantime averaged US$20m annually over the period 2001-03. No trade data is available for several high or medium-level small arms-producing Asian countries such as China, North Korea, Pakistan or Singapore. Large Asian importers include Japan, South Korea and countries experiencing internal or international conflicts such as Afghanistan, Indonesia, Nepal and Sri Lanka.

Black and grey markets

Corruption, battlefield seizure and stockpile mismanagement divert weapons from the legal to the illicit market. The 2001 Small Arms Survey estimates that approximately 10-20% of the global trade in small arms is illicit, indicating that small arms are regularly being transferred from legal to illicit circuits. Understanding how weapons move from one sphere to the other requires a better understanding of loopholes within the legal market.

While the illicit trade in small arms is difficult to ascertain, its annual worth is estimated to be several hundred million dollars. One component of the illicit trade is the black market, which involves transfers that clearly violate national and/or international laws and that take place without any official or covert government consent or control. The grey market, meanwhile, includes (often covert) transfers conducted by governments, or brokers or other entities sponsored by (or acting on behalf of) governments.

Government involvement in the grey market usually entails a hidden policy agenda or operation driving the transfers, while the black market includes only those transfers where corrupt individual government officials are acting for personal gain, or deals between non-state actors that do not involve government officials. While available data do not provide a reliable estimate, anecdotal evidence gathered during major arms smuggling investigations suggests that the larger illicit transfers tend to be ‘grey’.

In Asia, weapons dispersed during conflict appear to be a significant source of illicit small arms. Decades of civil war have left several hundreds of thousands of weapons unchecked in countries such as Cambodia and Burma. These arsenals include such destructive weapons as SA-7 surface-to-air missiles and RPG-7 rocket launchers. Private arms dealers are known to have sold some of these weapons to rebel groups in the region. Outside buyers include the Liberation Tigers of Tamil Eelam in Sri Lanka, ethnic insurgents in northern eastern India, various guerrilla groups in Burma, Muslim rebels in the Philippines, Maoist insurgents in Nepal and separatist rebels in Aceh, Indonesia. Large organised crime syndicates have also acquired weapons from Asia’s post-conflict societies. These include triads in Macau, Hong Kong and Taiwan, Thai gangsters and the Russian Mafia.

While the craft production of small arms most likely represents a minuscule proportion of global firearms production, it appears to be relatively prominent and technologically advanced in several Asian countries. Craft production involves the small-scale, hand-made construction of simple weapons or copies of existing ones in private workshops or homes without legal authorisation. Several countries in Asia produce such weapons. Craft production of small arms in Pakistan, for instance, has been estimated at roughly 20,000 units per year, produced mainly in Dera in the Northwest Frontier Province. Craft production of small arms is widespread throughout the Philippines. In 2002, an estimated 3,000 gunsmiths operated in Davao City in central Philippines alone, and at least 5,000 people relied on the gun trade for their livelihood. Yet in other cases, such as Papua New Guinea and the Solomon Islands, enterprises may be isolated and small-scale.

Fighting back

The international community is beginning to better understand the full dimensions of the challenge small arms pose to human security. Important international measures to address it include the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) and the United Nations Firearms Protocol. In the PoA, adopted in 2001, member states agreed to an extensive set of commitments centred on the prevention and reduction of small arms trafficking and proliferation. The UN Firearms Protocol, which entered into force in July 2005, commits states to regulate the manufacture and trade of firearms through a licensing system. Progress has also been made in the realm of addressing transfers of certain types of light weapons such as man-portable air defence systems.

There is also increasing awareness about the role of arms brokers, and even though international efforts to address arms brokering have not made significant progress, in recent years many states have improved national-level controls. Although a standard definition does not exist, an arms broker can be described as an individual who facilitates and organises arms transactions on behalf of suppliers and recipients for some form of compensation or financial reward. There have been concrete developments in the European Union and the Organization of American States regarding the issue of illicit brokering. The Association of Southeast Asian Nations has addressed the issue of illicit brokering at the regional level of transnational organised crime. The majority of states, however, continue to resist transparency regarding their legal transfers and official inventories. It is only with greater oversight, transparency and monitoring of legal weapons that the problem of the illicit trade will be successfully tackled.

Notes

3. The Week, India, 1 October 2000.
THE RUMOUR OF TRAFFICKING

A poorly addressed women’s issue in the early 1980s, ‘human trafficking’ is now high on the political agenda. Couched in the language of human and migrant rights and the depredations of transnational organised crime, anti-trafficking discourse describes the trafficker as the source and means of migrant exploitation in the global migration economy. Human trafficking, in the words of a G8 ministerial communiqué, is the ‘dark side of globalisation’. Are you the victim or the crime?

Since then, an elaborate discourse encompassing states, international organisations, NGOs and academic institutions has been established in a remarkably short time. Addressing prostitution, illegal immigration, asylum seeking and organised crime, the discourse works in a double-sense – morally and legally – to criminalise cross-border irregularities that contemporary migration research shows are extremely widespread and deeply embedded in formal state and market structures. Individual migrant lives constantly weave their way in and out of intersecting spheres of legality and illegality. Migrants resort to illicit entry – or illicit evasion of exit – often using services provided by the ‘immigration industry’.

Far from being helpless victims of evil traffickers, most migrants – including women – are engaged in a constant struggle to retain control of their migration projects. So are states. That both often fail is not because of the evil machinations of human traffickers alone. The imagery of perpetrator and victim in the trafficking discourse, however, lends itself to discursive transference – from

...
BROKERING MIGRATION FROM SOUTHERN CHINA

The income gap between rich and developing countries is still the most influential factor driving transnational migration. Although strict border controls and selection criteria have erected barriers, thousands of people who do not meet the requirements have reached their destinations, while even greater numbers would like to do so. As individual effort cannot ensure successful cross-border migration, its brokerage has become a profitable business.

Li Minghuan

My research focuses on Tingjiang, a rural region along the southeast coast of China known for decades as a source area of transnational migration. I have tried to trace how the current migration trend towards high-income states began, developed and expanded. Undoubtedly, the migration wave has been the result of a combination of many interacting factors. Here I focus on migration brokerage, a key node in migration networks.

Emergence of brokerage

Tingjiang is at the mouth of the Min River. For as long as anyone can remember, young local men have been sailors. With the coming of modern shipping, many youths were employed by foreign shipping companies, and when their ships called at New York some sailors jumped ship to try their luck ashore. This was how people from Tingjiang began their lives in the United States in the first half of the 20th century.

Emigration was interrupted after the establishment of the People’s Republic of China and condemned as counter-revolutionary during the Cultural Revolution. In the mid-1970s, when the Cultural Revolution was near its end, returned overseas Chinese and their families received permission to travel abroad if they could provide the required documents. Permission was severely restricted but emigration had become possible again; Tingjiang residents with relatives in the U.S. seized the opportunity. New regulations in the reform era allowed returned migrants, especially those who had family members abroad, to migrate once again.

As most applicants were unfamiliar with the necessary formalities, most applications were arranged by Chinese abroad. Some successful applicants were able to obtain permanent residency upon arrival based on family ties or were granted work permits and settled down; others went to Hong Kong where opportunities were plentiful and wages much higher than in the U.S. News from the first emigrants was so encouraging that more followed. Only a small percentage of potential migrants, however, met the selection criteria. Many others needed help.

Helping people go abroad was first motivated by affection, friendship or sympathy, but as demand for help grew, it became a business. Relatives of overseas Chinese could easily obtain passports and entrance visas, so some became brokers themselves, arranging transnational marriages and adoptions. Though this trend began with real marriages and adoptions, false arrangements soon appeared. As few could master the complicated procedures, it became a business for experts.

Sister Ping: illegal migrant to illegal broker

In June 2000, a series of reports in Chinese language media in the U.S. attracted the attention of Chinese immigrants and their relatives in mainland China. The reports concerned a woman on trial in New York. Sister Ping, accused of having amassed US$40 million by smuggling Chinese into the U.S. and of involvement in the tragic death of dozens of stowaways.1

Sister Ping (full name Zheng Cui Ping) was born in a peasant family in Tingjiang and received only a primary school education. In 1974 she and her husband emigrated to Hong Kong, in 1981 she settled in New York’s Chinatown as an undocumented worker. Nobody knows how she managed to get her green card within a year of her arrival. Ping started to help her relatives and friends emigrate. At first, in exchange for her assistance, she received rewards of appreciation, but soon it became an open secret that ‘it takes money to buy every step of emigration’. In Tingjiang in the mid-1980s, the quoted price for helping a person emigrate to the U.S. was US$18,000. By the end of the 1990s, the price had skyrocketed to US$60,000-70,000.

When Ping was just starting out, a new law boosted her business. The implementation of the Immigration Reform and Control Act enabled 2-3 million undocumented immigrants to obtain permanent residency status. Among the lucky ones were hundreds of Sister Ping’s first customers. When this news spread in Ping’s home region, she became a local heroine.

In the late 1980s Ping began renting and buying smugglers to smuggle larger groups. According to online news reports, groups organised by Ping often included hundreds of people, and her largest group, according to what I heard during my fieldwork in Tingjiang, might have included 500 people. In June 1993 the world was shocked when 300 Chinese on board the decrepit freighter Golden Venture made an emergency landing during which 11 passengers drowned. Although Ping did not own the freighter, she had lent money to the owner and had helped in the overall planning. After the tragedy, Ping was one of the most wanted smugglers in the United States. But she used a fake passport and did not cease running her business until she was arrested at Hong Kong airport in April 2000.

From snakehead to tail: the emigrant broker hierarchy

Unauthorised emigration brokers, dubbed ‘snakeheads’ by the Chinese state media, comprise a three-tiered hierarchy linking source and destination countries. At the top are the ‘big snakeheads’; small groups (like Sister Ping’s) who legally live abroad and use large sums of money to ‘pave the way’ out of China and into the destination country. They organise and expand transnational migration networks, take care of documents or facilities for clients, and/or bribe officials in China and elsewhere.

The middle tier is comprised of institutional brokers who often work for officially registered companies in the migration source area. Authorized to procure labour for export and assist participants in study abroad programmes and internationally contracted projects, these companies often provide training in languages, cooking, nursing, basic computer skills, job interviewing, document preparation and sometimes how to apply for legal status after arriving illegally. Clients pay for the training and upon completion receive a certificate which can be used to prove that the holders meet the immigration requirements of the destination state.

The bottom tier of brokers are local agents who act individually. They have connections with the middle tier but may also have contact with a ‘big snakehead’ through, as in Sister Ping’s example, that snakehead’s fellow villagers. Their task is to find potential customers and introduce them to companies or snakeheads. For each recruited migrant, the company or snakehead pays the local agent a commission ranging from a few thousand to tens of thousands of renminbi.

Hopeful migrants consider payment of the broker’s fee an investment. The actual amount depends first on anticipated income in the destination country; the brokerage fee for expediting migration to the U.S. is always higher than for Europe. Second, it depends on the complexity of the services. Most difficult, and thus most expensive, is acquiring official immigration status, but if the applicant agrees to go abroad as a contract worker to countries such as Israel or Kuwait, the charge will be lower. Third, it depends on the applicant’s status. If the applicant is more or less qualified to meet immigration requirements, the fee will be lower. If the applicant needs to be ‘trained’ to qualify, the price will increase accordingly.

Since the late 1990s, the Chinese authorities have declared human smuggling illegal and local police have been hunting down smugglers. After the Dover tragedy in England, where 38 Chinese stowaways were found dead in a truck, dozens of snakeheads were arrested and put in prison. Many of those arrested, however, were at the bottom of the hierarchy; their direct contact with the victims meant they could be identified. Big snakeheads such as Sister Ping, however, often live abroad and possess several passports. Their criminal activities cannot be stopped without transnational co-operation.

The view from Tingjiang

On 16 March 2000, Ping was sentenced to 35 years in prison, meaning this 57-year old woman would spend the rest of her life in jail. Many Chinese immigrants in New York disagreed with the judgement. The commonly held opinion was that Ping ‘is a good migration broker because she helped a lot of her co-villagers realise their dreams of upward mobility.’ And, ‘Only in the eyes of the American officials was what she did criminal.’ The head of the Fujianese association in New York said, ‘Sister Ping enjoys the best reputation among dozens of snakeheads. She did offend the immigration law of America. But from a moral perspective she is not a criminal. She is innocent.’3 None of the people I interviewed in
Beware of the data

The conclusion that smuggling is carried out by powerful criminal organisations is often based on government reports and official statements, whereas the conclusion that smuggling is carried out through looser social networks is often based on field interviews. Is one right and the other wrong? 

Melvin Sudjie

Newspaper articles and government reports warn of ‘snakeheads’ who organize the journey from China to the West. These journeys can take weeks or even months, are sometimes dangerous and cost as much as $50,000. It takes migrants years to repay this debt, often by working in exploitative conditions. These statements together paint a disturbing picture, that smuggling of Chinese people is an evil business where migrants fall prey to powerful criminal organisations.

On the other hand, interviews with smugglers often show that they are not engaged in other types of crime. Transport is often provided through family networks and social contacts. Migrants themselves prove not to be helpless victims, but conscious users of services provided by smugglers. Following the famous military theorist Clausewitz, human smuggling seems nothing more than the continuation of migration by other means.

Contradictory findings about Chinese human smuggling can often be explained by looking at the kind of data used and the method of their collection. In general, there are two ways in which empirical data analyses of court files provide insights into the organisational aspects of human smuggling. Statements by perpetrators, police observations, searches of premises or conversations recorded on tapped telephone lines provide information how smugglers work together. Nevertheless, researchers need to take a number of limitations into account. First, there is the question of how representative the subjects studied are. Second, police observations can be incomplete, thereby making it difficult to picture, criminal cases take precautionary measures, so relationship charts tend to be inaccurate. Third, data are collected for specific purposes, namely for investigation and criminal prosecution. Hence, the collection criteria of data used and the method of their collection. In general, there are two ways in which empirical data methods have their particular advantages and disadvantages.

Analyses of court files provide insights into the organisational aspects of human smuggling. Statements by perpetrators, police observations, searches of premises or conversations recorded on tapped telephone lines provide information how smugglers work together. Nevertheless, researchers need to take a number of limitations into account. First, there is the question of how representative the subjects studied are. Second, police observations can be incomplete, thereby making it difficult to picture, criminal cases take precautionary measures, so relationship charts tend to be inaccurate. Third, data are collected for specific purposes, namely for investigation and criminal prosecution. Hence, the collection criteria of data used and the method of their collection. In general, there are two ways in which empirical data methods have their particular advantages and disadvantages.

Notes

1. In some English news reports the name has been translated as Chen Ching Ping.

2. Quoted from the recent news report in Qiao Bao (China Press in USA) available online: http://www.chinapressusa.com/index.htm.

3. The relevant reports can be found in various Chinese news websites.


8. U Minghuan. School of Public Affairs, Xiamen University, China.

9. The research presumably misses these organisations as they are deemed unspeakable, which makes one wonder whether materials obtained through police investigations do indeed throw a whole new light on the subject. Fortunately, I had the opportunity to analyse just the kind of data likely to contain information on the more organised type of smuggler: Dutch court files.

Court files show many similar findings as those of field interviews: the involvement of women, the lack of central coordination, the importance of a good smuggling reputation and the lack of criminal diversity. But court files also provide new insights. In the Dutch case, most noticeable is the presence of non-ethnic Chinese and the cohesion of smuggling groups. Field studies often miss the presence of non-ethnic Chinese because, in general, they focus on the Chinese community, i.e., ethnic Chinese smugglers. The Dutch police investigation, however, was able to observe non-ethnic Chinese and smuggling group cohesion to facilitate the interactions of several important organisations of Chinese smugglers for eight months or more. Even in the highly unlikely event that a field researcher would come across this type of smuggler, getting him to talk would likely prove extremely difficult, if not impossible.

However, the researcher should also be aware that court files generally provide new insights into the forms of illicit migration. This is to be expected, as smuggling via purely migratory-based, as opposed to organised crime-based ties is situated more on the unorganised end of the smuggling spectrum. Because certain ‘invisible thresholds’ of police practice come into play, the former are not easily investigated and brought to court. For example, interviews with government officials show that police investigations are more likely to carry out more than one smuggler is involved in more than one recent incident, while no sanctions were applied to those who fraudulently became citizens. Likewise, the Dutch police investigation was able to interview smugglers who were caught in the court files.

This makes it perfectly understandable why official government reports stress Chinese smuggling as a highly organised criminal activity and overlook other, simpler methods of illicit migration, whereas field interviews stress the involvement of family networks and social contacts and overlook other, highly organised criminal activity. Still, court files leave questions unanswered. Why do people go to certain countries? What is the role of family or kinship connections? Only fieldwork can fill these gaps. Therefore, it is not the case that the conclusion based on one source is right and the conclusion based on the other is wrong. Each comes to certain conclusions that the other by design cannot come to, let alone pursue. Neither do they necessarily contradict each other. In fact, court files and field research can be used in a complementary fashion to gain a more complete understanding of Chinese human smuggling.

