

SOUTHEAST ASIAN STUDIES

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SPECIAL FOCUS

Global Powers and Local Resources in Southeast Asia: Political and Social Dynamics of Foreign Investment Ventures

Introduction

Morishita Akiko*

Southeast Asia has been an attractive destination for foreign investors during recent decades, given the abundant natural resources, relatively cheap labor, and investor-friendly policies of the region. A rapid and dramatic increase in the inflow of foreign direct investment has been a noteworthy characteristic.¹⁾ A greater number of foreign companies are entering into a wide range of sectors ranging from infrastructure to manufacturing, agriculture, fisheries, forestry, mining, trade, financial services, and real estate in both urban and rural areas.

The growth of foreign investment ventures in Southeast Asia has had a great impact on local people and natural resources, directly affecting societies and environments and giving rise to numerous conflicts. Various social and environmental issues related to foreign ventures have been reported, including native land seizures, labor rights violations, rapid forest degradation, and river pollution (Dauvergne 1997; Ayoub 1999; Ballard 2002).

How can we find practical and fundamental solutions to these problems? These issues have been recognized locally and globally, yet they have remained festering for a long time. Many local and international organizations, including NGOs and cooperation agencies of mostly developed countries, have tried to find amicable solutions. Their attempts include encouraging governments of host countries to strengthen relevant leg-

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1) Despite declining when the 1997–98 Asian financial crisis hit, the total FDI inflow to the region grew from US\$28.2 billion in 1995 to US\$41.1 billion in 2005, reaching US\$76.2 billion in 2010 (ASEAN Secretariat 2007; 2012).

islations and institutions, persuading companies to ensure appropriate operations and management on-site as well as to contribute to local community development, promoting the development of new technology to reduce environmental impact, and directly supporting local communities facing problems related to foreign ventures.²⁾

In this context, the central governments of host countries and the foreign companies involved are regarded as the main culprits on-site, and therefore it is crucial to improve their functions and activities if solutions are to be found. However, the central governments and foreign investors are not the only key actors in foreign investment ventures. The fervor with which foreign capital is being pursued in Southeast Asia has resulted in not only central governments but also various local political and social actors becoming involved. They directly collaborate, negotiate, and in some cases create conflicts with foreign players, including multinational companies, international NGOs, and the governments of consuming countries. The central government and foreign investors do not always hold the upper hand and dominate the other stakeholders in the process of planning, implementing, and evaluating foreign-invested projects. Therefore, legislative efforts by central governments and corporate responsibility alone are necessary but insufficient for conclusively solving social and environmental problems related to foreign venture projects.

From this viewpoint, the authors of this special focus share the importance of understanding the complex relationships among local and global players in order to contribute toward finding solutions to problems arising from foreign ventures in Southeast Asia.³⁾ The special focus paints a clear picture of the intricate local-global relations, specifically the political and social dynamics of foreign investment ventures, in Southeast Asia. It consists of three papers (Aeria, Morishita, and Phua) providing case studies of foreign venture projects having a direct impact on local people and natural resources in Malaysia and Indonesia. The focus is on the key players among local and global stakeholders of the projects, how they correlate, and how their relationships affect local people and natural resources.

2) For efforts by international organizations, see, for example, Petkoski and Twose (2003), Offiong *et al.* (2010), and the Web sites of the United Nations Environment Programme (<http://www.unep.org>), Center for International Environmental Law (<http://www.ciel.org>), Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH (<https://www.giz.de/de/html/index.html>), and Bruno Manser Fonds (<http://bmf.ch/en>).

3) This special focus is based on the international workshop held on January 17, 2013, at the Center for Southeast Asian Studies, Kyoto University. The workshop was supported by the CSEAS “South-east Asian Studies for Sustainable Humanosphere” Research Program. At the workshop, the three authors of this special focus and other participants, Hiroyuki Seto and Jee Young Kim, liberally shared their research findings and views on local-global relations in foreign-invested ventures in Southeast Asia. I would like to thank them for their contribution.

Empirical studies of local-global relations in Southeast Asia have shown a variety of interactions among local and global players from various perspectives such as the economy, politics, international relations, security, culture, society, history, and environment (Yamashita and Eades 2003; Tsing 2005; Hutchings 2007; Chong 2008; Nevins and Peluso 2008). These studies include industrial relations in multinational companies (MNCs), “glocalization” in marketing strategies of MNCs, local cultural changes resulting from global cultural and people flow, and the impact of the Internet on social movements against the government. All these studies demonstrate that globalization is “creating neither a stable nor a homogeneous globalized economy and society” (Luke 1994, 620), unlike the concerns and criticisms of those who associate globalization with the simplistic idea of a spreading homogenous geography of neoliberalism and neo-capitalism.

While mindful of the views provided by many studies on local-global relations in Southeast Asia, the contents of this special focus provide further insights into these diverse approaches by looking at the complex relationships among local as well as global stakeholders.

First, the special focus unwinds the knotted relationships among local stakeholders by focusing on the role of local governments and local power players who have received less attention in previous studies on local-global relations in Southeast Asia. The word “local” has been used with different meanings depending on the field of study, sometimes referring to society and sometimes to state institutions and national policies. Local stakeholders range from the national government to people and communities with various class, ethnic, religious, and ideological backgrounds in urban and rural areas. Some studies have examined the complex relationships among these local stakeholders and divided them into society and the state by referring to the former as “local” and the latter as “national” to examine state-society relations in the age of globalization (Yamashita and Eades 2003). Yet, these studies refer only to the central government and national policies as the state in most cases, although it could be that local governments play a significant role in local-global relations, particularly in implementing foreign-invested projects on-site.

With non-monolithic features of the state in mind, the first two papers in this special focus (Aeria and Morishita) attach weight to the role of local governments and power players. While the central government forms national policies and rules related to investments, local governments are put in charge of various tasks including attracting foreign investors, giving permissions, securing land, and communicating with local communities living on or near project sites. In countries with decentralized systems, local governments are given more autonomy and power over the local economy, as Andrew Aeria and Akiko Morishita demonstrate in their papers on the cases of Sarawak, Malaysia, and

Kalimantan, Indonesia, respectively. In the two countries, not only national but also local power players have taken the inflow of foreign investments as an opportunity to forward government development agendas and strengthen their own political and financial power bases. Hence, conditions of local communities and ecological environments are largely influenced by the way in which local governments handle and manage their tasks related to foreign venture businesses.

Aeria examines how the Sarawak state government played a role in advocating the construction of 52 hydroelectric power (HEP) mega-dams in the region, as well as the role of foreign and local investment and their collective impact upon the environment and local communities. The state government has undertaken foreign investment ventures under the umbrella of the national New Economic Policy and works in harmony with the federal government. However, the dam project has proven to be destructive socially and environmentally since the construction of the first HEP dam in the 1980s. By disclosing the nexus of close relationships that binds key politicians in the state administration with crony businesses associated with foreign-linked contracts, Aeria indicates that the reason why the state government has eagerly promoted this project—even though it is unfriendly to the environment and society—is probably that local power players have taken the project as an opportunity not only for economic development in the region but for strengthening their own financial and political power base as well.