Melvin Sudjie is a researcher at the Netherlands Institute for the Study of Crime and Law Enforcement. His research can be accessed at http://www.wilanpublishing.co.uk/gin/index/products/9054365135.html.
Central Queensland University is among Australian universities that rely on international student tuition almost half of its 24 000 students are international. The Melbourne campus has 3 753 international students of whom many are Indian. By and large, Indian students come to Australia not for higher education, but hopes of permanent residency. The Australian education industry is aware of this and many universities and colleges use it when marketing their courses abroad.

In my fieldwork in Melbourne in 2005, I gathered data on 230 international students, 130 of them from India. I interviewed education and migration agents, international programme directors, educational institution CEOs, tutors, lecturers, professors, social workers, student advisors, counsellors, student union leaders and members, Department of Immigration and Multicultural Affairs (DIMA) personnel, psychologists, marketing personnel, market analysts, international student recruiters, and Indian community leaders and members.

The education industry

International students are a financial cornerstone of the Australian education industry. According to a recent article in The Australian, the education industry had a turn-over of $6 9 billion in 2005. Indian students alone spent $35 5 million, double what they spent only two years ago. In 2005, 348 8 full-time international students were enrolled in Australian higher education programmes. The number of Indian students (23 664) was second only to Chinese students (81 864) but represented an annual increase (33 7%) that outpaced all others (students from China: 17 8%, from Korea: 10 9%).

Selling education to overseas students is one of the largest service export industries in Australia – thousands of jobs depend on it.

Indian students are recruited in different ways. The non-profit organisation IDP, jointly operated by 38 Australian universities, is one of the largest recruiters with offices in all major cities except Calcutta. Almost half the students who come to Australia are recruited by IDP; others come with the help of so-called education agents, whose credentials are often vague. Although they are supposed to give information on education, many double as migration agents, advising potential students how to become permanent residents in Australia after graduation.

From student to migrant

A successful permanent residency application currently requires two years of higher education in a field that the Australian government designates as being in demand. The applicant must be 30 years old or younger and pass an English language test. The rules are generally clear, but often change. Once a student decides to study in Australia, it generally takes 6 to 12 months to find a suitable course, gain admissions and prepare the documents to apply for a student visa. The decision to study in Australia is often based on the permanent residency requirements then in effect. But before the student is actually able to apply, two to three years pass during which the rules often change.

Paying for the education without falling into financial ruin often depends on acquiring permanent residency status. Two years of overseas education generally costs an Indian student $A50 000–$A50 000 – excluding books, housing and food. Most Indian students take out a loan for which they often mortgage family property. This puts pressure on students from the very beginning: they know it will be difficult to repay the loan in India, and that they have burdened their families. Interest due on the loan puts pressure on family finances; most students try to start repaying the loan as soon as possible, while studying.

Most students I met sought part-time jobs soon after their arrival in Australia, admitting they had known this would be necessary. Most had high hopes of landing a job in their chosen field, but this proved more difficult than anticipated. Lack of work experience and lack of time – as they needed money to cover immediate living expenses – prevented them from finding ‘appropriate’ jobs. Most ended up accepting low-paying jobs requiring no prior experience. International students are by law allowed to work only 20 hours per week during the semester. Many students, however, admitted working far more hours than allowed, simply because they had no choice. Not a few students were arrested for violating visa regulations and sent to so-called detention centres to await deportation back to India.

Opportunity or exploitation?

Those involved in the education industry are well aware of the situation; recruiters and others involved know the ‘real reason Indian students come to Australia. Those I talked to explained that they often go to India to organise educational fairs and symposia where students can ask questions about what it takes to come to Australia. Besides questions on permanent residency, most questions, I was told, were of a practical nature: how to get a student loan, how much interest must be paid, whether the loan can be repaid by staying in Australia after graduating. Almost everyone on the recruiting side told similar stories about their experiences in India, especially how it was unavoidable to talk about migration. Some recruiters explained that one has to be realistic about why these students want to go abroad.

It is not only the education industry that profits from the Indian middle-class desire to live overseas. To meet living expenses and repay loans, many Indian students took poorly paid night-time jobs in petrol stations, 7–11 supermarkets and restaurants. These businesses were often run by migrants who paid employees cash-in-hand. The lack of a paper trail allowed students to work more than the allowable 20 hours per week, but also let employers pay below the minimum wage. When asked why they accepted exploitation, students explained they had no choice: it was hard to find a decent job, while families back home were pressed to meet the monthly interest payments. Employers were often aware of this. They also knew that if one student decided not to put up with the low pay, another one would.

Desperate students competed with each other, those asking the least rewarded with the extra hours necessary for survival.

The reality contrasts sharply with the Beneton ad-like multiculturalism with which Australian universities market themselves abroad. The international student market is highly competitive and universities the world over consider India a high growth market. When Australian Prime Minister John Howard recently visited India, he stated, ‘the deep association between [India and Australia], the growing commercial links, the greatly enhanced political dialogue, the extraordinary growth of the Indian economy – all of these things bode well for an increase in the flow of students.’ That’s exactly what Australian universities are hoping for, as China develops its own education industry, and the number of students from traditional markets such as Malaysia and Singapore level off.

As is clear to most in the industry, Indian student enrolment largely depends on their eligibility for residency after graduation. Many Indian students now realise the difficulties, but many still hope that the rules will change in their favour or that new opportunities will present themselves once they reach Australia. This hope is something the industry likes to keep alive. The Melbourne campus of the University of Ballarat now offers a six-month course to become a certified Hindi translator. By successfully completing the course, a student earns five migration points.

Education agents will undoubtedly know how to inform their clients of this opportunity.

Michiel Baas

Amsterdam School for Social Science Research
University of Amsterdam
m.baas@uva.nl

Notes

1. 23 March 2006. The Australian.
3. IDP stands for International Development Programme. The name was officially changed to IDP Education Australia in 1994. The meaning of IDP no longer serves a marketing purpose. It is simply ‘IDP’.
5. An international student needs to score 120 points on a points test to apply for permanent residency after graduation. Points are given based on a skills assessment, English language knowledge, completion of two years of full-time study in Australia and age.

Cash cows milking Indian students in Australia

On 14 March 2006 Australian newspaper The Age reported on a group of international students at Central Queensland University’s Melbourne campus planning a hunger strike to protest being treated like cash cows. The students, citing inadequate facilities, claimed CQU just wanted their money. While the strike was called off as students feared cancellation of their visas, the matter is far from settled.
The popularity of Korean cultural products throughout Asia fuelled a phenomenon of Korean drama forms of Korean pop culture, the hype in Japan continues to be by far the most popular, was reportedlyconcidering a ban on foreign dramas. The latter led last year to Korea’s administration of Radio, Film and Television trymen to buy Chinese products instead. The import of Korean pop culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a cultural invasion and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.

The Wave has also provoked a backlash, some even calling for a ban on the import of Korean culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a ‘cultural invasion’ and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.

Backlash The hype has also provoked a backlash, some even calling for a ban on the import of Korean culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a ‘cultural invasion’ and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.

The hype has also provoked a backlash, some even calling for a ban on the import of Korean culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a ‘cultural invasion’ and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.

The hype has also provoked a backlash, some even calling for a ban on the import of Korean culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a ‘cultural invasion’ and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.

The hype has also provoked a backlash, some even calling for a ban on the import of Korean culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a ‘cultural invasion’ and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.

The hype has also provoked a backlash, some even calling for a ban on the import of Korean culture. Last year, Zhang Guoli, one of China’s top television actors, branded the Korean Wave a ‘cultural invasion’ and urged his countrymen to buy Chinese products instead. In January 2006, China’s State Administration of Radio, Film and Television announced that Korean dramas were to be cut by half, while the government of Taiwan, where Korean dramas are by far the most popular, was reportedly considering a ban on foreign dramas. In Japan, blogs and manga began to express frustration over the Korean Wave’s cultural imperialism and Korean banning regarding the war period, targeting all Prime Minister Roh Moo-hyun and actor Baek. On the other hand, Bic, a Korean female vocalist who has also had enormous success in Japan—the youngest singer ever to sell 10 million records in both Korea and Japan—hasn’t become the focus of criticism, perhaps due to her ability to speak Japanese. In 2005, new rows between Korea and Japan over compensation and territorial claims fuelled animosity that by the end of the year undermined some of the newly acquired interest and understanding.

The popularity of Korean cultural products has helped raise South Korea’s image abroad. A 2005 survey by the Korea Trade Centre showed that the country’s image in China and Japan had improved considerably. I would, however, argue in favour of conservatism in assessing the extent of the hype. Yet, for editor of Yashik Chinook Yau Lup Poon, the popularity of ‘Winter Sonata’ in Japan has the potential to warm the chilly feelings of the past. He argues that it is a new era for Korea-Japan relations, and that people are talking about the magic of the beautiful faces.
Munni and Panna are not resigned to a life in Calcutta. Only in moments of trust do they reveal their national identity. Occasionally, they divulge that they have no home; some spend months or years in similar safe shelters in Bangladeshi victims of sexual trafficking. The public consciousness. By claiming a larger space through much publicised events in and around the city, Munni and Panna cling to the affirmation of NGO support that accords them entitlement to certain rights. NGO interventions have transformed the ‘victim’ of human trafficking from a disempowered woman shrouded from public view into a ‘sex worker’ who transgresses social boundaries in order to attain a legitimate place in society.

**To home and back**

However, Munni and Panna are not just subjects of intervention within brothels. While their physical presence might be used to demand progressive workers’ rights legislation, their migration to these ghettos is also a target of NGO intervention to prevent sexual bondage. While some NGOs advocate forging alliances with trade unions, such as the Benodini Trade Union, others (such as Sanlaap) shun forums that demand workers’ rights, arguing that it is more crucial to prevent sexual trafficking, especially child prostitution. The public representation of these women reflect NGO ideologies that steer advocacy and interventions.

Typically, when women are identified as Bangladeshi victims of sexual trafficking, they are placed within safe shelters and subsequently sent back to Bangladeshi. This transfer back ‘home’ is seen as the best possible solution to end their trauma, aided by legal guidance, NGO vigilance and diplomatic good will. However, not all of them want to return, and even if they do, they might not find their way ‘home’, some spend months or years in similar safe shelters in Bangladeshi. Rashida (not her real name), whom I met in Khiliana, Bangladesh, in May 2004, was sheltered by a rural NGO. The custodian of a small savings group scheme in her village, she was seduced by her lover to hand over collective funds with travel and fund with him to India. Upon her repatriation to Bangladesh after months of sexual assault and torture, she still waits for her family, her lover and now hostile villagers to accept her.

Munni and Panna are not uncom- mon names in Sonagachi and Kalighat – Calcutta’s brothel areas. Sometimes Munni and Panna take on different, Hindu names. Either way, it’s difficult to ascertain whether Munni and Panna are internal migrants from West Bengal or cross-border Bangladeshi migrants. If the latter, they remain unidentified by the Indian state by assimilating within the larger population of sex workers in Calcutta. They presently live in ghettos – a marked departure from their previous mobility. Their entry across an international border into brothels escapes the gaze of the state, which supposedly monitors and controls movement and prostitution. Though these women are able to mask their nationality and indeed do so, like all migrants they retain ties of belonging with the ‘home’ left behind. Their trans-nationality poses new questions for understanding women’s migration and re-settlement and exposes contradictions within NGO discourses on anti-trafficking measures vis-a-vis commercial sex work.

From sex slaves to sex workers

Munni and Panna (fictional names) are often represented as ‘victims’ of sex trafficking – words hurled at international policy forums to convey the deepest form of exploitation. They dwell as alarmist statistics, laced with global concerns on criminal practices that seemingly accompany migrating women.

Individual experiences surface in sensitively documented NGO interventions. Typically, women are enticed with false promises of domesticity or better working prospects in a big city. Instead, they change hands several times across the border and beyond, experiencing humiliation and torture before landing in a Calcutta brothel. Upon arrival, they compete for space and clients amongst a multi-ethnic and sometimes under-age group. Their first years are spent in bondage with brothel keepers who take the lion’s share of their earnings; later they work independently. They negotiate daily with pimps and police and in more recent years with HIV/AIDS interventionists – mainly public health officials and social workers. Pimps, police, social workers and politicians seek them out as stakeholders and trump cards to generate revenue, claim health targets and distribute voter cards.

The demand for the legal recognition of sex work has since 1995 been spearheaded by the Durbar Mahila Saman- waysa Committee, a platform for sex workers who want prostitution recog- nised as an occupation, to free it from its underpaid, highly exploitative status. The Durbar and other NGOs’ attempts to unionise and confederate the women have improved Munni and Panna’s position. The geographic, cultural and linguistic proximity between Bangla- desh and West Bengal helps Munni and Panna to pass as natives of either; they can thus conceal their cross-border identities and march ahead undetected by their status as illegal migrants. With a banner in one hand and a charter of demands in the other, they do not shun public scrutiny but join the voices demanding workers’ rights, addressing media and political forums and seeking a better world for their children, most of whom are enrolled in government and NGO-run city schools. They reveal in an almost festival-like celebration of their new identity: erecting stalls at public exhibitions, selling placards on safe-sex and displaying their culinary skills.

Like others in the brothel areas of Calcutta, they no longer inhabit the world of the forbidden, hidden from public con- sciousness. By claiming a larger space through much publicised events in and around the city, Munni and Panna cling to the affirmation of NGO support that accords them entitlement to certain rights. NGO interventions have transformed the ‘victim’ of human trafficking from a disempowered woman shrouded from public view into a ‘sex worker’ who transgresses social boundaries in order to attain a legitimate place in society.

**NUMBER 8 NOW AVAILABLE**

Social Science Research on Southeast Asia
Recherche en sciences humaines sur l’Asie du Sud-Est

**ARTICLES**

Tending the Spirit’s Shrine: Kanekes and Pajajaran in West Java
Robert Weissing & Bart Barendregt

Le nouveau partage du monde. Pauvreté et dépendance dans les marges du Yunnan (Chine)
Alexandra de Mersan

The geographic, cultural and linguistic proximity between Bangladesh and India, embedded in a world of concealment and exposure where the legal brushes the illegal.

**NOTE**

Les missionnaires et la botanique: l'exemple du père Urbain Faurie en Extrême-Orient

Les Enchaînements des appartenances: dossier coordonné par Guillaume Rozenberg

**SALES & SUBSCRIPTIONS**

EDISUD, La Calade, RN 7, 13090 Aix-en-Provence, France
Ph.: 33-(0)4-42216144 - Fax: 33-(0)4-42215620 - www.edisud.com - E-mail: commercial@edisud.com

© EDISUD 2004

SALES & SUBSCRIPTIONS

Moussons, c/o IRSEA, MAISON ASIE PACIFIQUE
Université de Provence, 3, place Victor-Hugo, 13003 Marseille, France
Ph.: 33-(0)494106114 - Fax: 33-(0)494106115 - E-mail: moussons@redop.univ.mrs.fr

Moussons is a joint publication of IRSEA and LAESE
Women and borders in militarised northeast India

Paula Banerjee

A history of violence

Surrounded by Bangladesh, Nepal, Burma, China and Bhutan, Northeast India is geographically isolated from the rest of the country. Due to its irredentist movements, the region is considered hostile by the central government. In 1958 New Delhi passed the Armed Forces Special Powers Act (AFSPA) specifically for the region, while it was originally meant for six months, it remains in force today. Among its many articles, AFSPA gives any commissioned member of the armed forces the right to kill anyone suspected of being a terrorist. Civil liberties and women’s organisations hold the legislation responsible for the plight of Northeastern women, who have been subjected to decades of human rights abuses.

The region’s history under the Armed Forces Special Powers Act reflects how women have suffered under the two patriarchies of rebel and state armed forces. After the Act’s passage, state security personnel flooded into the region while migrants responded to the demand for labour to build roads and military infrastructure. This increased the number of males and exacerbated the already uneven gender ratio: the 2001 census reported 978 women per 1,000 men in Assam, 909 in Nagaland and 950 in Tripura, 938 in Mizoram, 975 in Meghalaya and 900 in Nagaland and 901 in Arunachal Pradesh. This coincided with increased violence against women who were marginalised from public spaces, while state-sanctioned and inter-communal conflict further intensified their marginalisation. Human rights abuses against women considered members of alien groups became endemic: rape, torture, trafficking and the sex trade have all increased in recent years. Newspapers report that ‘the northeast has become a supply zone for trafficking women and children not only in the flesh trade, but for forced labour, child labour, organ transplantation, camel jockeys and others.’

Threats from beyond?

Migration is considered one of the area’s greatest security threats, with rebel violence and terrorism routinely portrayed as external threats which justify AFSPA. Most migration-related media reports from Northeast India verge on the sensational, are anti-immigrant, and typically emphasise the need to protect native sons and daughters. The atmosphere is now so tense that both internal and external migrant workers are regularly attacked. Infiltration is indeed among the threats that Northeast Indian women face, as the border is porous, it is easy for criminals to cross over, attack women (on either side) and then disappear back behind the border. While rape is common and is often blamed on people from across the border, the public rarely acknowledges that these incidents are part of a more general rise in violence against women, including kidnapping and marital rape.

A related trend concerns Northeast matrilineal tribes such as the Khasi, Garos and Jyantias, where migration is being used to justify making these tribes patrilocal in order to change inheritance patterns. In 1997, the Khasi Hills Autonomous District Council – which has constitutional jurisdiction over Khasi ‘customary law’ – passed the Khasi Social Custom of Lineage Bill. It sought to codify the traditional system of inheritance through the female line, but it drew protests led by the all-male organisation Syngkhol Bypei Tymauri (SRT), which called for changes to the matrilineal system. SRT’s executive Teil-Bor Khumgenei claimed: ‘We are just like refugees and the moment we get married we are at the mercy of our in-laws. We are reduced to bulls and baby-sitters with virtually no role in society.’

AIDS adds to their misery. ‘Women and children who are trafficked are at high risk for infection with HIV, which is a death sentence for the victims.’ Most newspaper reports portray AIDS as a disease from abroad: ‘prostitutes, who belong to the immigrant population, are the main carriers of the virus.’

Notes

6. The Khasi Student Union (KSU) and the Naga Student Federation (NSF) have issued decrees prohibiting outsiders from marrying their women. The issues of migration/infiltration are thus not just used by the government to justify AFSPA; they have become tools to justify empowering men at the expense of already marginalised women.
7. Trafficking for the sex trade and for labour is also on the rise: India is one of seven Asian nations on the US watch list for human trafficking, and a trans—sit country for prostitutes from Bangladesh, Myanmar and Nepal. Girls are practically imprisoned in the region’s brothels while children as young as nine are auctioned off for up to 60,000 rupees to buyers from as far as away as the Persian Gulf. ‘A sizeable proportion of prostitutes found in Kamathipura and Sonagachi, the infamous red-light districts of Mumbai and Kolkata, respectively, are of Nepalese origin.’ Of the 5,000-7,000 Nepalese girls trafficked into India each year, the average age over the past decade has fallen from between 14 and 16 years to between 10 and 14 years.
8. AIDS statistics hold the legislation responsible for the plight of Northeastern women, who have been subjected to decades of human rights abuses.

16. Ibid.
The mysterious whereabouts
doing the film censors in Bangladesh

The Bangladeshi cinema industry is reeling from the effects of satellite television and cheap technologies for media reproduction. Faced with legislation incapable of protecting them from foreign competition and censorship rules dating from before the satellite era, Bangladeshi film producers are turning to illegal practices to keep their reels rolling.

Two days before the film Cruelty (not its real name) was to be reviewed by the Bangladesh Film Censor Board, the producer met with his director, choreographer and chief editor. Locked in a room behind them, they reviewed every reel of the 15,000 feet of celluloid and culled all scenes that might offend the censors. Sexually explicit images and dialogues were cut, as were references to political violence and overt criticism of the government; the omitted bits of celluloid were stored in tiny marked ‘cut-pieces’. The film’s pruned form was then sent to the censor board. After a few weeks and a number of additional cuts, Cruelty was certified for release.

As the release date approached, the cut-pieces were taken out of storage and assistant-directors were ordered to splice them back into the film. Which cut-pieces were retained depended on the copy’s destination. If the cinema hall was in the capital Dhaka, only the least explicit were left in; if the destination was far in the countryside, more cut-pieces were retained. Thus the film materialised in 20 different forms, each copy a little more illegal than the next.

The film became a great success. Wherever it was shown, entertainment correspondents of the broadsheet newspapers and tabloids alike penned indignant rejections of the ‘vulgar’ film, lamenting the state of the film industry, which faced foreign competition for the first time. In 1986, the president of the Bangladesh Motion Pictures Exhibitors Association threatened to violate the Cinematograph Act; members warned that they would show uncertified and decertified Indian and Pakistani films in their cinema halls if the government did nothing to protect them against illegal competition. Flooding the law seemed necessary as the local film industry was being hit by ‘easily available VHS showing attractive Indian and Blue Films at cheaper rates...’

The celluloid trace
The availability of foreign audiovisual media in Bangladesh has grown rapidly over the past two decades. When video first arrived in Bangladesh in the 1980s, it caused panic in the cinema industry, which faced foreign competition for the first time. In 1986, the president of the Bangladesh Motion Pictures Exhibitors Association threatened to violate the Cinematograph Act; members warned they would show uncertified and decertified Indian and Pakistani films in their cinema halls if the government did nothing to protect them against illegal competition. Flooding the law seemed necessary as the local film industry was being hit by ‘easily available VHS showing attractive Indian and Blue Films at cheaper rates...’

Side-actor shows a cut-piece
Paul James Gomes

Although the celluloid trace is reeling from the effects of satellite television and cheap technologies for media reproduction. Faced with legislation incapable of protecting them from foreign competition and censorship rules dating from before the satellite era, Bangladeshi film producers are turning to illegal practices to keep their reels rolling.

The celluloid trace
The availability of foreign audiovisual media in Bangladesh has grown rapidly over the past two decades. When video first arrived in Bangladesh in the 1980s, it caused panic in the cinema industry, which faced foreign competition for the first time. In 1986, the president of the Bangladesh Motion Pictures Exhibitors Association threatened to violate the Cinematograph Act; members warned they would show uncertified and decertified Indian and Pakistani films in their cinema halls if the government did nothing to protect them against illegal competition. Flooding the law seemed necessary as the local film industry was being hit by ‘easily available VHS showing attractive Indian and Blue Films at cheaper rates...’

The association also complained of ‘the rampant showing of uncertified Indian films in the bordering districts. The latest Indian movies are just smuggled into this side of the border...’ The censor board responded by affirming that both the public showing of VHS and uncertified films is prohibited and is punishable with up to three years’ imprisonment.

Twenty years later, only the scale of the problem has changed. Satellite television, DVDs, VCDs and the internet have followed video into the remotest corners of the country. The films and television series, as well as the software and video games (at 10 to 200 Taka apiece, or about 0.12 to 2.50 Euro) are neither copyrighted nor certified, while the laws remain largely unchanged and ineffectual. Amidst this vastly expanded illegal flow of moving images, most film producers have given up trying to convince the censor board to protect them from foreign competition. Instead, they have adapted their filmmaking and exhibiting practices to the new conditions.

The strategy adopted by film producers can be called the ‘cut-piece method’. To create demand for their films, producers include sexually explicit sequences that they do not present to the censor board, as the code clearly states that films should not contain immoral and obscene acts including kissing, hugging, embraces, etc. which should not be allowed in films of Indo-Bangladesh origin for it violates accepted canons of cultures of those countries. Rather than put these sequences before the Board, the producers keep them behind, editing them back into the body of the film once it has received its censor certificate. Through a network of representatives, local contacts and assistants, the film producers keep an eye on the local authorities to judge the likelihood of a raid on a hall. They then decide in which cinema halls, where and when, to show these cut-pieces. Posters and trailers inform audiences that the new film might contain especially attractive cut-pieces. Film producers consider those who cannot watch erotic audiovisuals within their homes as their prime audience for cut-pieces. The strategy unfaithfully brings a small margin of profit. Like erotica and pornography elsewhere, little investment can yield huge profit.

Case pending
Neither the government nor the censor board has tried to regulate the immense influx of uncertified and unensored
of the cut-pieces

audiovisual material that infringes copyright. Instead they focus on irregularities in Bangladeshi cinema production and exhibition: inspectors travel the country while police are required to report irregularities within cinema halls. When cut-pieces are found, the censor board files a lawsuit against the producer, director, actors and film exhibitors. Seventy such cases were pending at the end of 2005, all filed by the censor board against films on grounds of ‘obscenity’ and ‘vulgarity’. The oldest of these cases, from 2002, is nowhere near resolution. Rarely is a producer fined or a film banned outright.

The producer and director of Cruelty feel their admittedly illicit activities are warranted. When asked, they point to television and the omnipresent discs that often feature more sexually explicit material than the sequences in Cruelty. If the government and the censor board take no action against their producers, why should the cut-pieces in Cruelty be seized and banned? Besides, if they didn’t use the cut-piece method, the whole Bangladeshi film industry would collapse under pressure of Indian and American films, blue or any other colour. In their view, cut-pieces are perhaps illegal, but their use is clearly licit.

Cut-pieces are thus the visible result of the largely unregulated transnational media presence in Bangladesh. The Censorship of Films Act, Rules and Code can no longer protect the national cinema industry from foreign competition; nor can it deter producers’ strategies to protect their interests. Caught in the realm of transnational media flows, film producers in Bangladesh resort to cut-pieces to resist both the censor board and foreign competition.

Notes
2. Ibid.

From April 2006, we have a new imprint — NUS PRESS — to align ourselves closer to our university’s branding.
Located at a strategic Asian crossroads, Burma (Myanmar) is one of the world’s most ethnically diverse countries. Surrounded by Bangladesh, China, India, Laos and Thailand, it is also one of the most strife-torn and lawless along its 3,650-mile border. Its post-colonial experience exemplifies how illicit economies, insurgent or military-based politics and cross-border human movement can flourish in the wake of failed attempts to create a modern nation-state.

The paradox of Burma
CONFLICT AND ILLEGALITY AS A WAY OF LIFE

Martin Smith

Since Burma’s independence from Great Britain in 1948, an array of state, quasi-state and insurgent groups have used armed violence to pursue their goals across all three political eras: parliamentary democracy (1948-62), General Ne Win’s ‘Burmese Way to Socialism’ (1962-88), and the military State Peace and Development Council (post-1988). In the 21st century, Burma’s socio-political landscape continues to reflect conditions of conflict. Particularly in the conflict zones, the line between ‘legality’ and ‘illegality’ is frequently blurred.

However, the notion that Burma is on the verge of collapse – or that 'regime change' is imminent – is unlikely. Six decades of civil warfare have shown that the management and economics of contemporary internal conflicts – rather than reflecting chaos or societal collapse – can be quite structured between the various stakeholders. Indeed, as Mary Callahan has argued, war and state-building have become so intertwined in Burma as to produce the ‘most durable incarnation of military rule in history’. The same adaptive systems of survival have long existed in armed opposition politics as well. Thus Mark Duffield’s paradigm of ‘emerging political complexes’ rather than ‘complex political emergencies’ is most apt of how military-political life has unfolded in Burma in the absence of an inclusive rule of law.1

The economics of survival
Understanding how such social and political complexity has been sustained requires tracking the underpinnings of post-colonial economic life. The International Peace Academy’s research has shown that both ‘greed and grievance’ can provide causes for civil war. In Burma, both are endemic. Political repression, ethnic divisions, the existence of porous borders and a free-wheeling economy that frequently operates outside state or international legal parameters have created an arena where military-based organisations can carry on their struggles.

Burma in 2006 is estimated to have fallen to 18th in the world’s ‘Failed States Index’ from 23rd the previous year.2 Paradoxically, the conditions of conflict have often remained stable in many borderland regions since 1948, when the central government virtually collapsed after the British departure. Since then, various armed groups – from local village militias to insurgent armies 15,000 troops strong – have maintained territory by raising taxes on local populations and trade. In the process, insurgency became a way of life and the national armed forces came to dominate government. Although often regarded as the ‘hermit nation of Asia’, Burma has long been the regional epicentre of many international crime and smuggling networks. International factors and conflict parties both in Burma and abroad have repeatedly revitalised cross-border wheeler-dealing.

Burma’s rugged, resource-rich geography is ideal for rural-based insurgencies and illicit activity. Its illicit opium trade was first elevated to the global stage by U.S.-backed Kuomintang elements invading the Shan state following Mao Zedong’s 1949 communist victory in China. Ever since, Chinese networks have been crucial to Burma’s borderland economy, linking it to Hong Kong, Thailand and all of Southeast Asia. Ethnic conflict and illicit narcotics remain intertwined.

General Ne Win’s ‘Burmese Way to Socialism’ dramatically intensified illicit border economies. Governmental repression and the doomed attempt to isolate the country from the world by autarchic dogmas fanned the flames of rebellion. Neighboring authorities also did not approve. A kaleidoscope of Chinese-backed communist forces and mostly pro-federal ethnic armies, empowered by Bangladesh and Thailand’s ‘buffer-state’ policies, entrenched themselves throughout ‘liberated zones’ along Burma’s frontiers. The more ambiguous Indian border, where Naga, Chin-Mizo and other insurgent movements operated on both sides, made Burma’s strife complete. By the early 1970s, Burma had become integral to a ‘regional conflict complex’3 in which cross-border population movements, smuggling and political support sustained conditions of conflict.

Economic consequences followed. The government economy failed and the black market boomed. Through insurgent check-points cattle, timber, jade and opium flowed out of the country past manufactured products such as medicines and luxury goods flowing in. The scale was astonishing: by 1987, when Burma had declined to United Nations Least Developed Country status, US$3 billion, or 40% of the gross national product, annually changed hands on the black market. In remoter areas some borderland insurgent groups were better-financed and equipped than government forces. Small-calibre arms were easily acquired in China, or purchased as Vietnam and Cambodia war surplus and smuggled in through Thailand. Larger insurgent organisations, such as the Karen National Union and Kachin Independence Organisation, ran parallel administrations to the central government along Burma’s frontiers, and they – not the Ne Win government – were the de facto authorities in several key border regions.

The post-1988 era
Under the present SPDC government, Burma’s socio-political landscape metamorphosed once again. International attention focused on issues of democratic reform, while the post-Ne Win regime emphasised accommodation with neighboring governments and borderland-ethnic opponents. Two events presaged this changing of strategies: the government’s 1989 declaration of a market-oriented economic policy, and the 1989 collapse – owing to ethnic mutinies – of the Communist Party of Burma, which had long been the country’s largest insurgent force. The military government then offered ceasefire to ethnic forces in the borderlands, including the Kokang, Wa and other CPB mutineers. Ethnic leaders also considered rival offers of support from pro-democracy groups in the anti-regime resistance but eventually agreed to truces in the first ethnic peace process in three decades. In contrast, the National League for Democracy (NLD), which had won the 1990 general election, was repressed and democratic reforms put on hold.

Ceasefire critics accuse military leaders on all sides of opportunism reminiscent of General Ne Win’s controversial Ka Kwe Ye ‘home-guard’ programme, which allowed selected ethnic forces, including those involved in opium trafficking, to maintain arms and control local trade as a means of stemming political opposition. For their part, ceasefire leaders argue that, unlike the KKK militias, the present agreements allow ethnic forces to join reform discussions and maintain arms and territory until a new constitution is introduced. Ceasefire groups, such as the Kachin Independence Organisation and

Kokang ceasefire groups near the Chinese border.
New Mon State Party, perceive the present peace process as one of 'legitimisation'; none of the armed ethnic parties stood in the 1990 general election. Neighbouring governments, meanwhile, privately urge the same peace priorities on all ethnic organisations. Thus since the Cold War’s end the ‘regional conflict complex’ around Burma has slowly transformed.

However, after nearly two decades of the present incarnation of military rule, political progress lags. With the U.S. imposing economic sanctions, licit and illicit cross-border trade has exponentially increased on the most available markets under the SPDC’s new “open-door” economic policies. Concentrating on democratisation, western governments have underestimated the regional and domestic dynamics of Burma’s political economy. Most notorious, the illicit trade in opium and heroin in the Kokang, Wa and Shan borderlands sky-rocketed during the 1990s to at one stage become the world’s largest. By 1998, 500,000 households were involved in poppy cultivation. Even as opium eradication programmes were introduced, a new illicit trade in methamphetamine sprang up, with an estimated 700 million tablets produced in Burma and annually smuggled into Thailand since 2000. Meanwhile, during the 1990s, a logging trade of similar ‘licit-illicit’ complexity caused widespread deforestation in Thailand’s borderlands, then spread to the Kachin state borderlands with China. Government, business, ceasefire and non-ceasefire groups have all been involved. Chinese and Thai networks drive the trade financially, even though (and also because) national logging bans have been imposed in their own countries. In impoverished regions where few income sources exist, survival relentlessly drives cross-border trafficking and natural resource exploitation. According to Global Witness, forest products are Burma’s second most important source of ‘legal’ foreign exchange (US$47.81 million in 2004-2005), and yet ‘about 98%’ of China’s recorded 2005 Burmese timber importation was ‘illegal’. Incalculable sums are disappearing somewhere in between.

Narcotics and logging are only the most controversial shadow economies thriving in modern Burma’s ‘get rich quick’ environment. Since 1989, a shake-up in military and business relationships has resulted in some industries – notably oil, gas and jade – being taken under centralised control, while others – such as construction, gold and gemstone-mining – have been marked by individual patronage and ad hoc arrangements often connected to Kokang, Pao and other ceasefire groups. This new enterprise frequently creates a misleading picture of the national economy’s condition. Certainly, ceasefires have bought the SPDC time, and during the past decade state control has extended further into Burma’s border periphery than ever before. Yet in much of the country per capita annual income averages just US$500. Poverty is worsening for most and the economy teeters on the brink of bankruptcy. Substantive social and political reforms have not been introduced.