Morishita analyzes the competitive and skillful negotiating relationships among national and local political leaders in decentralized Indonesia, where local government leaders have been pushing for foreign-invested development projects even when the central government is not in favor of them. From her case study of inter- and intra-provincial coal railway projects in Kalimantan, she demonstrates how local power players dealt with the central government and foreign investors in their attempt to secure their own position—politically and financially—in a venture that gave them an edge over rivals in local power struggles. Morishita also examines how local government leaders operated by effectively using double-talk with national and foreign players as well as local residents to promote the projects in a way that could benefit them.

Second, this special focus untangles intricate local-global relationships with a focus on global stakeholders by examining how the relationships among global political, economic, and social forces with different ideas and principles have an impact on local political and social players, and as such directly affect local societies in Southeast Asia.

In addition to “local,” the word “global” has been used in different ways and with different meanings depending on the field of study. It sometimes refers to the phenomenon of globalization, which generally means massive inflows of goods, money, information, people, culture, and ideas, accelerated by technological and communicative innovation.

At other times, it refers to international stakeholders, including MNCs, foreign companies, foreign governments, international NGOs, and international organizations such as the International Monetary Fund, the World Bank, and the United Nations.

These foreign players have different ideas and thoughts, some of which are opposed to each other. In foreign venture projects, foreign and multinational companies are not the only key global actors. When social and environmental issues related to foreign ventures gave rise to strong local protests, some of them became globally recognized through the media, Internet, and international NGO networks, leading to widespread campaigns beyond national borders. Global protest movements had an influence on the direction of foreign ventures in some cases.

In the third paper Kai Lit Phua looks at the diversity of global stakeholders by examining how global forces with different principles interrelate and how their relationships affect local power players and local residents on-site. Phua specifically demonstrates how global political, economic, and social forces are involved in the controversial project of a foreign-owned rare earth elements (REE) extraction plant in Malaysia, which might have negative impacts on the ambient environment and the lives of people on-site. Phua discusses the role of global stakeholders at various levels, ranging from geopolitics—with China dominating and supplying most of the market—to actors promoting the REE plant—including its Australia-based owner, the Australian government authorities, and the mining lobby in Western Australia—as well as those opposing the REE plant, such as Australian environmental groups, Malaysians who migrated to Australia, and politicians from the Australian Greens political party. Phua illustrates how these global stakeholders have a relationship with local stakeholders, who are also split into pro and contra, the former including the federal and state governments and the latter including the majority of local residents, citizen groups, and opposition political parties.

With their expertise as researchers and active watchers of local politics and governance of society and environment in Malaysia and Indonesia, the three authors carefully disentwine intricate relationships among local stakeholders and among global stakeholders, as well as relationships between each local and global stakeholder. They tease out the features and strategies local players have in actual cases. The authors pinpoint the crucial and influential role of local governments and local political players in foreign investment ventures, which has been often overlooked in local-global relations in Southeast Asia. Hopefully, this special focus will provide another key step toward finding practical and fundamental solutions to social and environmental issues related to foreign investment ventures in Southeast Asia.

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Economic Development via Dam Building: The Role of the State Government in the Sarawak Corridor of Renewable Energy and the Impact on Environment and Local Communities

Andrew Aeria*

Since 1970, as a consequence of Malaysia's New Economic Policy (NEP) and its integration into the global economy, the development achievements and per capita GDP growth of the resource-rich state of Sarawak have been impressive—although not without problems. Since timber and petroleum resources are exhaustible, and there is a concern with finding new sources of growth and revenue, the federal and state governments advocated industrial diversification in 2008 via the development of a multibillion-ringgit regional development corridor called the Sarawak Corridor of Renewable Energy (SCORE). Central to the success of the huge developmental corridor was cheap hydroelectric power (HEP). For the Sarawak government, SCORE's launch and eventual success were based on the availability of abundant water resources and suitable hydropower dam sites in the state. Yet, SCORE is likely to contribute to further environmental degradation and impact negatively upon the livelihoods and welfare of local communities. This paper examines this recent development trend and its consequences. Specifically, it examines the role of the Sarawak state government in advocating the construction of numerous HEP dams, the role of foreign and local investment in SCORE, and their collective impact upon the environment and local communities. What this paper reveals is the nexus of close relationships that binds key politicians in the state administration with crony businesses associated with foreign-linked contracts that has proven to be destructive socially and environmentally.

Keywords: hydropower dam, foreign investment, state patronage, NEP, SCORE, Sarawak, Malaysia

I Introduction

In late October 2007 Abdul Aziz Husain, a former state secretary of Sarawak, brother-

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in-law of then Chief Minister Abdul Taib Mahmud, and the newly appointed group managing director of Sarawak Energy Berhad (SEB),¹⁾ gave a PowerPoint presentation titled “Chinese Power Plants in Malaysia—Present & Future Development” at the China—ASEAN Power Corporation & Development Forum in Nanning, China.

His slide presentation, which was temporarily uploaded onto the Internet,²⁾ outlined the Sarawak state government’s plans to transform the state from a rural backwater into the industrial powerhouse of Borneo via the construction of numerous hydroelectric mega-dams to supply power to the recently announced massive industrial corridor in the state. Called the Sarawak Corridor of Renewable Energy (SCORE), the corridor was conceived as part of a concerted attempt by the country’s policy planners in 2006 “to stimulate global and domestic investment in traditionally rural areas to create balanced development throughout the country” (RECODA 2015a) in a resource-rich part of the country.

Providing the clean and green renewable energy to power the numerous expected local and foreign large-scale industrial investments in SCORE was the proposal (revealed by Abdul Aziz Husain) to construct 52 hydroelectric power (HEP) mega-dams. This was to be achieved with the assistance of Chinese companies and their dam-building technology, which would provide a total power capacity of 20,000 MW and an electricity potential generating capacity of 82,000 GWh/year (Abdul Aziz Husain 2007). Of these dams, 13 were scheduled to be built by 2020 and would have an installed capacity of 7,165 MW of electricity. Collectively, these 13 major dams would flood a total land area of 2,300 km² and displace 30,000–50,000 indigenous people from over 235 settlements (BMF 2013a; 2013b) (see map in Appendix).

Since then, indigenous community organizations along with local and international environmental groups have been struggling to stop the construction of these proposed hydroelectric mega-dams designed to power Sarawak well into the twenty-first century

1) Sarawak Energy Berhad is the sole supplier of electric power in the state of Sarawak. It is a wholly owned company of the Sarawak state government, which holds sole monopoly interests in power generation, transmission, electricity distribution, and marketing within the state. Its directors are both civil servants and former civil servants along with politicians and businessmen with close links to the former chief minister and current governor Abdul Taib Mahmud. Its key subsidiary is the Syarikat SESCO Berhad, formerly the government-owned Sarawak Electricity Supply Corporation, which was privatized in 2005 (Sarawak Energy 2013). Its senior staff and directors have been accused of being involved in major corrupt business deals involving million-ringgit contracts handed to companies owned either by themselves or by interests close to Abdul Taib Mahmud (*Sarawak Report*, April 10, 2012; August 25, 2013; BMF 2013c).

2) The lecture slides were hastily removed from the official SEB Web site after environmental groups discovered and downloaded it. In other words, the plan was likely to have remained secret but was inadvertently uploaded. Nonetheless, it remains accessible here: http://assets.survivalinternational.org/static/files/mediabox/Sarawak_Energy_Confidential.pdf.