**Future outlook**

How Burma’s political labyrinth might resolve itself remains in question. Like the liberal ideologies of Woodrow Wilson and 20th century thinkers who saw good governance and the promotion of civil society as keys to peace and security, classic conflict resolution relies on legal process and ‘political solutions’, both of which are advocated by the NLD and international pro-democracy groups. Recent analyses, however, by such economists and political scientists as Mushtaq Khan, Mark Duffield and Roland Paris emphasise working within the context of a given country’s local realities and cultures. Paris has proposed what he terms ‘institutionalization before liberalization’ in war-torn states as the most stable foundation for legality and inclusive reforms. Without such frameworks in place, hasty transition might rekindle rather than extinguish conflict.

Such discussions are relevant to the Burma paradox but take place out of earshot of protagonists on the ground. Thus Burma’s neighbours, who have profited from licit or illicit trades that undermine its national economy, might determine the future. In one of the world’s fastest developing regions, transparency and the rule of law would help provide equal opportunities to local peoples and reduce corruption and criminality. But good energies are few. The first decade of the 21st century has witnessed a new era of exploitation, with powerful interests contending for Burma’s oil, gas, timber, hydro-electric power, fish and other natural resources. Narcotics trafficking and black market trades flourish in everything from fertilisers and vehicles to precious stones and wild orchids. Armed conflict continues in borderlands, involving Chin, Karen, Mon, Naga, Shan and Wa groups. More people are seeking sanctuary abroad. Ceasefires might exist, but Burma has not found peace. In a recent study of internal conflicts around the world, David Keen asked, ‘War and peace: what’s the difference?’ The long-suffering Burmese might ask the same question.

*Martin Smith is the author of Burma: Insurgency and the Politics of Ethnicity, London: Zed Books, 1999. msmith@gn.apc.org*
The political history of late Imperial/early modern China and the relationship between China’s traditional political culture and the rapidly changing political environment of China today are examined through this study of the iconic figure of Yang Jisheng. Born in 1516, Yang had a brief and traumatic career as a junior official in the middle Ming dynasty, before being executed in 1555 for criticising the politics of the imperial state. Over the ensuing 450 years, a variety of constituencies within China have appropriated and deployed Yang’s memory in different ways to promote their own political agendas. In recent years, as China has sought to come to grips with the ideological decline of socialism and the need for a new foundation for public morality, there has been a revival of interest in figures like Yang Jisheng, whose legacy is once again being taken up by actors on the contemporary political scene. This is an important study of the power of political myth in China, past and present.

Kenneth J. Hammond is associate professor of history at New Mexico State University and serves as a member on the board of directors of the Society for Ming Studies.

ISBN: 0-7103-1280-6, £75.00, 234 x 156 mm, hardcover, available December 2006

---

This book is a collection of essays by an international group of scholars who address the problematic of Asian modernity from the perspective of various disciplines, such as political science, history of ideas and economic theory. The issues discussed include the emergence of an Asian modernity out of the dialogue between Western values and cultural practices on the one hand and indigenous traditions (both genuine and constructed) on the other, as well as the successes and perceived encounters by most modernising Asian countries. These problems are also analysed in a regional context, describing the impact that Japanese modernity has made in East and South East Asian countries both as a model to be imitated and a force to be reckoned with. Besides Asian and Japanese Studies specialists, Japan and Asian Modernities is addressed to a larger audience of academics and specialists working in the areas of the history of ideas, political science, the sociology and anthropology of business, comparative cultural studies, economics and other disciplines related to contemporary East and South-East Asia where the subject of alternative modernities is central.

Rein Raud received his doctorate from the University of Helsinki and is a founding member of the Estonian Institute of Humanities. He is the author of numerous scholarly publications mainly in the field of history of ideas.

ISBN: 0-7103-1103-6, £85, 234 x 156mm, available September 2006

---

The Tale of Lady Ochikubo
Translated by Herbert Meihueh and Eizo Yanagisawa
This family saga of a wicked stepmother has been called the world’s first novel. Written in Japan during the 10th century Heian era and first translated into English and published by Kegan Paul in 1934, it follows the changing fortunes of the heroine, Lady Ochikubo, who is forced to live almost as a servant in her noble father’s house while the stepmother gives preference in all things to her own daughter. A worthy precursor to Murasaki Shikibu’s The Tale of Genji—which was written some thirty years later.

ISBN: 0-7103-1221-0, £40, 216 x 138 mm, available October 2006, 580 pp

---

The Japanese Nation
Its Land, Its People, and Its Life
Inazo Nitobé
In 2002, President George W. Bush spoke of the great Japanese scholar and statesman Inazo Nitobé, an early advocate of friendship between the two nations. Written before World War I, this book presents a detailed account of Japan and the Japanese emphasising similarities between West and East rather than differences, was one of the ways Nitobé sought to build a bridge over the Pacific. An important document in the history of Japanese-American relations.


---

Chinese Creeds and Customs
Valentine Rodolphe Burckhardt
This is an encyclopaedic account of traditional Chinese festivals, customs and beliefs, lavishly illustrated with line drawings and paintings, by an Englishman who spent twenty years in China from the Imperial after-math through the establishment of Communism. Burckhardt’s beautifully written classic work includes rites practiced by the Manchu royal court, the rituals permitted under the Communist and Nationalist regimes, and the festivals of the renowned Boat People of Hong Kong. A unique account of a culture poised between past and present.

ISBN: 0-7103-1219-9, £75, 234 x 156 mm, available October 2006

---

The Art of Japanese Gardens
Laurence E. Kuck
This classic work was one of the first to reveal the full meaning and symbolism of the gardens of Japan and China, and to treat them as serious works of art and material culture. Kuck begins her study with the naturalistic gardens of early China, progressing on to the gardens of Japan from the Heian period onwards, relating them to the personalities who made them, to the historical context, to Eastern religion and philosophy, to the political events which shaped the culture, to the arts and to painting, architecture and the tea ceremony in particular.


---

For a complete listing of all Kegan Paul books, please visit www.keganpaul.com.
Books received

General
East Asia
China
Kwak, Jong. 2006 The Subtle Revolution. Poets of the “Old Schools” during Late Qing and Early Republican China Berkeley: The Institute of East Asian Studies. pp 299. ISBN 1-55293-083-0
Liao Xuanli. 2006 Chinese Foreign Policy Think Tanks and China’s Policy Toward Japan Hong Kong: Chinese University Press. pp 271. ISBN 962-366-266-2
McDonald, Joseph 2006 A Social History of the Chinese Book: Book and Literati Culture in Late Imperial China Hong Kong: Hong Kong University Press. pp 394, tables. ISBN 962-209-783-0
Patterson Giersch, C. 2006 Vanishing Beijing: A Political Life Hong Kong: Hong Kong University Press. pp 394, tables. ISBN 962-209-783-0
Kwak, Jong. 2006 The Subtle Revolution. Poets of the “Old Schools” during Late Qing and Early Republican China Berkeley: The Institute of East Asian Studies. pp 299. ISBN 1-55293-083-0
Liao Xuanli. 2006 Chinese Foreign Policy Think Tanks and China’s Policy Toward Japan Hong Kong: Chinese University Press. pp 271. ISBN 962-366-266-2
McDonald, Joseph 2006 A Social History of the Chinese Book: Book and Literati Culture in Late Imperial China Hong Kong: Hong Kong University Press. pp 394, tables. ISBN 962-209-783-0
Patterson Giersch, C. 2006 Vanishing Beijing: A Political Life Hong Kong: Hong Kong University Press. pp 394, tables. ISBN 962-209-783-0

A personal account of what I did during my stay in Ende

Satoshi Nakagawa

As things stood

Before going to the Netherlands, I had been studying the modernization of the Ende people of central Flores, eastern Indonesia, focusing on the impact of recent immigration to Malaysia and cash cropping. Regarding the former, I had published a mildly critical article (Nakagawa 2003) on modern anthropological theories about ‘place’ (e.g. Gupta and Ferguson 1997), in which I concluded that there were two discrete language games operating in Ende which we might label the ‘traditional’ and ‘modern’ language games. The traditional language game includes ‘modem’ phenomena as one of its constituent parts, by treating schools and labour migration as outside the meaningful world of kinship, and hence as non-gifts and non-places (see Augé 1995). For its part, the ‘modern’ language game includes ‘traditional’ phenomena, by representing adat and ceremonies as conservative, as in the way of the progressive world of development (‘pembangunan’). In a way two language games – with which most Endeans are fluent – are like two legendary serpents eating each other’s tail.

A few months after my arrival, I read a paper at an IAAS public seminar entitled ‘Fanny to Vanilla, Elephant Tusks to Money’ (hereafter the ‘vanilla paper’) which dealt with three generations in an Ende village, from around 1960 up until now. Beginning with the idea of the Endean tripartite economy (comprised of the subsistence, gift, and market spheres), the vanilla paper criticized the idea of money being an all-destructive agent, as advanced by P. Bohannan (1967), who described a society with a similar multi-layered economy (Tiv). The vanilla paper described how the Ende people, with the aid of some indigenous conceptual devices, managed to make the idea of money fit into their own cosmos – to tame and domesticate its power.

I had been fairly fed up with post-modernist hegemony in my old territory (cultural anthropology) and this was one reason why I temporarily converted to ecological anthropology.

I came to the Netherlands with its vast colonial archives with the vague hope of acquiring data on cash cropping in colonial times, thinking again vaguely, of writing a historical analysis of cash cropping in Ende or perhaps in Flores more generally. At least, I thought, I could expand the time-span of my vanilla paper (three generations) to more than 100 years. Even if I could not find any data of theoretical interest, I said to myself, I could still collect numerical data and do some very primitive economic-cum-ecological anthropology-type of analysis.

Truth to tell, I didn’t have a clear idea of what I would find and what I hoped to prove – in a way, the result would depend on the documents I would find in the archive.

The only idea I had of any theoretical relevance came from the controversy between Marshall Sahlins (1983, 1993) and Nicholas Thomas (1992, 1993, etc). Sahlins emphasizes the importance of Fijian traditional exchange, called kereke, in understanding Fijian history while Thomas contends that kereke was an example of ‘invented culture’ in the Fijian’s struggle against western influence. In a sense, it was a debate about facts – whether kereke had existed or not. My argument in the vanilla paper can be compared to Sahlins’s argument, in that I, like Sahlins, emphasize the importance of the ‘traditional institution’ to fully understand Endean history. Thus it is conceivable that one could devise a similar argument against mine, insisting that Endean ritual exchange was another example of ‘invented culture’. With this controversy in mind, I entertained a hazy hope of finding some historical data on Endean ritual exchange in the past.

I have a CD by Rowan Atkinson, a British comedian. One of his punch lines wonderfully describes my situation upon arrival in the country: ‘like a blind man groping in the dark for a black cat that wasn’t there.’ I was hoping there was a cat, though.

In the beginning

I arrived in Amsterdam at midnight on a Sunday in April 2005. I was hungry so I wandered around near my apartment, to find that I was in the centre of the (seemingly) busiest part of the city. Surprise...

I began by picking up two books, one a ‘scriptia’ (MA thesis, not a Ph.D. dissertation) and the other a documentary history of Flores (Oele 1995), and another by an anthropologist on the Sikka people adjacent to the Ende (Metzner 1990). My argument in the vanilla paper can be compared to both. I chose Oele’s book as it contained references to economic data in the colonial archives with numbers attached to the cited documents; these numbers, later on, made my search in the National Archive easier. The second-hand data collected by Oele helped me to form an idea of what kind of data I could expect to find in the archive and thus what kind of theoretical line(s) I should pursue. Unfortunately, the only conceivable line I could take, as far as Oele’s data suggested, was the one I called an economic/ecological anthropologist-type of analysis.

So I began re-reading the book by Metzner to guide me in the kind of data I should collect and what kind of arguments I was interested in advancing in these new (to me) fields of economic and ecological anthropology. Manon Osseweijer’s thesis (2001; she was kind enough to give me a copy) was of great help in versing me in the anthropology of ecology. I read a few works cited in her dissertation and then others cited in those. I think I expanded my vocabulary immensely at this stage – I was being trained as a part-time economic/anthropologist.

Armed with ideas of what kind of data I would find as well as the theoretical lines I was expected to take in assembling those data, I plunged into the formidable corpus of colonial documents at the National Archive in Den Haag. As the door to the archive announces to the visitor: ‘100 km of 1,000 years of history’.

Population density and other dull matters

I attained some tentative results from my library work at this stage – these were not to my personal taste, though (I found out that I’m definitely a cultural anthropologist). First of all, the population figures are as follows:

<table>
<thead>
<tr>
<th>Colonial Period</th>
<th>District</th>
<th>1850</th>
<th>1915</th>
<th>1950</th>
<th>1990</th>
<th>1995</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manggarai</td>
<td>n/a</td>
<td>14408</td>
<td>n/a</td>
<td>12650</td>
<td>15828</td>
<td></td>
</tr>
<tr>
<td>Ngada</td>
<td>n/a</td>
<td>9327</td>
<td>n/a</td>
<td>6000</td>
<td>5925</td>
<td></td>
</tr>
<tr>
<td>Ende</td>
<td>n/a</td>
<td>8174</td>
<td>n/a</td>
<td>6000</td>
<td>10575</td>
<td></td>
</tr>
<tr>
<td>Sikka</td>
<td>n/a</td>
<td>3575</td>
<td>n/a</td>
<td>8100</td>
<td>12175</td>
<td></td>
</tr>
<tr>
<td>Flores East</td>
<td>n/a</td>
<td>8352</td>
<td>n/a</td>
<td>12600</td>
<td>9525</td>
<td></td>
</tr>
<tr>
<td>Flores West</td>
<td>n/a</td>
<td>55700</td>
<td>48100</td>
<td>53885</td>
<td>48000</td>
<td>71605</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Manggarai</td>
<td>n/a</td>
<td>20150</td>
<td>21700</td>
<td>30565</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Ngada</td>
<td>n/a</td>
<td>10145</td>
<td>10145</td>
<td>14253</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Ende</td>
<td>142580</td>
<td>142580</td>
<td>127551</td>
<td>21185</td>
<td>246758</td>
<td></td>
</tr>
<tr>
<td>Sikka</td>
<td>140268</td>
<td>140268</td>
<td>138287</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Flores West</td>
<td>175256</td>
<td>175256</td>
<td>175256</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Flores East</td>
<td>210750</td>
<td>210750</td>
<td>210750</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
<tr>
<td>Tot.</td>
<td>328000</td>
<td>328000</td>
<td>328000</td>
<td>n/a</td>
<td>n/a</td>
<td></td>
</tr>
</tbody>
</table>

One could make an almost coherent and plausible story out of the above (besides national population growth) by referring to the political situation (the gradual expansion of the colonial government) and the world economy (especially the Depression). Yet, one may be puzzled by the figures. To make the puzzle clearer, I calculated population density for each year for each district, and growth rate for each district, and compared that with data available. Most of the figures are quite high for slash-and-burn agriculturists. One of Metzner’s arguments is as follows: the population density in Sikka district is much higher than expected for a slash-and-burn agricultural population, and the key to understanding this abnormality is to see the animals – in the specified Sikka-way of agriculture, one of the elements of which is cash cropping.

The second task was therefore to collect data about cash cropping, in Ende, in particular, and in Flores in general. So far so good – the research progressed as expected. It was rather dull, though.

‘Have you been to Mauritius yet?’ asked Walter Hauser, one of my fellow fellows at IAAS as well as a good neighbour, and his wife, Florence. They urged me to go to Mauritius, an excellent museum located near the National Archive. The visits to Mauritius added some flavour to my routine.

Cash cropping and other dull matters

In my investigations, I came across data on the import and export of various cash crops, data about the amount of the land used for savuks and ladangs, etc. These were not as extensive as I had expected, and counting numbers was an exhausting as well as dull task – I know I am not a good historian. But I did come across data which might, I hoped, enable me to pick up a few more lines along which I hoped to proceed in a wider context.

The first was the role played by outsiders such as Makassarese and Buginese. The most important cash crop in Ende (and in Flores generally) has been coconut palm. In my library research, I found that the coconut palm economy has been flourishing long before the colonial power arrived in Flores. Palms were sold to Makassarese and Buginese merchants and then taken to Makassar in southern Sulawesi and sold in local markets. Thus, to make the historical study of the Endean economy reasonably more extensive, one had to investigate trade between the islands in pre-colonial times (pre-colonial in Flores but not in the rest of Indonesia).

The second was closely related to the first – if I should research Buginese and Makassarese traders and their role in trade in and out of Flores, then I could not do without mentioning the slave-trade in this part of Indonesia, especially around Flores and Sumbu (the Endeans were famous slave-traders). Fortunately there is a booklet on slavery in this region by an anthropologist (Needham 1938) who claimed himself not to be a real historian. I decided to let the booklet cover this part of my research, at least for the time being.