(*The Star*, July 23, 2008; Mongabay 2009; The Borneo Project n.d., Stop the Dams). No broad public consultations have been held to discuss whether such a large-scale industrial development program is desirable, let alone viable. Neither have local indigenous peoples affected by this dam-building program been consulted, in outright violation of the principles of the United Nations Declaration on Indigenous Peoples (UNDRIP) mandating prior and informed consent when development impacts indigenous peoples (The Borneo Project n.d., NGO Coalition).

To date, detailed information about the Sarawak government's official development plans involving so many HEP dams remains vague and under wraps except for what has been uploaded onto a Web site dedicated to the development of SCORE³⁾ and regular official government press statements about its benefits (Sarawak Government 2014). Consequently, the various issues and impact of this development strategy remain largely unexamined. Former Chief Minister and now Governor Abdul Taib Mahmud has long been Sarawak's most ardent proponent of hydroelectric dams (*The Star*, April 11, 2009; April 12, 2009). He remains convinced about their multiple benefits, which include reversing rural-urban population migration and transforming the basic infrastructure of the state's interior regions (*The Borneo Post*, June 18, 2013).

Since 1970, as a consequence of the New Economic Policy (NEP)⁴⁾ and as a result of being integrated into the global economy, Sarawak has displayed impressive development achievements and per capita GDP growth—although not without problems. Since Sarawak's economy is precipitated on massive resource extraction and primary commodity-based industries, the economy has seen significant wealth creation but one based on a pattern of resource exhaustion and environmental degradation with significant affiliated impacts upon local communities (Hong 1987; Colchester 1989; WRM and SAM 1989; Bevis 1995; Cleary and Eaton 1995; Majid-Cooke 1997; 1999; Kaur 1998a; IDEAL 1999; Brown 2001; BMF 2012a; Bryan *et al.* 2013).

The sustainability of the current NEP-led development model—which is based on primary resource exhaustion, agricultural commodity plantation development, large-scale infrastructure, and regional industrial corridors—may just be undermined by its own success (Majid-Cooke 1997; Phoa 2003; BMF 2014). Hence, instead of improving the quality of life for the majority, the commissioning of numerous hydroelectric dam projects

3) Details about SCORE are available on the Web site of the Regional Corridor Development Authority (RECODA) Sarawak: <http://www.recoda.com.my/invest-in-score/what-is-score/>.

4) In 1970, the federal government of Malaysia launched the NEP. This was followed by the National Development Policy (NDP) from 1991 to 2000 and the National Vision Policy (NVP) from 2001 to 2010. The NEP specifically addressed issues of poverty and ethnic income inequality and had three key aims: to eradicate poverty, to restructure society to eliminate the identification of race with economic function, and to create a dynamic Bumiputera Commercial and Industrial Community.

by the Sarawak state government in its single-minded pursuit of SCORE is likely to contribute to further environmental degradation and impact negatively upon the livelihoods and welfare of local communities (BMF 2010; 2012a; Yale Environment Review 2013; *Sarawak Report*, January 30, 2015).

This paper examines the recent development trend and its consequences. Specifically, it examines the role of the Sarawak state government in advocating the construction of numerous HEP dams, the role of foreign and local investment in SCORE, and their collective impact upon the environment and local communities. What this paper reveals is the nexus of close relationships that binds key politicians in the state administration with crony businesses associated with foreign-linked contracts, which has proven to be destructive socially and environmentally.

There is a whole body of literature on the political economy of development relating to state capture by corporate and political crony interests whereby politicians and agencies of the state, which in theory serve the people, are captured by interests antithetical to those of the public.⁵ These practices have been ongoing in Sarawak since independence, particularly in the form of crony business contract awards such as timber concessions, land grants, and infrastructure contracts (Milne 1973; Leigh 1991; Mason 1995; Brown 2001; Ross 2001; Aeria 2002; Mersat 2005; Straumann 2014). This paper contributes further to these studies by examining the recent expansion of crony political business links into a foreign-invested venture.

II Sarawak's Development Record as Background

The largest state in Malaysia, Sarawak holds rich resource deposits of petroleum, natural gas, coal, silica, and, until recently, timber and gold. Much land, post-logging, has been made available for modern commercial plantation agriculture, mainly oil palm and acacia pulp plantations.⁶ The state's numerous large rivers are also potential generators of hydroelectric power to transform the state into a heavy industry powerhouse.

Wealth Inequalities in Economic Growth

Development achievement has been impressive since 1970. Sarawak's transformation

5) Among some key early works are those on patron-clientelism (Lande 1964; Scott 1972), relative and embedded autonomy (Evans 1995), and rent-seeking (Tullock 1967; Krueger 1974; Bhagwati 1982; Tollison 1982). For more recent work on Malaysia, see Gomez and Jomo (1997).

6) Research on the Sarawak economy is relatively sparse. However, there are some works by Jackson (1968), Leigh (1979), Bugo (1984), Reece (1988), Abdul Majid Mat Salleh *et al.* (1990), ITTO (1990), Syawe (1990), Wee (1995), Ooi (1997), Kaur (1998a; 1998b), Majid-Cooke (1999), and Phoa (2003).

Table 1 Sarawak: Average Annual GDP Growth Rates, 1970–2010

Year	1970	1981	1982	1983	1984	1985	1986	1987	1988	1989	1990
%	7.9 ^{a)}	7.5	7.6	15.2	10.6	3.9	2.0	1.4	3.7 ^{b)}	8.3	6.3
Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	
%	10.7	3.7	3.9	11.3	14.1	11.9	3.9	2.0	5.3	-0.6	
Year	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	
%	0.3	4.5	7.6	6.9	5.0	4.3	6.5	0.3 ^{c)}	-2.0	4.3	

Sources: Government of Malaysia (1971, 19; 2010, 370); Department of Statistics Malaysia, Sarawak (various issues); Shireen Mardziah Hashim (1998, 132), Malaysian Rating Corporation Berhad (2015, 4).

Notes: ^{a)} Estimated annual growth rate, 1965–70.

^{b)} At 1987 constant prices (from 1988 onward).

^{c)} Year on Year (from 2008 onward).

into a fast-growing state is reflected in its recurrently positive growth rates (see Table 1). Its economic growth has consistently weathered economic recessions—in 1985–86, 1998–2000, and 2008–09.⁷⁾ However, Sarawak's economic growth is also volatile. Annual GDP swings are large, with differences ranging as much as eight percentage points either way.

Consequently, Sarawak has, on aggregate, seen a general rise in life expectancy and standards of living and significant improvements in transport and communication infrastructure. Education and health-care systems have improved and provide for the welfare of more people than ever before (Government of Malaysia 1989; 1993). Similarly, more Sarawakians own houses, cars, motorcycles, and other household amenities (Department of Statistics, Malaysia 1995). Clearly, poverty has been reduced in Sarawak, as shown in Table 2.⁸⁾

Even as overall poverty levels have fallen, Sarawak's Gini coefficient has fluctuated. From a reading of 0.501 (1979), the Gini fell to a low of 0.407 (1999) before rising again

7) In 1967 Sarawak's GDP was RM768 million at constant 1978 prices. By 2010, this figure had reached an estimated RM50,804 million. GDP per capita (constant 1978 prices) in 1967 was RM915. By 2010, it was an estimated RM20,560 (Department of Statistics, Sarawak, various issues). During the period of the Ninth Malaysia Plan (2006–10), mean monthly gross household income also rose from RM2,725 (2004) to RM3,581 (2009) (Government of Malaysia 2010, 399).