A turning point – have I seen you before?

While doing library research as a Sunday historian, my training as a part-time ecological anthropologist continued. Then, groping in the darkness, I came across something familiar: some ecological anthropologists claim to be ‘anti-essentialists’. Some even refer to Foucault. This was rather unexpected – I had grown fed up with the names of Foucault and other philosophers and post-modernist hegemony in my old territory (cultural anthropology), and this was one reason why I temporarily converted to ecological anthropology.

I found out, however, that these ‘new’ ecological anthropologists have done nothing new – they are pure, old-fashioned, practical ecologists, who have done nothing new but the rhetoric in general. Replace ‘practical’ with...
A personal account of what I did during my stay at IIAS, or why I remained a cultural anthropologist


\[\text{cash cropping, ecology, headhunting/slave trades, stranger-businessmen and labour migration, all these bits and pieces were beginning to merge, revolving around: (1) the idea of money in capitalism, and (2) traditional societies’ encounter with it.} \]

Meanwhile, outside the archive, I extended my research into the so-called cargo cults, the kind of ‘movements’ explicitly aiming at money and wealth. While some analyses, such as the fantastic trumpet book (Worsley 1968), focus exclusively on politics, Burridge’s (1966) analysis and data were most insightful. Burridge presents Mambu and other prophets’ followers’ activities as trials to regain their integrity, and convincingly shows how traditionalism failed to help people grasp the new capitalist-church-oriented changes in society, and how the cargo-cults filled the gap. His data deserve thorough re-analysis.

Data were collected in other fields as well, including javanese millennium movements and headhunting rituals. I initially thought these headhunting rituals were promising in more than one way: they might address a loose end (about the slave-trade) in my research and, second, I had encountered similar rituals in my field. Though it turned out that only Erb’s analysis (1991) touched upon cognitive aspects, I think that data I found will be helpful as comparative material when considering the meanings attached to similar rituals in Ende. Especially the line that Erb (1991 and 1999) pursued looks, to me, promising: even though the Ende people I know have had little contact with tourism, their experience abroad (as wage labourers in Malaysia) is comparable to what Erb argues (1999).

So, at the time of writing this essay, I am: (1) an average part-time ecological anthropologist (versed in a few theories currently in ecological anthropology); (2) a moderate Sunday historian (with a fair amount of data available at hand); and, above all, (3) a very willing cultural anthropologist with a hope of analysing old data (rebellions and ‘movements’ so far analysed in political terms) in a new light, that is, in cognitive terms.

An abrupt ending

Cash cropping (capitalism), ecology, headhunting/slave trades, stranger-businessmen (Bugs and Chinese) and labour migration, all these bits and pieces were beginning to merge into one phenomenon, revolving around: (1) the idea of money in capitalism, and (2) traditional societies’ encounter with it when, regrettably, my time was up.

Even though I can no longer visit the archive, I can pursue the line I now see clearly in front of me, and will, hopefully within a short period of time, present the result in a lengthy article, or, better yet, in a book.

I really appreciate all the help and kindness I received during my stay in the Netherlands. I was going to mention all the names I could remember when my foster father’s wish did occur to me, but, in Ende, I was playing back the day’s recordings to Bapak Epu, my foster father. One of the recorded pieces was a recital of a ritual chant. Any ritual chant in Ende begins by invoking ancestors; before coming to the main part, the reciter was reciting all the ancestors’ names he could recall when Bapak Epu said, ‘This is not good, not at all. If one should drop an ancestor’s name, then he (or she) feels affronted and will do something harmful, not only to the reciter but to the society as a whole. It’s much better to say merely emuk kajo/iro aro, ‘grand parents and great grand parents’/ancestors and forebearers’ because, in that way, nobody will ever be affronted.’

Still, some names deserve special mentioning – Winn Stokkefjell, Heleen, Wouter. And let me continue – other staff members and fellow fellows. I really am grateful to you all.

Select bibliography

- Acraoeli, G. October 2004. ‘From Economic Actor to Moral Agent: Knowledge, Fate and Hierarchy among the Bugs of Sulawesi’. Indonesia 78.
- Trumpet 1980(11).

IIAS, or why I remained a cultural anthropologist

Before they said that ‘tribal people’ were practical; now they say the same thing, the only difference being their additional comment that tribal people are not culturally bound as some of the middle-headed cultural essentialists claim them to be.

In this context, the ‘baptism of money’, a strange and seemingly unintelligible custom among some of the black planters, made sense. Money as they knew it (money as use-value) was natural but barren, as opposed to money in capitalism which was, to them, unnatural and fertile. ‘Barmen money can become unnaturally fertile when transferred to God’s domain and stamped with his life-giving properties’ (Taussig 1980). In other words, the hypothesis that ‘the black planters tried to understand the new and overwhelming capitalist money economy, using all of their cognitive devices – a process which a structuralist would be willing to call bricolage.

Rebellion and cargo cults – more and more curious

The relationship of money with its two aspects, use-value and exchange-value, fits well with my position in the vanilla paper: the market economy and the gift economy stress the exchange of the things transacted (though in strikingly different ways), while the subsistence economy stresses the use-value of the things transacted. I was searching for a way to integrate the point in my vanilla paper and Taussig’s arguments.

I went back to the archive with this new insight. Besides data on economy and ecology, I began collecting data on ‘volunteer’ or rebellions, as rebels’ ideologies must have expressed their attempts to grapple with the new capitalist ideology. I knew that scholars such as Stefan Dietrich and Robert H. Barnes had done similar research. Their analyses, however, were almost always political while I wanted to approach these rebellions from the cognitive (as it were) point of view – that is, as a cognitive strategy to reconcile old ideologies with the new capitalist ideology embodied in the idea of money as capital.

I collected data of rebellions, not only in Flores, but in the residence of Timor and the surrounding islands. Some of the data were detailed, but only in numbers (of casualties, etc) and dates; the administrators did not pay much attention to what the rebels wanted.

I looked around and saw conscious loose ends of my research coming together to take shape (still vague, though). And I began to remember things.

Early on in my stay here in the Netherlands, I attended (actually, just went and listened to the papers at the Groningen conference held by IIAS. There I met my old friend, Greg Acciaioli, who is, incidentally, a superb cultural anthropologist. Since then, from time to time, I have been reading Greg’s articles without any definite aim in mind, just for our old friendship’s sake, I suppose. Most of Greg’s articles deal with the Bugs in their migration place in Lindu. I reread his articles, which try to analyse Buginese ‘commercial’ activities in cultural terms.

Memory works miracles sometimes; the situation he describes in those articles, where the commercially-oriented strangers (Bugis) and the subsistence-oriented natives (Lindu) live in one place reminded me of – apart from almost the same situation in 19th century Ende – the Aru islands described by Ossoeijer, and Spyer (1997). Spyer describes the parallel relationships between the Chinese merchants (the commercially-oriented strangers) and the Aru natives, and the Aru natives and the legendary sea women; the ‘analogue’ relationships remind us of the baptizing of money described by Taussig (1980).

Let me here recapitulate a small part of Taussig’s elegant analysis. The black plantation workers in Colombia had to reconcile themselves to the new, powerful capitalist ideology. They had been familiar with the idea of money, but only in so far as money was evaluated for its use-value. The important aspect of money in capitalism is its exchange-value, in other words, money as capital, whose strange function is that it grows bigger as time passes. The black workers knew about animals, which reproduce themselves – that is, the number of animals grows as time passes. Thus, money in capitalist ideology is in some ways similar to money as they knew it and different in others. ‘They must explain the transformation of money into interest-bearing capital and the conversion of use-value into exchange-value’ (Taussig 1980:11).

IIAS Newsletter | 82 | Autumn 2006
Filming fire rituals in Nepal

Nepal – until recently the only remaining Hindu kingdom in the world – has witnessed profound social and cultural change over the past few decades and political turmoil over the last few years. While the impact of the war between Maoist rebels and the government has been felt in every sphere of Nepalese society, religious rituals modestly and silently continue at the Agnimaaha, the Vedic fire temple in Patan, informed by the idea that they guarantee the continuity of the cycle of the sun and the moon, thereby securing human existence on earth.

I n view of the political situation, we were very fortunate to witness and record the installation rituals performed at the Agnimaaha fire temple from 20-26 November 2004. Just before the borders were closed due to the state of emergency.

Our filming complemented earlier recordings at the Agnimaaha in November 1992 when ethnographic filmmaker Dirk Nijland, together with van den Hoek and Shrestha, – following on the work of the late anthropologist Bert van den Hoek (1931-2003) and Bal Gopal Shrestha – filmed the Agnimaaha rituals, covering all details of the daily morning and evening rituals, the fortnightly darnapårñamâsa fire sacrifices and the anniversary rituals. It was foreseen that the 1992 footage would be completed with the filming of another important ritual, the installation of new fires and a new priest (yajamâna) following the death of the presiding yajamâna or his wife. Priest Vishnu jwâlananda’s died at the age of 74 on 27 March 2004.

The team of Bal Gopal Shrestha and visual anthropologist Wendy van Wilgenburg departed for Nepal on 7 November 2004. The following is a short report of our experiences and surprises during these recordings.

Fire rituals
Agni (fire) is an important god in the Hindu religion. Especially in the Vedic tradition, fire is considered to be a marriage partner of the human world and heaven. Establishing fire implies ‘life, wealth, procreation and continuation of family, clan and lineage’ (Heesterman 1958: 26).

In Nepal, Râjopadhyay Brahmmins have maintained the cult of fire at the Agnimaaha fire temple for centuries. It is told that a long time ago an old Brahmin couple arrived at the present location of the Agnimaaha to spend the night. They carried a walking stick which they laid down on the ground before going to sleep. When they woke up the next morning, they saw the stick rooted in the ground sprouting at its tip. Witnessing this miracle, the couple thought this was the right place for them to settle for the rest of their lives. They started to perform daily fire sacrifices and installed the pâtûgamma or the five fires, and it is believed that the Agnimaaha has existed here ever since. The Rajo- padhyay Brahmmins in Patan, claiming descent from the couple, assume that the Agnimaaha in Patan has been there for at least 4,500 years, as researchers found a holy Varna tree of that age in the temple courtyard.

The daily sacrifices performed in honour of Agni are most commonly known as Agnitha, and have been preserved until today at the Agnimaaha in Patan. It is the oldest fire temple in Nepal and one of the most important religious sites in the Kâthmandu Valley. The Agnimaaha temple contains five fires, one burning permanently. The priests in charge of the Agnimaaha temple believe that if the tradition is discontinued the world will come to an end, as would be the case if the sun were to stop shining.

The most important participants in the fire rituals are the agnihotiri, or yajamâna, and his wife. Once chosen, they are responsible for keeping the fire burning at the Agnimaaha and taking care of all daily and fortnightly darnapårñamâsa offerings until one of them dies. Only at the death of the yajamâna, or his wife, are the Agnimaaha fires discontinued and all five fire hearths broken down. The new yajamâna is chosen among the elders of each of the six Rajo- padhyay lineages in Patan. The elaborate initiation ceremony of the new agnihot- rî must be completed on the first full moon after the turn of the Nepali New Year in November.

Filming the rituals
In the two weeks before the rituals began, we visited the fire temple in Patan and interviewed the main Brahmin priests. Until the new fire was installed, this temporary fireplace was used for offering fire sacrifices while the newly formed Agnimaaha Management Committee (AMC) looked after the continuation of the fire rituals at the temple.

As the most senior member of his clan, 88 years old Pandit Râjshpâla Rajo- padhyay was chosen to be the new priest (agnihotri). Since his physical condition was vulnerable, the Agni- maaha Management Committee made arrangements permitting him to attend the temple only occasionally, while a representative performed his daily duties.

The first day’s rituals started on 20 November in the morning. On this day the god of architecture Vârakarman was worshipped. During one of the AMC meetings the priests decided to replace the prescribed goat sacrifice with an egg sacrifice. The change was made partly to avoid blood sacrifice and partly to avoid excessive expenses. The priests would have had to organise a feast in which the head of the sacrificed goat was shared among members of the gâtri, a socio-religious association of Brahmmins associated with the Agnimaaha.

On the second day of the rituals, 22 November, we recorded the worship of Padâccaya or the consecration of the fire substances of a cow (milk, yoghurt, ghee, urine, and dung). Their mixture is considered holy and is used for ritual purification.

On 23 November the divine serpent Varuña nâga was invoked from the river Bagmati at the Samkhamul confluence. At the riverbank, the priests performed a two-hour worship to call upon the divine serpent. An unexpected and heavy shower complicated the filming, but was interpreted by the priests and audience as a very desirable visit of the divine serpent. They believe that nâga, the god of water, brings rain.

25 November, the fourth day of the rituals, was the day of consecrating (abhãra- ka) the new priest and his wife. This day is also called Purânga. Surprisingly, the new priest and his wife did not attend. They were excused because of their old age and were represented by two small wooden statues. On this day, the priests also obtained fire from the sun using an eye-glass – to be safe in case the sun did not appear the next day.

The final day’s rituals (26 November) were the most important as it was the day to churn fire and install a new fire in all five fire altars in the temple, as prescribed in the scriptures. Although

References

Wendy van Wilgenburg is an anthropologist (PhD) The Ritual Composition of Sankhü, Leiden, 2002) and is currently a research fel- low at the Faculty of Social Sciences, Leiden University.

Wendy van Wilgenburg

This project has received support from the Gonda Foundation (Royal Academy of Arts and Sciences, Amsterdam), the Research School CNWS, Leiden, the Centre for Nepal and Asian Studies, Tribhuvan University, Kathmandu, and IASD: Dirk Nijland and Jan Houben act as advisors.

Filming fire rituals in Nepal

Bal Gopal Shrestha and Wendy van Wilgenburg
The resource curse: oil-based development in Central Asia

Mehdi Parvizi Amininejad

Although it may seem that countries wealthy in natural resources should find it easy to develop economically, the experiences of some resource-based industrialising countries have proven otherwise, especially in the Middle East. The key to success appears to be economic diversification, as demonstrated by the post-1950 industrialisation of oil exporters Iran and Malaysia and non-oil exporters Turkey and South Korea. The latter three countries invested revenue generated by agricultural or oil exports back into agriculture, manufacturing, services and banking. Over time, restructuring sufficiently developed these sectors and allowed them to compete globally, thus creating economies able to withstand sectoral shocks. By contrast, Iran did not create a globally competitive manufacturing or service sector; while collusion between the government and major oil and gas companies, corruption and revenue mismanagement wasted income from oil and gas exports and made the economy dependent on them. This close relation engendering cynicism and distrust of government and major oil and gas companies has all political activity. Kazakhstan and Azerbaijan export 211,000 barrels for Azerbaijan, Kazakhstan and Turkmenistan. Though Soviet centralised planning left the Caspian Sea littoral states of Azerbaijan, Kazakhstan and Turkmenistan poorly developed and struggling economically, their abundance of oil and gas resources brings hope for recovery. Turkmenistan is among the top 15 gas producers worldwide, while oil reserves in the Caspian Basin – compared to the Middle East – have turned Azerbaijan and Kazakhstan into oil exporters. The question is whether they will be able to use their income from oil and gas exports to transform themselves into modern, diverse industrial economies.

Economically, Kazakhstan’s reforms have led to a substantial shifting of assets to the private sector, an impressively expanding banking sector, the privatisation of electricity and increased foreign investment. In Azerbaijan, regulatory reform to liberalise trade policy and private agriculture and small and medium-sized businesses were hindered by an institutional entanglement of regulatory and commercial interests and bred corruption. Turkmenistan’s economic reforms have taken a reluctant and slowing approach in which most reforms are either negligible or purely rhetorical. All three countries remain dependent on oil and gas exports: after an initial post-independence decline in GDP lasting until the mid-1990s, economic growth increased only because of oil and gas exports. Even though recent GDP has surpassed pre-independence levels, the World Bank estimates the percentage of the population living below the poverty line in Azerbaijan, Kazakhstan and Turkmenistan at 47, 20 and 50, respectively, and proven natural gas reserves are 48.4, 67.9 and 102.3 trillion cubic feet.

A decentralisation model

A new path must be taken for Azerbaijan, Kazakhstan and Turkmenistan to avoid the resource curse and the fate of rentier statehood. An alternative policy model would involve the rearrangement of political relations by decentralizing state power in favour of NGOs. This would promote democratizing tendencies and limit central government control over economic activity. 

International Institute for Asian Studies

As a semi-annual journal dedicated to the study and preservation of Asian traditions

Asian Folklore Studies

This year’s issues include articles on:

- On the Wings of a Bird: Folklore and Nostalgia
- Pipit Rochja’t’s Subversive Mythologies
- Homo narrans in East Java
- Hairstyles in Korea and Japan

*Subscription rates for two issues/year: Institutions US$ 40.00, Individuals US$ 22.00.