8) Poverty is complicated, especially if one takes into consideration the ratio of regional poverty vis-à-vis the national incidence, i.e., the poverty gap and rural-urban poverty figures. And yet, despite large gains, these aggregated figures still put Sarawak among the five states with the highest poverty and hard-core poverty rates in Malaysia. In 2009 the poverty rates of the other four states were: Sabah (19.2 percent), Perlis (6 percent), Kedah (5.3 percent), and Kelantan (4.8 percent). Hard-core poverty figures were: Sabah (4.7 percent), Perlis (0.8 percent), Kedah (0.8 percent), and Kelantan (1 percent) (Unit Perancang Ekonomi 2011). UNDP estimated Sarawak's poverty rate in 2004 for a household of 4.6 persons to be 8.02 percent and individuals at 10.63 percent based on a poverty line income (PLI) measurement (Urban PLI: RM799/month; Rural PLI: RM778/month) (UNDP 2007, 63–64, 68).

Table 2 Sarawak Poverty Rates, 1975–2009 (percent of households below the official poverty line)

Year	Total	Urban	Rural	Hard-core Poverty
1975	56.5	22.8	64.4	–
1980	47.7	17.8	56.0	–
1985	31.3	8.8	39.3	10.0 (1984)
1987	24.7	7.5	29.0	4.4
1990	21.0	4.9	24.7	3.3 (1989)
1993	19.1	6.0	23.6	3.0 (1992)
1995	17.0	4.6	21.1	1.3
2004	7.5	–	–	1.1
2007	4.2	–	–	0.7
2009	5.3	–	–	1.0

Sources: Shireen Mardziah Hashim (1998, 49–50); Government of Malaysia (1976, Table 9-1; 1984, Tables 3-4, 3-7; 1991, Table 1-8; 1993, Table 3-1; 2006, Box 16-2, Table C; 2008); Unit Perancang Ekonomi (2011).

to 0.442 (2004) and 0.448 (2009). This means that income and wealth inequality in the state actually fell in the first 30 years of the NEP before rising again (UNDP 2007; Unit Perancang Ekonomi 2011). It is the hard-core poor who are most affected. Current data for this category shows a similar trend since 2007, when the percentage of hard-core poor, which had dropped to 0.7 percent from a high of 10 percent (1984), reversed and rose again to 1 percent in 2009 (Government of Malaysia 2008, 58; Unit Perancang Ekonomi 2011).

Likewise, wealth inequalities are clearly evident in the government unit trust schemes (ASN/ASB)⁹ specifically set up for Bumiputera groups¹⁰ since 1980—in terms of both number of investors and total investments (2004: 694,000 investors/RM3.8623 billion; 2012: 1.098 million investors/RM16.442 billion) (Government of Malaysia 2008, 59; *The Borneo Post*, February 20, 2013). By the end of 2012, each Sarawakian Bumiputera

9) The Amanah Saham Nasional (ASN) and the Amanah Saham Bumiputera (ASB) investment trust schemes are government initiatives to encourage Bumiputeras to invest in their medium- and long-term future. Through these initiatives, the government hopes to lift Bumiputeras out of poverty and help them achieve a higher standard of living. Launched in April 1981, the ASN scheme is a variable-price investment product that seeks to “generate reasonable level of income distribution and capital appreciation to the unit holders through a diversified portfolio of investments” (ASNB 2015). On the other hand, the ASB, which was launched in January 1990, is a fixed-price investment product that seeks to “generate long-term, consistent and competitive returns to the unit holders whilst ensuring the preservation of capital at minimal risk tolerance level” (*ibid.*). These investment schemes, along with numerous other similar schemes, are thus designed to help the government of Malaysia achieve the dual aims of the New Economic Policy (NEP): eradicating poverty and restructuring society.

10) The term “Bumiputera” refers to indigenous persons or people of Malay (Melayu) and native communities of Malaysia. For more information on the definition of Bumiputera, see Ooi (2004, 287).

Table 3 Malaysia: Number of ASN/ASB Unit Trust Holders and Total Units Held, 2012

Breakdown of Unit Holdings	Number of Unit Holders (%)	Total Units in Circulation	Mean (RM)
5,000 and below	5,769,315 (73.73)	3,525,864,015	611
5,001–10,000	442,932 (5.66)	2,956,943,218	6,675
10,001–50,000	999,209 (12.77)	22,581,282,595	22,599
50,001–500,000	600,557 (7.67)	72,707,968,080	121,067
500,001 and above	12,138 (0.15)	8,525,132,256	692,087
Total	7,824,331 (100)	110,297,190,164	14,096

Source: Permodalan Nasional Berhad (2013).

investor averaged RM15,000 in their ASN/ASB unit trust accounts (*The Star*, February 20, 2013). This growth augured well for poverty eradication since it suggested more people had disposable income, which they set aside for savings and investment as a result of the NEP's implementation.¹¹⁾

However, a closer examination indicates a more nuanced picture. The median of the 7.824 million ASBN unit holders in Malaysia falls in the lowest category of "RM5,000 and below" with a mean investment/saving of RM611 (see Table 3). Hence, although the mean investment/saving of the 1.098 million ASBN unit holders in Sarawak each was RM15,000 (*The Star*, February 20, 2013), there is likely relatively little difference in the median pattern of ASBN unit holders in the state, i.e. in the lowest "RM5,000 and below" category with a mean investment/saving of RM611.

While the ASN/ASB unit trust funds were set up to encourage savings and long-term investments among low-income Bumiputeras, the reality is that a majority of Bumiputeras in the state do not earn sufficient incomes to give them the extra cash after monthly expenses to allocate funds to savings and long-term investments in unit trust schemes.

This would also explain why, in 2006, Sarawak was ranked 11th out of 14 in Malaysia's overall development composite index (Government of Malaysia 2006, 356)¹²⁾ and why

11) To gauge progress in eradicating poverty, the government has utilized a poverty line income measurement that assumes the basic income level necessary to sustain a household within a minimum standard of living. First published in the *Mid-term Review of the Fifth Malaysia Plan*, the poverty line income is based on a basket of goods comprising food as well as clothing, footwear, and other non-food items such as rent, fuel, power, transport and communications, health, education, and recreation for a household of about five persons. In 1987 the poverty line income was defined as RM350 for a household of 5.14 persons in Peninsular Malaysia, RM533 for a household of 5.36 persons in Sabah, and RM429 for a household of 5.24 persons in Sarawak (Government of Malaysia 1989, 45). In the 10th Malaysia Plan (2011–15) this poverty line income was revised to RM763 (Peninsular Malaysia), RM1,048 (Sabah and Labuan), and RM912 (Sarawak) (Government of Malaysia 2010, 397).

12) More current figures are not available.

UNDP noted that poverty in Malaysia was mainly Bumiputera in ethnic character and had a rural and regional character, with “the indigenous communities in Sabah and Sarawak” being “especially prominent” (UNDP 2007, iii).