Contact address: Editor, Asian Folklore Studies, Nanzen University

18 Yamazato-cho, Shiga-ku, 466–8673 Nagoya, Japan

E-mail: mai@nanzan-u.ac.jp

Asian Folklore Studies

A semi-annual journal dedicated to the study and preservation of Asian traditions
This global development regime enforced structural adjustment policies and produced today’s unprecedented global uniformity of free-market-oriented national economic policies which induce poor country exports, promote imports and open debtors to global investors.

Long-term trends in international inequality represent a reproduction of inequality which induce superior country exports, channel wealth up the ranks has locked in place today’s ‘inequality predicament’ by giving elites more capital to invest; which spurs economic growth but reduces the proportion of new wealth available at lower echelons. Economists have shown conclusively, as Martin Ravallion says, that ‘At any positive rate of growth, the higher the initial inequality, the lower the rate at which income-poor falls’. In other words, increasing inequality reduces the rate at which people escape poverty, as it channels more wealth into elite hands during economic growth. Thus inequality under capitalism exerts a ‘poverty effect’ and a ‘growth effect’ at the same time.

In recent decades, during a surge of globalisation, the world has become richer under free-market-oriented economic policies, but asset inequality has also increased, meaning less new wealth available at lower echelons. Over the past four decades, the ratio of wealth held by the world’s richest and poorest quintiles almost tripled from 30:1 to 86:1. The 1996 Human Development Report stated: ‘The poorest 20% of the world’s people saw their share of national income fall from 4% to 2%’. Yet, the richest 2% increased theirs 7% to 15%. America is now more unequal – and the gap between rich and poor more explosive – than at any time since the start of the Great Depression.

Economic measures reveal that inequality increased dramatically during the global expansion of a neo-liberal economic policy regime, especially since the end of the Cold War, as most of the world’s assets have been privatized. Buoying up world markets – the extent to which rich countries have allowed this to occur – has disproportionately enriched rich countries, and especially rich people in rich countries.

Imperial India

Asian history is a composite of many imperial cycles across regions. In South Asia, modern cycles began in the 18th century when British and other European powers ventured into regions of subordinate authority: imperial power descended the territorial ranks, regional elites became more independent and Mughal authority became merely symbolic. The British adopted and altered Mughal imperial forms, adding just a few features during the new form of inter-imperial struggle that was called ‘Cold War’. In the 1970s, a post-war economic boom ended and a new global development regime came into place led by the richest countries, the World Bank and the IMF, which came to dominate economic policy-making in most poor countries.

\[\text{M} \]
Inequality in India

India’s imperial patterns of inequality reproduced themselves after independence. Nationalists extracted Indian territorial layers from the British Empire’s ‘many layered cake’, forged them into a more tightly integrated national economy, invest- ed heavily in infrastructure, increased growth, eliminated famine, stabilised income inequality and decreased inequal- ity generally through land reforms, public provisioning and subsidies for productive inputs like water, electricity, fertilizer and High Yielding Varieties of wheat and rice.

But these national efforts did not eliminate India’s imperial ranks. India’s national development regime actually accen- tuated wealth accumulation among privileged groups and in privileged places. In agrarian regions imbued with landlord property systems under the Mughals and British, private and public investment in agriculture, health and education remained comparatively low. National development policy ‘bet on the rich’ to secure economic growth. In the 1980s, people who had benefited most from their status in British imperial ranks and in India’s national development regime propelled India’s ‘return’ to free-market-oriented economic policies, which were no longer associated with empire but rather with being broadly and globally Indian.

Higher growth rates resulted, and so did increased inequal- ity. In the 1980s, rich regions got richer compared to poor regions. After 1991 growth increased more quickly and after 1999 income inequality rose measurably. 2004 National Sample Survey data show that, after 1991, most new wealth went to wealthiest classes with privileged access to government and new market opportunities. Between 1991 and 2004, the top quintile of India’s urban rich increased its per capita con- sumption by 45%, compared to 20% in rural areas. The rural rich got richer, too, but compared to the urban rich, they also got poorer, which helps explain the 2004 change in govern- ment.

In 2004, the new Prime Minister faced 600 million Indians, in the bottom 85% of rural income groups, who had suffered a decline in per capita consumption under reforms he intro- duced as Finance Minister in 1991 and now vowed to con- tinue. But Manmohan Singh took pride in the 300 million Indian citizens who became richer under post-1991 liberaliza- tion. The richest among them became media stars in India’s 2006 global self-promotion as ‘the world’s fastest growing free-market democracy’.

Generic inequality

Patterns of inequality in India cannot be explained adequately as standard features of global capitalism or as symptoms of India’s national culture. Yet they do have generic qualities that characterize imperial forms of power and authority more generally.

Generic imperial inequality has clear spatial attributes. Spatial inequality occurs when core locations become privi- leged sites for capital accumulation. In both China and India’s urban and regional disparities institutionalized long before 1980 became rapidly worse after 1990. In India, recent growth favoured southern and western states, while distressing northern and north-eastern states that had been disadvantaged by public and private investment deci- sions. Poverty in the eastern Gangetic basin dates back to the 19th century, when the east-west divergence in North India entered imperial politics, as the Indian capital moved to New Delhi. This spatial divide continued after independ- ence with disproportionate state and private investments in the west. In the 1990s, economic returns in regions more dependent upon agriculture declined, as annual growth in agriculture and allied services dipped to less than half the rate of growth in India’s aggregate per capita GDP, and the ratio of rural-to-urban poverty increased.

Broadspeaking, Asian regions most excluded from capital accumulation lie on peripheries of former Mughal, British, Dutch, French and Chinese empires, in mountainous regions spanning Nepal, north-east India, Chittagong Hill Tracts, Highland Burma, Thailand, Vietnam and South China – all of which remain tribal minority homelands on peripherities of national control. City slums are internal peripheries no less excluded from capital accumulation.

Gender marks a second generic imperial form of inequality. Gender inequality is pervasive from the global to local levels. In 2003, a national study of gender disparities in India con- cluded that the poorest states (home to half the total popula- tion) had not improved the condition of women, while the worst gender disparities exist in rich, fast growing states, namely, Punjab and Haryana. Women’s wages and working conditions, and the social and environmental conditions of their domestic and communal labour, are worsening in a way that recalls imperial patriarchy, particularly in agrarian con- texts, but also in new urban sites of female industrial labour in garment, electronics and ‘global sweatshops’.

A third generic form is ethnic inequality. Imperial ranks denominate poor ethnic minorities to lower echelons, where inequality embeds itself in minority cultures. India’s Muslim population is becoming comparatively poorer, especially in the rapidly growing urbanised state of Gujarat, a showpiece of neo-liberal globalisation. Ethnic minority and tribal popula- tions in poor north-eastern states and in the Chittagong Hill Tracts have continued to lose ground, reflecting their location on imperial and national peripheries.

Class inequality in the imperial ranks – a fourth generic form of inequality – divides people into haves and have-nots, most basically through the distribution of proprietary entitlements that translate into education, business and employment opportunities. In India, upward trajectories of social mobility into urban elite ranks typically start in rich market towns and in irrigated, rice-growing villages, where up-and-comers own property whose value has increased over time much more than that of dry farmland. Even today, owners of dry land are much less likely to benefit in situ from connections to urban sites of globalisation. Impoverished farmers around booming cities like Bangalore and Hyderabad, always on the verge of famine, routinely commit suicide under the humiliation of crushing debt.

Landless workers, meanwhile, dominate the lowest income groups who have seen their real incomes decline. Deindustri- alization and casualization of labour under free-market flex- ible production regimes render urban and rural workers more vulnerable to poverty, and the UN’s ‘inequality predicament’ report has stressed above all the poverty effects of being cast into the world’s growing informal economy. Exchange entitle- ments for poor wage workers have been further distressed by inflation and reduced subsidies for basic commodities. Pro- portionate wage increases favour more educated workers in settings where education is unavailable.

Generic patterns of imperial inequality overlap to generate others. Health inequalities of many kinds arise at their inter- sections. So does violence. A ‘Maoist rebel crescendo’ of class war has spread across the poorest mountain regions of Nepal and impoverished Bihar, Orissa and Andhra Pradesh. In northeast India and Gujarat, minority impoverishment feeds political violence. Growing inequality has sparked caste vio- lence in Tamil Nadu and religious violence in Bangladesh.

History in the present

By exploring how the productive use of wealth inside explicit, changing ranks of imperial entitlement has driven economic growth in Asia over space and time, we can thus enrich Ankie Hoogvelt’s idea that world capitalism operates in networks of mobility. When markets operate unchecked inside such sys- tems of entitlement, they guide new wealth up the ranks and thus aggravate inequality, even as they stimulate economic growth.

Imperial power and authority have had a changing impact in each historical phase of economic development. Today, imperial inequality is generating neo-liberal policy regimes designed to ‘free’ markets from political interference by people who might challenge imperial power. In this context, focusing national economic development policies primarily on growth conceals imperial ranks that determine actual market operations. His- tory suggests that pro-poor policies will not be able to reduce inequality under neo-liberal policy regimes sufficiently to secure sustainable growth, poverty reduction and social jus- tice, because markets, left to their own devices, strengthen imperial forms of entitlement and aggregate inequality.

With this in mind, we can see in retrospect that British, French and Dutch imperialists were not the villains they often appear to be; because any policy maker – foreign imperialist, native nationalist, socialist or communist – who imagines the world as being a flat national plane of capitalist development, bereft of all vertical forms of imperial power and authority, is effectively encouraging the continued flow of wealth up the imperial ranks. Thus the inequality predicament is no impen- etrable conundrum. Its solution requires sustained downward shifts in power over the production of wealth. That in turn demands more, and more profound, studies of imperial ter- ritoriality in order to inform anti-imperial struggles in every nook and cranny of globalisation.

* This is the abridged version of the lecture delivered in Amster- dam on 12 May 2006. The full version with references is online at: http://www.iias.nl/asia/wertheim/lecture35.

David Ludden
Department of History
University of Pennsylvania
davidludden@hotmail.com
A Manchad grammar

Suhru Ram Sharma

Many Tibeto-Burman languages and cultures are rightly called endangered, due to socio-economic circumstances forcing speakers to adopt more influential groups. The present study—a grammar of Manchad—will provide an in-depth description of this endangered and hardly studied Tibeto-Burman language, and hopes to facilitate a better understanding of the linguistic diversity of the northwestern Himalayas. The grammar is based on extensive fieldwork on several Tibeto-Burman languages of the northwestern region carried out over the past two decades.

Manchad, also known as Patani or Lahauli, is spoken by about 10,000 people in the western Himalayas. More specifically, Manchad is spoken in the Patan valley of the Lahaul subdivision of the Lahaul-Spiti district of Himachal Pradesh in northwestern India. The Patan valley, at an altitude of approximately 2,700 meters above sea level, borders Tibet to the east and the Ladakh district of Jammu and Kashmir to the north while the western and southern sides of the Patan valley join the Chamba and Kullu districts of Himachal Pradesh.

The name Manchad is a toponym given by the people of the Tod valley who live in the same area as the Manchad. Their socio-economic position has improved considerably in recent years thanks to modern agricultural methods and the cash cropping of seed potatoes, hops and medicinal plants. Hindi is the medium of instruction in schools. As a result of education and contact with outsiders, most members of the Manchad group are bilingual and use Hindi and English in public while the use of the Manchad language is now limited. Manchad has no written literary tradition in the Manchad language, individuals have recently begun to write down Manchad stories using either Hindi or Tibetan orthography. No detailed study of the Manchad language currently exists, except for a few articles and a short grammatical sketch.

The grammar begins by describing and analysing the phonetics and phonology of Manchad, followed by discussion of the nominal morphology. Manchad has a three-way contrast in number, i.e., singular, dual and plural; gender is not grammatical and is lexically based. The case system provides descriptions and discussions of the Manchad ergative, objective, instrumental, sociative, locative, and genitive cases. Pronouns, adjectives, verbs and adverbs are analysed and presented in detail, as is the verbal agreement system where person-number elements are incorporated in verb forms. A discussion of phrase types and the basic syntactic structure of the Manchad language in terms of simple, compound and complex sentences is part of the grammar, which also includes analysed texts and a glossary.

Speakers of Manchad worship both Hinduism and Buddhism; temples are shared by the two groups. This kind of cultural fusion has left complex linguistic traces. It is evident that the Manchad people have interacted with speakers of Tibetan languages as well as with Hindi populations for a long time, as the linguistic traces these cultures have left behind in the Manchad language are much deeper than mere loanwords.

Although Manchad is a pronominalized Tibeto-Burman language, it shares certain linguistic features with Indo-Aryan, Dravidian and Munda languages. The language has also retained some features of the ancient Zhangzhung language, spoken in western Tibet before the establishment of the Tibetan empire. For example, the patterns of verb stem alternation in Manchad is related to the well-known alternation between four verb-stems in classical Tibetan, which is no longer faithfully preserved in modern Tibetan dialects. With four stems in the present, past, pluperfect, and future tense, stem alternation is still fully preserved in Manchad.

Manchad has been classified in the western sub-group of the complex-prosodic nominalised group of the Himalayan branch of the Tibeto-Burman subfamily of languages. Tibeto-Burman languages are generally considered to be of an isolating and monosyllabic nature, but the Manchad language is of a highly complex inflectional character, exhibiting complex pronominalisation and a complex verbal system. Syntactically, Manchad is of the subject-object-verb (SOV) type, like many other languages in South Asia. Manchad has a two-way tonal contrast, like standard Tibetan, and has extensively borrowed vocabulary from Indo-Aryan languages, apparently ever since the time the people came into contact with people from the neighbouring districts of Chamba and Kullu where Indo-Aryan languages are spoken.

The other languages spoken in the Lahaul valley are Kholkar, Pattarn Bhote and Tod (all Tibeto-Burman), and Rangoli, Tinan, and Bunan, which can be classified as pronominalising Tibeto-Burman languages. Among the languages of the Lahaul valley, Manchad is predominant, and is sometimes understood by people from neighbouring areas. There are two main dialects, or socio-geographical variants. One group of speakers are Buddhist and call themselves Bothi, and are found mostly in the upper valley. The other dialect is spoken in the lower valley by a group of people who call themselves Swangla and who practice the Hindu religion. The Tinan dialect is considered to be very close to the Swangla variant of Manchad. The present study takes the dialectal variations into account, while dialectal differences are noted in the glossary.

Suhru Ram Sharma
Deccan College, Pune
IASS Fellow 2005
Suhru.Sharma@yahoo.in
suhru.oisharma@gmail.com

The lure of (prosodic) typology

Bert Remjum

In any study of empirical phenomena, the unusual holds special attraction. The Bird of Paradise with its amazing feathers, the monolithic baubles, and the joint nursing of emperor penguins are phenomena that catch the imagination of the specialist and the interested lay person alike. The scientific study of ‘outliers’ holds particular promise, often revealing a system’s complexity that is not evident when studying simpler phenomena.

The same holds in the study of a particular aspect of language—prosody. Prosody refers to any dimension of speech communication other than the sequence of vowels and consonants. Defined in this way, prosody comprises the pitch of the voice (tone), the voice quality, loudness (intensity), and the duration of segments. The function of these phenomena varies from one language to the other. For example, some languages, like Thai or Chinese are tone languages; others, like English, have a lexical stress system. Are there more typological patterns? Are combinations of tone and stress possible? And what can the study of the unusual phenomena tell us about the nature of speech prosody?

One such outlier is the prosodic system of the Curacao dialect of Papiamentu, a Caribbean creole. Papiamentu has both distinctive lexical stress (like English) and a lexically distinctive tone contrast, very similar to the one found in Stockholm Swedish. This is illustrated in the minimal-set evidence in Figure 1. Panels A and B illustrate the lexical tone contrast. Tone pattern I (panel A) has rising pitch on the stressed syllable, tone pattern II has low or falling pitch on the initial syllable and a high or rising pitch on the final syllable. Panels B and C illustrate the stress contrast on words that have the same tone pattern. The initial syllable is more prominent in I ‘to turn’, the final syllable in the participle form of the same verb. Stressed syllables have a greater duration (cf. segmentations in Figure 3), and also stand out in terms of intensity and vowel quality.

Papiamentu and a small number of similar ‘hybrid’ prosodic systems reveal that languages do not necessarily have one and only one prosodic contrast—stress or tone—as traditionally assumed. Instead, it is possible for languages to combine contrasts. In this way, the study of little-known and sometimes endangered languages expands the range of known variation, and contributes to a better understanding of the phenomenon of language prosody. Undoubtedly, many possible configurations remain to be charted.

There are two driving forces behind the development of prosodic typology. First, there are the phenomena. As a result of increasingly sophisticated research, often focusing on minority languages, we know more and more about the kinds of systems that are possible in human language. The accumulation of data blindly sets an agenda, as phenomena challenge us to come up with typological frameworks and with phonological theories that can accommodate them. From this accumulation there emerges an ever richer picture.