There are further realities that call into question the overall sustainability of Sarawak’s economic development model, an issue seldom addressed—let alone discussed in depth—by policy makers.

A recent social impact assessment of the hitherto nomadic Penan of the Ulu Belaga area affected by the current Murum dam project included the preparation of a “Resettlement Action Plan” (RAP). The RAP noted that their “average cash incomes (from wages and allowances) vary between RM49 and RM272 per household per month” (Chemsian Konsultant Sdn Bhd 2011; Sarawak Energy 2012). Hence, although there has been much progress overall in reducing poverty and inequality under the NEP’s rapid economic growth since 1970, both remain entrenched in Sarawak.

Reliance on Primary Resource Extraction

Sarawak’s economic growth and pattern of industrialization over the last four decades has also produced a skewed pattern of “unequal development,” a pattern most clearly seen in the exploitation of Sarawak’s rich resource endowments (Aeria 2013).

Up until now, Sarawak’s economy has focused intensively upon the exploitation of its extensive petroleum, gas, and forest resources, mainly timber. Petroleum is largely an offshore enclave industry controlled by the professionally run national oil corporation Petronas; and revenues and profits when derived are owned solely by the federal government. Hence, the Sarawak government has focused mainly on land-based “economic development,” a euphemism for tropical timber extraction and more recently the conversion of logged forest lands into commercial oil palm and other cash crop plantations.¹³⁾

Weak governance and state capture by political-business elites have seen a growing prevalence of extensive corruption and financial leakages in the award of timber concessions and infrastructure contracts, weak enforcement of state forest policy, and blatant land grabs of native customary rights lands under the pretext of “development.”¹⁴⁾

Consequently, the state has been depleted of its once-pristine rain forests. Bereft of sustainable timber revenues, logged secondary rain forest has been clear-felled, mainly

13) For more information about the transformation of Sarawak’s forestry into cash crop plantations, see World Bank (1991), Kaur (1998b), Majid-Cooke (1999), Phoa (2003), Jomo *et al.* (2004), and SarVision (2011). See also official agricultural land use data available on the Sarawak State Planning Unit Web site: www.spu.sarawak.gov.my.

14) The investigative Web sites of Sarawak Report (www.sarawakreport.org), Bruno Manser Fonds (www.bmf.ch/en/), and Global Witness (www.globalwitness.org) are the best Web sites that document these practices in Sarawak.

for commercial oil palm plantations. A study by Bruno Manser Fonds (BMF) found that

only an estimated 5 per cent of primary forests have been spared from logging. Sarawak's large remaining secondary rainforests are currently being destroyed at a rate three times faster than in Asia overall, mainly for the planting of oil palms. 1,021,587 hectares out of Sarawak's 12.4 million hectares (around one twelfth) were already covered with oil palm plantations in late 2011. (BMF 2012a, 6)¹⁵⁾

Indeed, an official document leaked from the Sarawak Land and Survey Department to the whistle-blower Web site Sarawak Report details an extensive list of politically well-connected companies, a listing of the who's who of the political and business elites within the state that have benefited from extremely cheap and even free grants of extensive tracts of land for cash crop plantation farming (especially oil palm) (*Sarawak Report*, January 28, 2015).

Compounding this "unequal development" pattern is Sarawak's economic path dependence given its over-reliance on primary resource extraction. Sarawak's relative share of sectoral GDP by industrial origin reflects this. Its reliance on its primary commodity sector averaged around 35 percent in 1967, over 40 percent in the 1970s, and over 50 percent in the 1980s before reducing to 45 percent in 1995, 41 percent in 1997, 47 percent in 2000, 36.3 percent in 2005, and 34.3 percent in 2009 (Department of Statistics, Sarawak, various issues) (see also Table 4).

What is significant and important to note is that this over-reliance on primary resource extraction has meant that Sarawak's forests have all but been decimated over the last four decades. A recent study that utilized CLASlite satellite technology to monitor tropical forest deforestation and degradation found that "nearly 80% of the land surface of Sabah and Sarawak was impacted by previously undocumented, high-impact logging or clearing operations from 1990 to 2009" (Bryan *et al.* 2013).¹⁶⁾

15) Critical scholars do not necessarily accept that the statistical figures of the Sarawak government relating to forest cover and oil palm plantations are reliable. Sarawak forest policy sees forests classified into three main categories: permanent forest estates (PFE), totally protected areas, and stateland. Managed by the Sarawak Forest Department (licensing and regulatory functions) and the Sarawak Forestry Corporation (operational functions), all the above lands are liable to be subjected to either licensed economic activities or illegal logging. Most logging and plantation activities occur on PFE and state land. Nonetheless, despite all these lands being transformed by massive timber extraction and cash crop plantations, they remain officially classified as forests and are declared as such in official statistics. This gives the impression to all who are unaware that Sarawak remains a state with a high forest cover. For further information, see Liew (2007).

16) The study showed clearly, and on the basis of scientific data, that "[O]verall, only 8% and 3% of land area in Sabah and Sarawak, respectively, was covered by intact forests under designated protected areas" (Bryan *et al.* 2013). In other words, this study concluded that "very few forest ecosystems remain intact in Sabah or Sarawak" (*ibid.*).

Table 4 Sarawak: Comparison of Share of GDP by Industrial Origin in Constant Prices, 1967–2009 (*percent*)^{a)}

Industry	1967 ^{b)}	1970 ^{c)}	1975 ^{c)}	1980 ^{d)}	1985 ^{d)}	1990 ^{d)}	1995 ^{e)}	2000 ^{e)}	2005 ^{f)}	2009 ^{f)}
Agriculture, forestry, fishing, etc.	34.6	37.0	27.2	27.6	21.9	24.1	16.0	14.9	17.4	15.7
Mining, quarrying	0.4	3.5	13.6	30.3	34.1	32.8	28.8	31.8	20.4	18.2
Manufacturing	8.9	9.4	10.2	7.6	11.7	12.8	19.2	22.0	28.1	26.7
Utilities	1.2	1.3	1.4	1.2	1.5	1.5	1.8	2.3	n.a.	n.a.
Construction	4.4	5.3	5.1	4.7	4.9	3.3	8.4	2.7	2.1	2.2
Wholesale and retail trade	12.2	13.5	12.0	8.2	7.7	7.5	7.9	6.8	7.5	9.6
Transport, storage, communications	6.1	6.5	7.9	3.3	4.0	4.8	5.1	5.6	8.3	8.9
Ownership of dwellings, banking, financial services, real estate	5.9	7.7	7.2	4.1	4.0	4.6	5.2	5.1	7.1	8.7
Other services	21.0	10.5	10.1	4.6	1.5	0.3	(0.2)	1.5	3.5	3.6
Government services	5.7	5.2	5.2	8.5	8.6	8.4	7.8	6.5	5.5	6.0

Sources: Department of Statistics Malaysia, Sarawak (various issues); Government of Malaysia (1973, Table 1-5; 1976, Tables 10-1, 10-3; 1981, Table 5-2; 1986, Tables 5-2, 5-3; 1991, Table 1-12; 1993, Table 2-13; 1996, Table 5-2).

Notes: ^{a)} Some totals do not add up to 100 percent due to rounding.

^{b)} 1967 prices

^{c)} 1970 prices

^{d)} 1978 prices

^{e)} 1987 prices

^{f)} 2000 prices

Dams as Next Source of Economic Development

Since timber and petroleum resources are exhaustible and there is concern over finding new sources of growth and revenue, the federal and state governments advocated industrial diversification in 2008 via the development of the multibillion-ringgit SCORE to ensure that the NEP's objectives of redistribution with continued growth were not jeopardized. Central to the success of the huge developmental corridor was cheap hydroelectric power. For the Sarawak government, SCORE's launch and eventual success were based on the availability of abundant water resources and suitable hydropower dam sites in the state. The Sarawak Integrated Water Resources Management Master Plan concluded that "hydroelectric power generation [had] particularly highly potential and [was] suitable in Sarawak due to the abundance of water, with an annual precipitation of about 4000 mm" (SIWRM Master Plan 2008). The huge financial resources required to build the initial 13 mega-dams with their spinoff contracts also meant that hydroelectric mega-dam construction and electricity power generation along with hundreds of kilometers of power cable infrastructure would emerge as the state's new source of economic growth over the next decade.

III The Regional Corridor Development Authority and SCORE

The lead agency for the implementation of SCORE has not been any local government authority but the state government via a powerful statutory agency, the Regional Corridor Development Authority (RECODA). This is due to the unique constitutional characteristics of Sarawak within the federation of Malaysia.

The 1963 Malaysia Agreement along with the Federal Constitution accorded the state government of Sarawak (and Sabah) greater control over all its land-based resources and greater autonomy in overseeing economic development than the powers enjoyed by the state governments in Peninsular Malaysia. Principally, this was enshrined in the transfer of federal powers to the state and concurrent lists of governmental powers, which included the unusual power of control over immigration into Sarawak territory, along with additional sources of revenue and special development grants (Lim 1997).¹⁷⁾ As well, enshrined in the State List of Powers of the Malaysian Constitution was control over local government and development within its borders.

Sarawak is presently divided into 26 local government administrative districts (also known as local councils) made up of city councils, municipal councils, district councils, and one special authority called the Bintulu Development Authority. All these local councils fall under the strict financial and political jurisdiction of the state government's Ministry of Local Government and Community Development. Local government elections in Sarawak were suspended in 1971 and abolished in 1977, when the state assembly adopted the Local Authority Amendment and the Kuching Municipal Amendment Bills. Since then, all local councilors have been political appointees of the state government.

As a result, the only autonomy available to local councils is in the form of planning and management functions related to "conservancy, scavenging, street lighting, road maintenance and to a certain extent matters pertaining to environment and public health" (Sarok 2009, 22) within their areas of jurisdiction. Although local councils collect local taxes, these funds are insufficient to cover all their annual expenses. Hence, nearly all remain dependent on financial grants and transfers from the Sarawak state government.

Constitutionally, the Sarawak state government has always enjoyed considerable leeway in undertaking and managing its own development projects and activities, the most recent and important being SCORE. To this end, the state government set up RECODA in 2009 as the sole agency "tasked with overseeing and managing SCORE" (RECODA 2015b).

17) These "special concessions" to Sarawak in 1963, relative to the other states in Peninsular Malaysia, were designed to win over the native groups of Sarawak who were initially hostile to the idea of the formation of Malaysia (Lim 1997).

RECODA: Powerful Supra-Agency of the State Government of Sarawak

The setting up of RECODA was seen as necessary given the huge size of SCORE. According to official sources, SCORE covers “over 70,000 square kilometres of the resource rich central region” of Sarawak, and it “has a long coastline of more than 1,000 km, over 8 million hectares of forests, almost 5 million hectares of arable land and peat land suitable for agriculture” (RECODA 2015c).¹⁸⁾ The corridor has 1.2 billion barrels of known oil reserves; over 80 million tonnes of silica sand; and over 22 million tonnes of kaolin or china clay, a key component of cosmetics, ceramics, and, most recently, combat area medical equipment (RECODA 2015a). Citing Sarawak’s “abundance of natural resources, including clean and safe renewable resources, such as hydropower that offers commercial users clean energy at competitive rates” (*ibid.*), policy planners thus earmarked SCORE as the region for the establishment of energy-sector industries. Ten high-impact priority industries¹⁹⁾ were identified and a two-decade-long development plan drawn up to realize the state’s industrialization blueprint.

SCORE’s geographic reach and its desire for large-scale investments have meant that economic and developmental activities within it often traverse numerous local council jurisdictions. Not only would managing major investors require deft coordination between various state government agencies, but it would also require organization and dexterity when dealing with the many local councils and their various planning and maintenance departments located within SCORE. Hence, the state government established RECODA as an agency tasked with overseeing and managing SCORE in an effort to cut bureaucratic red tape and facilitate foreign and domestic investment.

Set up as a one-stop government agency to avoid “traditional government procedural delays” (RECODA 2015b), RECODA is a powerful agency chaired by the chief minister of Sarawak. To ensure efficiency and efficacy, RECODA also has “board representation from all of the relevant federal and state agencies to ensure swift decision making” (*ibid.*). It has two defined primary tasks. First, RECODA “promotes SCORE by creating and stimulating new and existing markets”; and second, it is tasked with attracting investments and industries to SCORE so as to “achieve the ambitious investment goals set by the state” (*ibid.*). As noted on its Web site, “in the face of fierce global competition not just from traditional or regional competitors, but also from developed countries, RECODA understands the need for an environment that generates confidence for private and corporate investors” (*ibid.*). In other words, RECODA was set up to be a “lean and nimble organ-

18) A map showing the geographic spread of SCORE is available at <http://www.recoda.com.my/invest-in-score/score-areas/>.

19) These industries are: aluminum, glass, steel, oil-based, palm oil, fishing and aquaculture, livestock, timber, marine, and tourism (RECODA 2015d).

isation capable of rapid decision-making, fast track approvals and implementation of strategic and tactical initiatives to ensure investors are able to hit the ground running” (*ibid.*).

And yet, precisely because the RECODA board is chaired by the chief minister, the agency is effectively a powerful supra-agency of the state government of Sarawak,²⁰⁾ one that transcends all local government authorities within its geographic sphere of activity. Hence, for all purposes, when we discuss SCORE and the developmental impact of the foreign investments and industries in the corridor, our discussion is focused on the role of the state government and not on local government or local councils, since the latter’s role is minimal. Although local government authorities do operate within the geographical area of SCORE, they essentially act only as providers of public services within their areas of urban and rural jurisdiction,²¹⁾ with little responsibility over investments, development, and industries related to SCORE.

IV The Hydroelectric Mega-Dams and Their Collective Impact on Environment and Local Communities

Early in the second decade of this century, SCORE’s industrialization program was valued at US\$105 billion and was aimed at transforming and developing the state by the year 2030 (Sovacool and Bulan 2011). The underlying assumption is that accelerated economic growth and development will, ipso facto, improve the quality of life for the people of Sarawak (RECODA 2012).

Indeed, SCORE has been touted as “the most capital intensive and ambitious energy project ever undertaken in Southeast Asia” (Sovacool and Bulan 2011) with the “firm belief that a massively increased energy supply will entail economic growth and development” (BMF 2012a).