As a result, prosodic typology is moving from a stage where systems were pigeonholed into two or three vaguely defined categories to a more fundamental fine-grained typological analysis based on the structural properties that distinguish between systems (cf. Hyman 2006).

The second driving force is linguistic theory, in particular the axiom that the sound system of any human language includes a hierarchical structure of headed constituents—syllables, words, phrases etc.—likely to be reflected in the prosodic system (cf. van Hult 2005). These and other theoretical views are a valuable conservative force, challenging linguists to postulate as little language-specific processes as possible. As with any belief system, theoretical tenets constitute bias, with the potential to distract researchers from the correct analysis should the data ultimately be incompatibe with them. It is obvious, then, that typology is both data-driven and theory-dependent, and that the interaction between these two approaches is vital to its development.

References


Bert Remjum
Leiden English Language University of Edinburgh
bert@ling.ed.ac.uk

The IIAS-sponsored conference ‘Between Stress and Tone’ was held in Leiden, 16-18 June 2005. A thematic issue of the Cambridge University Press journal Phonology, based on the conference and including some of the leading research on the topic, is forthcoming (2006, vol. 16.4).
Creating a database for Tibeto-Burman languages

In the number of its speakers, Tibeto-Burman is one of the largest language families in the world. The language family, however, has received little scholarly attention and its composition and history remain poorly understood. Many languages are still awaiting detailed description—a task that is becoming urgent as the number of endangered languages increases. Given the dazzling linguistic diversity and sheer number of languages yet to be studied, a thorough understanding of the Tibeto-Burman language family poses great challenges. One complicating factor is that presently available data are scattered, making an overview of the family and adequate historical comparisons unfeasible.

Katie Chirkova

Crossing the Himalayas

Tibeto-Burman is the most well-represented language family in the Himalayan region, broadly understood as stretching from the Chinese provinces of Sichuan and Yunnan to the southern extremity of Burma, and from southwestern Vietnam in the east to northeastern Pakistan in the west. Our research programme—Trans-Himalayan Database Development: China and the Subcontinent—pools the expertise of two renowned centres of Tibeto-Burman research: George van Driem’s Himalayan Languages Project (HLP) at Leiden University and the Chinese Academy of Social Sciences’ Institute of Ethnography and Anthropology (IEA) in Beijing. Both have worked for years on the documentation and description of Tibeto-Burman languages, with the Himalayan Languages Project concentrating on languages of the Indian subcontinent (Bhutan, Nepal and India) and the Institute of Ethnography and Anthropology concentrating on languages spoken within China’s borders (in the Tibetan Autonomous Region and the provinces of Qinghai, Sichuan and Yunnan).

Both parties have thus been simultaneously working north and south of the Himalayan range that divides China and the Indian subcontinent. The mutual aspiration of acquiring a better understanding of the Tibeto-Burman family has moved them, figuratively, to cross the Himalayas in combining their achievements and sharing their research: a wealth of data on over 80 Himalayan languages amassed by the HLP, and on 57 (out of over 80) Tibeto-Burman languages spoken in China collected by the IEA.

Our current research programme targets the two major challenges of Tibeto-Burman research. On the one hand, it contributes to the documentation of endangered languages. On the other, it aspires to assemble all collected data digitally to enable multi-level research and, ultimately, balanced and well-documented answers to currently debated questions of historical development, sub-grouping and reconstruction.

Documenting endangered languages

The current programme’s documentation of endangered languages builds upon previous work carried out by the HLP and the IEA. We chose to focus on three languages spoken in China: Shaining, a Qiangic language spoken in Muli county of Sichuan province; Bola, a Burmish language spoken in Yingjiang and Lianghe counties of Yunnan province; and Gyalrong (Mikhir dialect), a Qiangic language spoken in Ma’erkang county of Sichuan province. These three insufficiently documented languages were selected not only for their severely endangered status, but because they constitute important links for historical reconstruction within each language group.

The documentation of these three languages will be carried out over the next possible within the three-year project. We expect to complete concise descriptions in Chinese, accompanied by 2,000 word lists and a selection of traditional stories, to be included in the Institute of Ethnography and Anthropology’s renowned Zhōngguó běnjiān pǐngyǎo qǐngyī fēngxiàn (New Found Minority Languages in China) series, which aims to document all little-known and endangered languages in China.

A digital database

A crucial step towards a better understanding of Tibeto-Burman languages is assembling existing data in a format that allows for long-term storage and efficient access and modification by multiple users—a goal best achieved through a digital database. Both parties already maintain their own: the IEA, in co-operation with the Hong Kong University of Science and Technology, has since 1998 been compiling a database of cognate words in Sino-Tibetan languages and their dialects (in Chinese) while the HLP hosts a digital database correlating grammatical morphemes in Kiranti and other Tibeto-Burman languages (www.iias.nl/host/himalaya/projects/mld.html). Our goal is to combine data collected by both into one database of over 200 languages so that each branch of Tibeto-Burman will be represented by numerous languages and dialects.

Theoretical and practical challenges abound. The present programme brings together two distinct scholarly traditions with different understandings of Tibeto-Burman languages. The prototype of the Sino-Dutch database, that of the IEA, is structured in accordance with the Sino-Tibetan model as accepted in China, and includes data on Chinese, Tibeto-Burman, Tai-Kadai and Hmong-Mien languages spoken within China’s borders. This model presents each language family as consisting of hierarchically organised subgroups with an a priori implied appreciation of their phylogenetic relationships. In the agnos- tic model advocated by Van Driem, the precise phylogenetic relationships between the recognised subgroups of Tibeto-Burman languages (which in his understanding also includes Chinese) have not been precisely determined. As different models of the exact sub-grouping of Tibeto-Burman languages abound, our project aims to give a fair overview of diversity within the Tibeto- Burman family and to let the data speak for themselves rather than formatting it in accordance with any model. Ultimately, it would be beneficial to conceive of a digital database which would allow users to group data according to their own research and understanding even to create their own test model to test against the data in the database.

The precise structure of the database is currently under negotiation. The prototype of the proposed database, that of the Institute of Ethnography and Anthropology, is searchable both by Chinese and semantic fields and includes 1,532 predefined basic lexical items for each language. Words are grouped by semantic fields, such as body parts or celestial bodies, and are accompanied by Chinese translations and morphological analysis (initial, codas, tone, prefixes, etc). An additional screen is available, where any ambiguity in the vocabulary collected by the HLP, however, it would be desirable to include as much lexical data as possible (viz. words, accompanied by an English translation and morphological and grammatical comment when available). It also seems sensible to create a database which can be expanded over time.

Our project is still in its initial stage; the very idea of an open and online database is to lay the foundations for further scientific cooperation. Given the depth and breadth of our aims, we invite participation from all individual researchers and teams working in the field so that we may create a broad, well-documented foundation for historical reconstruction and sub-grouping within the family, and ultimately, influence studies in the history of Tibeto-Burman and enrich the theoretical foundations and methodology of comparative linguistics.

Notes


3. The database is searchable both by Chinese and semantic fields and includes 1,532 predefined basic lexical items for each language. Words are grouped by semantic fields, such as body parts or celestial bodies, and are accompanied by Chinese translations and morphological analysis (initial, codas, tone, prefixes, etc). An additional screen is available, where any ambiguity in the vocabulary collected by the HLP, however, it would be desirable to include as much lexical data as possible (viz. words, accompanied by an English translation and morphological and grammatical comment when available). It also seems sensible to create a database which can be expanded over time.

Our project is still in its initial stage; the very idea of an open and online database is to lay the foundations for further scientific cooperation. Given the depth and breadth of our aims, we invite participation from all individual researchers and teams working in the field so that we may create a broad, well-documented foundation for historical reconstruction and sub-grouping within the family, and ultimately, influence studies in the history of Tibeto-Burman and enrich the theoretical foundations and methodology of comparative linguistics.

Katie Chirkova is a fellow at IAS and co-ordinator of the programme Trans-Himalayan Database Development: China and the Subcontinent. Her field of research is Chinese linguistics and Tibeto-Burman languages in China.

k.chirkova@let.leidenuniv.nl

Trans-Himalayan Database Development: China and the Subcontinent

The programme, launched in June 2005, pools the expertise of two internationally renowned centres of Tibeto-Burman research: George van Driem’s Himalayan Languages Project at Leiden University and the Chinese Academy of Social Sciences’ Institute of Ethnography and Anthropology. It receives funding from the Royal Netherlands Academy of Arts and Sciences, the Chinese Academy of Social Sciences, and IAS.

- Scientific supervision: George van Driem (Leiden), Sun Hongkai (CAS), Huang Xing (CAS)
- Documentation and description of Shaining, Bola and Gyalrong: Katie Chirkova, Anton Lustig, Marielle Prins
- Data input, translation, annotation: Katie Chirkova, Hu Hongruan, Huang Chenglong, Liu Guangkun, Anton Lustig, Mu Shihua, Marielle Prins, Wang Feng, Yin Weinan, Zhou Macuo
- Database design and maintenance: Jiang Di and Jean Robert Opgenort

Diagram 1

Tibeto-Burman subgroups identified since Julius van Klopstock. Brahmaputra may include Kachin and Khiamili. Competing subgrouping proposals are discussed in the handbook ‘Descriptions of Languages of China’. Earthscan forthcoming (2007).
Research has long portrayed the modern state as an adversary to forest commons around the world. But is this really the case?

The common management of forests has seemed on the verge of extinction for some time. In 18th century Europe, state enclosures excluded local communities from agricultural land, pastures and forests while colonial governments in Asia claimed forests as public domains, thereby limiting community access. The development of forestry in Europe and Asia was not only similar but also closely linked, as colonial governments appointed European foresters to leading positions and sent their staff to be trained abroad. Later, the Food and Agriculture Organisation of the United Nations, among others, disseminated European ideas and practices all over Asia. Both European and Asian states established bureaus/sections to manage forests according to the principles of ‘scientific forestry’, leaving little space for community management.

The role of the state

The literature often describes the state as the key actor behind the disappearance of forest commons, and local communities as preferring to keep the state at arms-length. In Thailand, for example, local communities were excluded from forests over the last century as the state sought to strengthen its control over national territory. Communities contested the exclusion, building nation-wide alliances among themselves and with other civil society actors, which culminated in a Community Forestry Bill proposal in the 1990s. But as the state was unwilling to cede control over forests, community efforts failed.

Yet forest commons and states may not be as incompatible as the literature suggests. A closer look at forestry in Asia and Europe reveals the continued existence of forest commons, even in countries with well-developed state forest administration. In Austria and Sweden, forests have been owned and managed in common next to privately and state-owned forests and have shown remarkable resilience in the face of political, economic and social upheavals over the past two centuries. In Romania, only mid-20th century communism wrested control of forests from local communities, and in China a significant portion of forests has been collectively owned since the collectivisation drive of the 1950s. Clearly community ownership and state authority are not mutually exclusive.

Community forest management has at times been supported by states, with both Asian and European governments recognising forest commons and developing systems of governance that support community management. China’s constitution acknowledges collective ownership of forest land (jiyi suoyou) as equal to state ownership, Sweden supported the creation and formalisation of forest commons (Skogsägning) in the late 19th century, while Austria granted forest commons the status of corporations under public law (Agrar-gemeinschaften) in 1950 and placed them under the supervision of a specialised agency.

Decentralisation

The need to look afresh at relations between states and local communities becomes apparent when we consider the changes in forest policy currently taking place across much of Asia and Eastern Europe. Governments are in the process of decentralising power and responsibilities to local authorities, many are also devolving ownership and quasi-ownership rights over forests to local public authorities, communities and other local actors. As a result of this world-wide trend, communities today manage 11% of the world’s forests and 2.2% of the forests in developing countries.

As part of this decentralisation, many countries in Asia and Eastern Europe have introduced reforms that favour forest commons. In Eastern Europe, the Romanian government is returning forest commons to the original owners and their heirs, including groups of households and communal authorities. While the Albanian government is transferring forest ownership rights to local authorities who in turn can grant local communities administrative rights. In Southeast Asia, the Philippine government enacted the Indigenous Peoples Rights Act in 1997, creating the legal foundation for indigenous peoples to secure common titles over land. In Indonesia, decentralisation has strengthened the influence of district governments over forests previously under the exclusive control of the central forest department.

Indigenous groups are taking advantage of these reforms to grant small-scale concessions for logging, thereby creating new sources of income. In Vietnam, a recent revision of the Land Law allows allocation of forests to communities – not just to individual households, enterprises and state organisations as in the past. Local communities in the three countries have welcomed the new opportunities, registering their property claims with the state and requesting technical and financial support from the state for forest commons.

Reality on the ground varies, in the rights demanded by and granted to local communities. In many places, governments limit community management to forest protection, withholding from local people the rights of management and use. The recent logging ban instituted by the Chinese government severely constrains local people’s use of forests, even though they legally own them. In some countries such as Vietnam, common management is closely tied to joint ownership. In others, such as Sweden, forest commons are owned by individual shareholders but managed in common. Different kinds of ‘communities’ also manage forest commons. Philippine legislation recognises the rights of ‘indigenous peoples’ while in China collective ownership is generally assumed to be the purview of the administrative village. There are differences within countries as well: in Romania, both local authorities and groups of villagers may own forest commons.

Codification, governance and tenure claims

At the workshop, Asian and European scholars – together with government officials and NGO activists from Indonesia and Vietnam – pinpointed three issues for further research: legal codification, governance, and property claims.

Legal codification of commons remains a vexing problem. While codification is necessary to recognise forest commons in statutory law, the very process of codification tends to change the customary regulations it intends to preserve. In 19th century Sweden, for example, one form of locally practised commons was favoured over others, thus significantly altering common practice. Similarly, the Indigenous Peoples Rights Act in the Philippines is informed by notions of communal tenure unable to accommodate the diversity of local practices. Analysing past attempts by Asian and European states to codify forest commons in national legislation will aid the development of new approaches to codification that preserve common practice.

A challenge for governance remains analysing the distribution of powers and responsibilities between local communities and state actors under different systems, and to fine-tune new modes of deliberative and discursive governance. Property claims on forest commons come in various forms and from different actors, and in turn are variously recognised by different forms of authority informed by patronage, the market, and custom. The question is how common control relates to individual property claims in different types of forest commons, and how forest commons can mediate competing claims in an equitable and fair manner.

Thomas Sikor
Junior Research Group on Postsocialist Land Relations
Humboldt University, Berlin
thomas.sikor@rz.hu-berlin.de

Tran Ngoc Thanh
Department of Agriculture and Rural Development
Dak Lak, Vietnam
mekongd@big.mvn.vn
ICAS 5 will be hosted by the Institute of Occidental Studies (IKON) and the Institute of Malay World and Civilization (ATMA), Universiti Kebangsaan Malaysia, and will be held in the Kuala Lumpur Conference Centre opposite the landmark Petronas Towers. We expect over 1,500 Asian Studies specialists to converge in Kuala Lumpur for ICAS 5: Sharing a Future in Asia. The organizing committee is pleased to invite proposals for panels and topics. ICAS 5 will also serve as the occasion to award the ICAS Book Prizes.

ABSTRACT DEADLINES
- Individual Panels: 15 November 2006
- Organized Panels: 15 December 2006
- Institutional Panels: 15 December 2006

REGISTRATION FEES
- Pre-Registration (before 31st July 2007) USD 250
- On-site Registration (1st to 5th August 2007) USD 350

EXHIBITION
- The exhibition will showcase books and publications by university, private and public publishers, universities, colleges, institutions of higher learning and research institutes.

BOOK PRIZES 2007
- Best PhD in the field of Asian Studies
- Best research in the field of Social Sciences
- Best research in the field of Humanities

CONTACT US
- ICAS 5 Host
- ATMA
- Universiti Kebangsaan Malaysia
- 43600 UKM BANGI, Selangor MALAYSIA
- Telephone: +603-8921 5641
- Facsimile: +603-8921 3443
- E-mail: info@icas5kl.com
- Website: www.icas5kl.com

www.icas5kl.com
IAS fellows

1. Affiliated fellows

- Bhaswati Bhattacharya (India)

2. Senior fellows

- Jan-Eerik Leppänen (Finland)
- Jyotsna Agnihotri Gupta (India)
- Thomas Lindblad (Sweden)
- MINOHARA Toshihiro (Japan)

3. Research fellows

- Joost Coté (the Netherlands)
- Scott Kugle (USA)
- David Bourchier (UK)
- PAIK Wook Inn (Korea)
- Debendranath Mishra (Japan)
- Teruaki Hotta (Japan)

4. IIAS Professors

- Barend Jan Terwiel (the Netherlands)
- Ellen Raven (the Netherlands)
- Bhaswati Bhattacharya (India)
- Bhaswati Bhattacharya (India)
- Bhaswati Bhattacharya (India)

For specific information, please contact:

iiasfellowships@let.leidenuniv.nl

More information and IAS fellowships applications can be found at the IAS website: www.ias.nl/Fellowships

Relationship categories:

1. Affiliated fellows
2. Research fellows
3. Senior fellows
4. IIAS Professors

IAS hosts a worldwide pool of post doctoral researchers, graduate students, and junior scholars. As a research institute of the University of Amsterdam, the IAS supports the development of leading-edge research in the humanities and social sciences, focusing on the role of Asia in the world. IAS fellows are invited to present future research projects, which are annually selected by the IAS committee. Applications can be submitted at any time.