In pursuit of this goal, the 52 HEP dams—including the completed Batang Ai dam, as announced by Abdul Aziz Husain in China in 2007—were conceived on the assumption that Sarawak’s numerous rivers had the potential to produce 28,000 MW of hydropower (*ibid.*)²²⁾ as well as “clean” and cheap energy to power the demands of various heavy

20) The deputy chairpersons of RECODA are the deputy chief minister and the second minister of planning and resource management. The state secretary is the RECODA board secretary, while the state financial director and the State Planning Unit director are also board members of RECODA (RECODA 2015b).

21) These are functions that are focused primarily on the provision of public services, e.g., environmental, public, social, and developmental services (UN ESCAP 1998).

22) Sarawak also has an abundance of coal (estimated at 1.46 billion tonnes) and natural gas (40.9 trillion cubic feet) (RECODA 2012).

industries such as aluminum smelting and steel, which had been identified as the backbone industries within SCORE.

Of the 52 major HEP dams planned for the state, 3 have already been completed (Batang Ai, Bakun, and Murum). A fourth (Baram) was under initial phase of construction until its cancellation in early 2016. Seven other HEP dams are in their feasibility planning stages: Limbang, Balleh, Lawas, Belaga, Menjawa, Pelagus, and Punan Bah (SIWRM Master Plan 2008). Another recently completed dam, Bengoh, located about 50 km outside Kuching, is not an HEP dam but one designed to meet the raw water needs of the growing capital city and its hinterlands until 2030.

And yet, deep concerns remain that most of these HEP dams are unsustainable and will have a negative impact upon local communities and the environment (Mongabay 2009; BMF 2010, 2012a; 2014). All of these dams have been, or currently are, reliant upon foreign investment or foreign technological expertise for their development. We examine four—namely, Batang Ai, Bakun, Murum, and Baram—to draw lessons from them. It is to these issues that we now turn.

Batang Ai Dam: Impact and Environmental Footprint

Completed in 1985, the 110-meter-high Batang Ai HEP dam “has a water surface area of 84 km², a water volume of 750 million m³, and a mean depth of 44 m” (Ling *et al.* 2012). Its reservoir inundated approximately 21,000 acres of land and displaced more than 3,000 indigenous people from some 26 longhouses (Avang 1999; First Peoples Worldwide 2012). Costing US\$236 million, it was financed by federal government funds (US\$44.8 million) and the Employees Provident Fund²³⁾ (US\$57.3 million) and received loans of US\$44.8 million, US\$40.4 million, US\$36.3 million, US\$9.9 million, and US\$2.2 million from the Japanese Overseas Economic Cooperation Fund, the Asian Development Bank, the Mitsui Trust Banking Company (Mitsui), the Australian Export Finance and Insurance Corporation, and the English Export Credit Guarantee Department respectively (Hong 1987, in Avang 1999).

Sarawak’s first HEP dam, Batang Ai has four turbines (4 × 23 MW) with a total electricity-generating capacity of 92 MW of power (Avang 1999). Pre-feasibility studies for Batang Ai were provided by the Australian engineering consultancy Snowy Mountains Engineering Corporation (SMEC) beginning in 1973, with the feasibility study completed in 1978. SMEC listed its clients for this project as the Australian Development Assistance Bureau and Sarawak Electricity Supply Corporation (SMEC Malaysia 2007–12). A

23) The Employees Provident Fund is the sole social security and pension fund set up by the federal government, under the auspices of the Ministry of Finance, to manage the mandatory retirement contributions of the private sector in Malaysia.

joint venture, Maeda-Okumura, began construction of Batang Ai dam in 1981; water impoundment started in 1984 and power generation in 1985 (CIWRHR 2009). Since then, the state government-owned Sarawak Energy Berhad (SEB),²⁴ the owner of Batang Ai, has proposed enhancing the power-generation capacity of Batang Ai by a further 80 MW via an extension of two power turbines (2×40 MW) by constructing a “separate power waterway system with an intake, a tunnel, a penstock and a powerhouse” (*ibid.*). This extension is aimed at meeting “peak loads in the power grid” (*ibid.*).²⁵

According to Sahabat Alam Malaysia (SAM), 22 local indigenous communities were displaced by this project; 10 communities relocated in 1982 and the remaining 12 in 1984 (SAM 1998, in Avang 1999). Other local communities that were not inundated by the dam impoundment either chose to stay or moved to higher ground. They were, nonetheless, also affected, when their traditional transportation routes were cut off by the rising waters of the dam reservoir.

Available research suggests that the Batang Ai HEP dam resettlement scheme has not brought about much benefit to those resettled but instead has caused great hardship to the affected population. Ngidang (1996) noted that

about 1,595 families were resettled in a land scheme, with each family allocated 4.5 hectares of farmland: 2ha of rubber, 1.2ha of cocoa and 0.4ha for a garden plot, while the remaining 0.8ha for rice cultivation is yet to be given. The cocoa farm scheme was abandoned after cocoa price plunged in the 1980s and has since been replanted with oil palm . . . although the resettlement scheme provided facilities and infrastructure, the farm scheme had not been able to provide a sustainable income for the settlers. Besides, the lack of land for rice cultivation seemed to add to the problem of food insecurity. The aquaculture project in Batang Ai has long been discontinued for lack of funding and found to be not viable due to the high cost of feed and limited market outlets. (Ngidang 1996, in Jarro 2010)

Similarly, Avang Itik’s (1999) short study of two indigenous communities to assess the sociocultural impacts of the Batang Ai Hydroelectric Project and its resettlement scheme found that most of those resettled did not have firm resettlement contracts but merely verbal assurances from the government. Land compensation was set at an unrealistically low rate of RM300/acre. On average, those resettled received approximately RM30,000 per family while those who were not resettled received about RM10,000 (Avang 1999). Ngidang (1996), however, states that the “average compensation in the ‘Danger Zone’ area was about RM90,000 per family and about RM62,000 per family in

24) For information on Sarawak Energy Berhad (SEB), see footnote 1.

25) Although China Institute of Water Resources and Hydropower Research (CIWRHR) dispatched some technical staff to Sarawak to undertake site visits and surveys in 2008, it is unclear whether the project extension was ever undertaken or completed as no further information is available.

the ‘Partial Danger Zone’” (Ngidang 1996, in Avang 1999). Most of those resettled also did not receive the amount of land promised after they moved from their native customary rights (NCR) lands into the resettlement areas. Many resettlers felt shortchanged by the government. This issue has since consistently been part of election campaign discourses in the parliamentary constituency of Lubok Antu and state constituency of Batang Ai in all elections since the 1990s (Yi 2009).

As well, resettlers discovered that with the building of the dam came massive socio-environmental changes that forced major lifestyle changes upon them. They found they had to pay for their new homes, which cost RM36,000 each. Instead of being compensated for the loss of their inundated homes, resettled families found that the government’s compensation of RM8,000 per house was used as a down payment for their new homes, with the government expecting resettled families to pay the difference via monthly installments. Many have been unable to pay. Resettlers also discovered that they had to pay for water and electricity supply despite earlier government promises of free utilities in the resettlement areas.