More information and IAS fellowships applications can be found at the IAS website: www.ias.nl/Fellowships

IAS fellows are members of a vibrant community of young researchers who enjoy a stimulating and dynamic environment for the advancement of their scholarly studies and professional careers.

More information and IAS fellowships applications can be found at the IAS website: www.ias.nl/Fellowships
Programmes

Care of the aged: gender, institutional provisions and social security in India, the Netherlands and Sri Lanka

This IDPAD/IIAS comparative research project addresses the implications of population aging for the social security and health care of elderly people. As the experience of ageing is gendered and can vary according to class, caste, and religion, the project addresses different social and economic groups, with an emphasis on women.

Coordinator: Carla Rissueuw rissueuw@fsw.leidenuniv.nl

Catalogue of Sanskrit manuscripts

In 1929, two crates of 17th and 18th century Sanskrit manuscripts arrived at the Kern Institute, University of Leiden. This Gonda/IIAS project is preparing a scientific catalogue of the roughly 500 South Indian Sanskrit manuscripts written on palm leaves in ancient Indian scripts such as Grantha, Telugu, Malayalam, Nagari and Nandinagari.

Coordinator: Sarajja Rath s.rath@let.leidenuniv.nl

Energy programme Central Asia

This programme on the geopolitics of energy focuses on Chinese, Indian, Japanese and South Korean strategies to secure oil and natural gas from the Caspian region (Azerbaijan, Kazakhstan, Turkmenistan, Iran, and Russia) and the Persian Gulf. The programme is institutionally supported by IAS and the Clingendael International Energy Programme (CIIP), Den Haag.

Coordinator: Mehdi Purvai Amineh m.pamineh@uva.nl

Indonesianisasi and nationalization

From the 1930s to the early 1960s, the Indonesian economy transformed from a ‘colonial’ economy, dominated by the Dutch, to a ‘national’ economy in which indigenous business assumed control. This NIOD project explores this transformation, studying the late-colonial era as well as the Japanese occupation, the Revolution and the Sukarno period. Two issues are given special attention: Indonesianisasi and nationalism, in particular the expropriation of Dutch corporate assets in Indonesia in 1957-58.

Coordinator: J. Thomas Lindblad j.lindblad@let.leidenuniv.nl

Illegal but licit: transnational flows and permissive polities in Asia

This multi-disciplinary programme analyses forms of globalisation from below, transnational practices considered acceptable (licit) by participants but which are often illegal in a formal sense. It explores limitations of ‘seeing like a state’, and instead privileges the perceptions of participants in these illegal but licit transnational flows.

Coordinator: Willem van Schendel w.vanschendel@uva.nl

Socio-genetic marginalization in Asia

The development and application of new biomedical and genetic technologies have important socio-political implications. This NWO/ASSR/IAS research programme aims to gain insight into the ways in which the use of and monopoly over genetic information shape and influence population policies, environmental ethics and biomedical and agricultural practices in various Asian religious and secular cultures and across national boundaries.

Coordinator: Margaret Sleebom-Faukln m.sleebom@wanadoo.nl

Syntax of the languages of southern China

This project aims to achieve a detailed description and in-depth analysis of a limited number of syntactic phenomena in six languages of the southern fringe of the Sinitic branch, spoken in the South China province of Guangxi, to the South of the Yangtze River. The project will systematically compare these descriptions and analyses to contribute to the development of the theory of language and human language capacity.

Coordinator: Rint Schikore r.p.schikore@let.leidenuniv.nl

Trans-Himalayan database development: China and the subcontinent (Phase I)

The project’s main goal is to combine the database of confiscated words in Tibeto-Burman languages, maintained by the Institute of Ethnology and Anthropology (Chinese Academy of Social Sciences) with language data of the George van Driem Himalayan Languages Project (Leiden University) to create a joint online database of Tibeto-Burman languages with a mirror-site in Leiden. The project’s second objective is to continue documentation of endangered Tibeto-Burman languages in China in cooperation with the Institute of Ethnology and Anthropology.

Coordinator: Katia Chichuan s.khovka@let.leidenuniv.nl

Networks

ABIA South and Southeast Asian art and archaeology index

The Annual Bibliography of Indian Archaeology is an annotated bibliographic database for publications covering South and Southeast Asian art and archaeology. The project was launched by IAS in 1997 and is currently coordinated by the Postgraduate Institute of Archaeology of the University of Kelaniya, Colombo, Sri Lanka. The database is freely accessible at www.abia.net. Extracts from the database are also available as bibliographies, published in a series by Brill. The project receives scientific support from UNESCO.

Coordinator: Ellen Raven e.raven@let.leidenuniv.nl

www.abia.net

Islam in Indonesia: the dissemination of religious authority in the 20th and early 21st centuries

Forms and transformations of religious authority among the Indonesian Muslim community are the focus of this research programme. The term authority relates to persons and books as well as various other forms of written and non-written references. Special attention is paid to the production, reproduction and dissemination of religious authority in the fields of four sub-programmes: auala (religious scholars) and fatwas; tarjat (mystical orders); dakshas (propagation of the faith); and education.

Coordinator: Nico Kaptein n.j.kaptein@let.leidenuniv.nl

Initiatives

Earth monitoring and the social sciences

The Stone Age has dramatically impacted all nations. In Asia, the ‘space-faring nations’ of India, China and Japan have successfully developed space technologies and applications. Other Asian nations have readily adopted these applications, including satellites for telecommunications, for gathering data on the weather, and environmental and earth resources. IAS has initiated a series of workshops on the topic.

Coordinator: David Soo d.n.soo@let.leidenuniv.nl

Cross-border marriages in East and Southeast Asia

The past decade has seen a rapid increase in the intra-Asia flow of brides, particularly between Southeast and East Asia. While in Europe intermarried marriages continue to be seen as a form of the commodification of women, recent scholarship in intra-Asia cross-border marriages challenges this dominant view.

Coordinator: Melody Lu m.lu@let.leidenuniv.nl

Piracy and robbery on the Asian seas

Acts of piracy loom large in Asian waters, with the bulk of all footage of ‘pirygmies’ who had never before seen outsiders. While most of the nitrate film footage was lost, Paul Taylor of the Smithsonian Institution has recently disclosed some spectacular surviving fragments. This footage and other digitalized materials from the expedition will soon be available, together with interpretative essays, as part of the Smithsonian Institute’s Digital Collections (www.si.edu/digitalcollections). Although all copies of Stirling’s original film, ‘By Aeroplane to Pygmy Land’, appeared lost, a Dutch compilation has been preserved. An abridged version of ‘Wonderen uit Pygmy Land’ was released as ‘Expedite door Nieuw-Guinea 1926’ (B&W 80 min. silent film) in 1953 by the Film Museum in Amsterdam.

The 1928 New York Times review of ‘By Aeroplane to Pygmy Land’, screened at the 55th Street Playhouse, took particular interest in ‘the manner in which the explorers are supposed to uncover the habitat of these Nugollo Negritos. First they espied a clearing in the land’s dense verdant cloak, and then, through telescopic lenses, they took pictures of the pygmies, showing them at first unsuspecting, but finally apprehensive. They are a wily lot, those little Ethiopians’ Explorers drew their inspiration from popular and scientific imagery of Africa since the 1870s, which had its roots in Creek and medieval European legends about small humans. The imagery of pygmies and their ‘Stone Age material culture’ is later employed in the Dutch film to underpin racial differences between whites, Dayaks and Papuans. Alluding to the slow progress of New Guinea’s colonisation, the Dutch film ends with a dramatised departure of the expedition team from the highlands and poses the question: Will the pygmies miss the Europeans?

Overlooked until now are the telling notes contained in the diaries of the director of the National Herbarium in Bogor, Docters van Leeuwen, and the military commander Posthumus, and, of course, Le Roux. Together with the pictorial stories and the Le Roux’s posthumously published three-volume set ‘De Bergpapoea’s van Nieuw-Guinea en hun woongebied’ (1948-1953), their observations narrate Papuan interactions with outsiders that are worth revisiting. The Smithsonian Institution, the National Museum of Ethnology, the Papua Heritage Foundation and IAS are organising this revisit in Leiden, during which the expedition website will officially be launched, parts of the film screened, photographs displayed and some of the collected artefacts exhibited, while speakers will detail the dynamics of the expedition and the meaning of its outcomes.

— Jaap Timmer

For further information:
www.rmv.nl, www.iias.nl or www.papuaheritage

Marloes Roazing m.roazing@let.leidenuniv.nl

By Aeroplane to Pygmy Land: revisiting the 1926 Smithsonian Institution / Dutch colonial government expedition
Call for Papers

Südostasien aktuell – Journal of Current Southeast Asian Affairs is an internationally refereed academic journal published by the Institute of Asian Affairs (part of GIGA German Institute of Global and Area Studies), Hamburg. The bimonthly journal focuses on current developments in Southeast Asia. It has a circulation of 750 copies and reaches a broad readership in the academia, administration and business circles. Articles to be published should be written in German or English and submitted exclusively to this publication.

Südostasien aktuell is devoted to the transfer of scholarly insights to a wide audience. The topics covered should not only be oriented towards specialists in Southeast Asian affairs, but should also be of relevance to readers with a practical interest in the region.

The editors welcome contributions on current Southeast Asia that are concerned with the fields of international relations, politics, economics, society, education, environment or law. Articles should be theoretically grounded, empirically sound and reflect the state of the art in contemporary Southeast Asian studies.

All manuscripts will be peer-reviewed for acceptance. The editors respond within three months. Research articles should not exceed 10,000 words (incl. footnotes and references). Manuscripts should be submitted to the editors in electronic form: sudostasienaktuell@giga-hamburg.de. For detailed submission guidelines see: www.giga-hamburg.de/fahlytheed.

Recent topics:
- ASEAN: Cooperative Disaster Relief after the Tsunami
- Confronting the Past – The Difficult Road to Accountability in East Timor
- Burma: Drug Control Progress and Possibilities

Editors: Marco Börte • Howard Lowen
Institut für southeast Asian Affairs
GIGA German Institute of Global and Area Studies
Rothenbaumchaussee 32 • 20146 Hamburg • Germany
Phone: +49 40 4288740 • Fax: +49 40 4107945
Website: www.giga-hamburg.de

Tenure-Track Appointment

History of China in the Nineteenth and/or Twentieth Centuries
University of British Columbia

The Department of History at the University of British Columbia (Vancouver) invites applications for a tenure-track appointment at the rank of assistant professor in the history of China in the nineteenth and/or twentieth centuries, effective 1 July 2007. This appointment is intended to enhance the department’s existing strength in East Asian history. Applicants are expected to provide evidence of innovation and excellence in research, as demonstrated by their published contributions or potential contributions to scholarship in the field. A strong commitment to teaching at both the graduate and undergraduate levels is also required.

The University of British Columbia hires on the basis of merit and is committed to employ- ment equity. We encourage all qualified candidates to apply; however, Canadians and permanent residents will be given priority. The position is subject to budgetary approval. Applications should include a C.V., a description of current and future research interests, and letters of reference from three referees (under separate cover). Applications may include up to three reprints of unpublished papers or chapters. Application materials should be received no later than 30 October 2006 and should be addressed to:

Dr. Glen Peterson
Chair, Search Committee in Chinese History
Department of History
University of British Columbia
#1297-1893 East Mall
Vancouver, BC V6T 1Z1, Canada
E-mail: glpeterson@interchange.ubc.ca
Migration, livelihoods and human rights: lessons from EU and ASEAN

The intersection between international migration, human trafficking and human rights is among the most complex of contemporary issues. Recent theories on global migration emphasize the need for context; migration cannot be conceptualized as “uncontrollable flows.” Mediated by institutions and shaped by social relations which give rise to relatively stable migration regimes, current migration involves formal and informal channels and creates risks for specific groups of migrants. Particular attention will be paid to relations of class, gender and generation and how they shape a continuum ranging from human trafficking to illegal but safe forms of migration.

The workshop aims to move beyond the nation-state as the unit of analysis with sector-specific analyses of migration as chains of labour and value, and how these are embedded in the restructuring of economic, political and social relations in the EU and ASEAN. In this light, the workshop aims to show the necessity of developing clear human security goals and of approaching migration policy as a mix of instruments to answer differentiated and culturally shaped interests and needs at all particular points within migration chains. The workshop will also draw on the narratives of migrants collected by qualitative studies to illustrate where collaborative efforts may be required between states, employers, human rights organisations and migrant workers.

The workshop will gather researchers, policy makers and representatives from migrant groups with expertise on Southeast Asia and/or Europe. The workshop is convened by Thanh-Dam Truong, Centre for Human Security Studies, Chubu University, Japan, and Roy Husijmans, Institute of Social Studies, the Netherlands. Further information will be available at www.asia-alliance.org.

**SATELLITES AND THE HUMANITIES**

- Sociological uses
- Environmental / disaster monitoring
- Historical perspectives and archaeology research
- Impacts on cultures, commerce & communities

**LEGAL ASPECTS**

- Framework for satellite services and applications
- Role of private enterprises under international and national law
- Regulatory regimes for Asian space activities
- Legal aspects of earth resource satellites
- National sovereignty

**IMPORTANT DATES**

- **PAPER SUBMISSION**
  - Notification of acceptance: 8th of January 2007
- **CONFERENCE ORGANISATION**
  - Tournament Hall
  - Nanyang Technological University
  - Singapore 639798
  - Phone: +65 – 6790 6045
  - Fax: +65 – 6792 6559
  - E-mail: cstes@ntu.edu.sg

**CONFERENCE THEMES**

- Historical perspectives and archaeology research
- Environmental / disaster monitoring
- Sociological uses
- Role of private enterprises under international and national law
- Regulatory regimes for Asian space activities
- Legal aspects of earth resource satellites
- National sovereignty

**SPECIAL EVENTS**

- Individuals and institutions are invited to submit proposals to organise and chair workshops, special sessions, panel discussions and/or round tables on space-related subjects.

The European Alliance for Asian Studies and the Asia-Europe Foundation welcome proposals for workshops on themes of common interest to Asia and Europe, to take place in 2007/2008.

The deadline is 1 February 2007. Proposals will be reviewed by the Asia-Europe Selection Committee, and selected for publication in this newsletter. The deadline for publication is 1 April 2007.

Financial support, up to a maximum of € 12,000 per workshop, aimed at creating an academic network and promoting collaboration between Asia and Europe, to be of interest to members of the Asia-Europe Workshop Series.

**Criteria**
- Workshop is open to all disciplines, to be held between September 2007 and September 2008, and affiliated to an ASEM member country.
- Jointly organized and held by institutions in Asia and Europe (include at least two signed letters of intent), and one institution in Asia and one in Europe.
- Financial support is limited to a maximum of € 12,000 per workshop, aimed at creating an academic network and promoting collaboration between Asia and Europe, to be of interest to members of the Asia-Europe Workshop Series.
- **The proposal**
  - Maximum eight pages, in English.
  - Title of the workshop, proposed dates and venues, names of institutions and organizing institutions in Europe and Asia (include at least two signed letters of intent), and one contact address (p. 3).
  - Introduction to the topic and scientific objectives (p. 4).
  - A list of confirmed participants, with institutional affiliations and disciplinary competence in relation to the workshop’s topic (p. 5).
  - Detailed programme including paper titles (p. 6).
  - Detailed budget showing expenses and expected income (p. 7).
  - Envisaged follow-up including publication(s) (p. 8).

**Deadline and address**
Proposals should be received by regular mail before 1 February 2007.

**ASEM COUNTRIES**
- Australia, Belgium, Canada, China, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Korea, Latvia, Lithuania, Luxembourg, Malta, Netherlands, New Zealand, Norway, Philippines, Poland, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, United Kingdom, United States of America, Vietnam.

**For more information**
- www.asia-alliance.org
- www.aews.asef.org
- www.iias.nl
- www.asu.edu/asian
- www.icassecretariat.org
- http://iias.leidenuniv.nl/portal
- http://iias.asu.edu/..

**Address**
For hard delivery or private courier service: IIA S, Nonnensteeg 1-3 2311 VJ Leiden, The Netherlands.

**Contact**
m.rozing@let.leidenuniv.nl

Institutional Newsletters of the Asia-Europe Foundation (ASEF) are distributed to its member countries in Asia and Europe. For more information please contact: IIAS portal

www.iias.nl/portal is an open platform for visitors to place information on events, grants and funding, job opportunities, and websites. You can subscribe to the portal at the address above and stay up to date through regular RSS feeds. Event information posted on IIAS portal will be considered for publication in this newsletter’s International Conference Agenda.