Early efforts by the Sarawak Land Consolidation and Rehabilitation Authority (SALCRA) to assist the resettled Batang Ai communities via cocoa and rubber plantations also failed. These cocoa and rubber plantation programs were “delayed by several years due to the lack of staff and labor, and difficulties in obtaining planting material. The cocoa plantations failed before 1989” (ADB 1999, 11) before being replanted with oil palm. Nor has the SALCRA oil palm scheme in the resettlement area benefited the resettlers, as they have never managed to earn enough income from SALCRA (Ngidang 1996, in Jarro 2010). After 10 years of their SALCRA plantation projects, resettled families earned a mere

RM230 a month compared with the income (RM523 a month) that was envisaged from plantations after 10 years. This also compared unfavorably with the average monthly family income of RM675 of those who continued to live in native customary rights lands in upstream Batang Ai (without the Project). (ADB 1999, 11)

Complicating matters, many also realized that they now lived in a pure cash economy as opposed to their former lives in which they were able to rely upon the forest to supplement their food and other needs. With higher expenses, insufficient income from their land crops, and burdensome debt, a majority of resettlers in Batang Ai have not managed to cope and have not managed to extricate themselves from poverty. Consequently, the Batang Ai HEP dam resettlement has long been regarded as a socioeconomic failure (Ngidang 1996, in Jarro 2010; *The Borneo Post*, May 19, 2013), with resettled families having to live in areas with severe environmental and social challenges that place stress upon their lives and their cultural identities (ADB 1999).

Environmentally as well, Batang Ai has problems. The inundation of the dam proceeded without its biomass being cleared. Consequently, Batang Ai has already contributed serious levels of hydrogen sulfide and methane into the atmosphere (and continues to do so), with potential impacts on global warming. Absurdly, there have been few studies on the levels of methane and hydrogen sulfide produced in Batang Ai since it was commissioned. As such, little is known about Batang Ai's damaging global environmental footprint. A recent local study, however, found that Batang Ai continues to produce and harbor copious amounts of toxic hydrogen sulfide in its waters, with levels rising in proportion to water depth (Ling *et al.* 2012). Although the levels have decreased over the years compared to an earlier study in 1995 (Pusin 1995, in Ling *et al.* 2012), "the irritating smell of hydrogen sulphide has been detected at the reservoir, at outflow and at a downstream town of Lubok Antu" (Ling *et al.* 2012, 24). After testing the water, the study found that "58% of the hydrogen sulphide concentrations observed in the various test sites of the dam exceeded US EPA recommended values of $2\ \mu\text{g/L}$ " (*ibid.*, 27). Such concentrations posed a toxic hazard to aquaculture, especially in the event of an "upwelling or mixing of water where the high sulphide level is brought to the culture zone with anoxic water" (*ibid.*).

Although methane is also being produced and emitted at the Batang Ai reservoir, there are as yet no known studies on the levels of methane.²⁶⁾ There are also no publicly available studies on sedimentation, fish migrations, or non-native and invasive species of flora and fauna upstream of the dam. Similarly, no known studies have been undertaken on the impact of changes of downstream river flows upon the natural and human communities and environments of the Batang Ai River.

What little is known is that Batang Ai has seen the disappearance of several "large migratory fish species adapted to fast-moving water [which] now appear to be rare or nonexistent in the reservoir and the upper reaches" (ADB 1999, 10) of the dam. As well, the introduction of exotic fish species such as tilapia in cage aquaculture

poses a long-term risk to the fisheries in the reservoir and downstream, as this species can overpopulate. Fish cage culture and lack of proper clearing of vegetation from the reservoir have contributed to the anoxic conditions of the reservoir. Conditions for aquatic life in the Batang Ai River below the dam are poor due to a lack of minimum flow releases during the dry season and periodic bouts of poor water quality characterized by hydrogen sulfide and possibly reduced dissolved oxygen. (*ibid.*)

26) The continued high levels of biochemical oxygen demand detected in Batang Ai suggest that decomposition of biomass continues with bacteria consuming the submerged organic matter. Hydrogen sulfide and methane are by-products of this process. As noted by the US EPA, methane is emitted from a number of natural sources, with wetlands being the largest source since they emit methane as a consequence of decomposing organic materials in the absence of oxygen (US EPA 2012).

Bakun HEP Dam: Impact and Environmental Footprint

Located on the Balui River, a tributary of the mighty Rejang River, the Bakun HEP dam is the second-highest concrete-faced rockfill dam in the world. With eight power tunnels delivering water to eight 300 MW turbines, Bakun is capable of producing 2,400 MW of electricity (BNHP 2011). Bakun rises to a height of 207 m, has a catchment area of 14,750 km², and has a reservoir surface area of nearly 700 km², nearly the surface area of Singapore. Its reservoir fill volume is 16.71 million m³, with a gross storage volume of 43,800 million m³ (EcoKnights 2010).

First mooted in the 1960s, work on the controversial HEP dam began in 1986 but was crippled and shelved in 1990, revived in 1993, stopped in 1997, and revived again in 2000, due to a lack of demand for electricity, serious financial constraints, economic recessions, and regional financial crises. The project was finally completed in 2011 when Sinohydro, a state-owned enterprise from China, got involved via a Malaysia-China joint-venture company after various Malaysian public-private joint ventures had failed (International Rivers n.d., Bakun Dam).

From design until completion, Bakun saw the involvement of both the federal and state governments and their agencies, major investors, consultants, and contractors, domestic as well as foreign. Both the federal and state governments (along with their agencies) invested huge sums of public funds into Bakun. Some of the better-known domestic agencies/companies that invested resources into the project included Ekran Berhad; Bakun Hydroelectric Corporation (a joint venture comprising Malaysia's national power corporation, Tenaga Nasional Berhad [TNB]; Sarawak Electricity Supply Corporation [SESCO]; and Malaysia Mining Corporation [MMC]) (Sulaiman 2013). Global Upline Bhd, Sarawak Hidro, and Malaysia-China Hydro JV (comprising Sime Engineering Bhd, Sinohydro Corporation of China, WCT Bhd, MTD Capital, Ahmad Zaki Resources, Syarikat Ismail, and Edward & Sons) were also involved (*The Malay Mail*, December 1, 2004).

All these companies, whether government-linked (e.g., TNB, SESCO, and MMC) or privately owned, were closely connected to various political interests close to the governing coalition (federal and state level) Barisan Nasional or to then Chief Minister Abdul Taib Mahmud and then Prime Minister Dr. Mahathir Mohamad (Gomez 1999; Brown 2001; How *et al.* 2013).²⁷ Many of these companies had proven track records in completing various large financial, engineering, and construction projects. They also formed the political-economic vanguard of Dr. Mahathir Mohamad's grand strategy of

27) For example, Ekran and Global Upline were owned by Ting Pek Khiing, who is known to be a close associate of Dr. Mahathir Mohamad; MTD Capital, Ahmad Zaki Resources, Syarikat Ismail, and Edward & Sons were all politically linked companies (How *et al.* 2013).

modernizing Malaysia via industrialization and mega-construction projects (Gomez and Jomo 1997; Milne and Mauzy 1999; Wain 2009).

Some of the better-known foreign companies involved with Bakun included SAMA Consortium German Agency for Technical Cooperation, Snowy Mountains Engineering Corporation (Australia), Harza Engineering LP (United States), Swedish-Swiss joint venture Asea Brown Boveri (Switzerland), Companhia Brasileira de Projetos e Obras (Brazil), Lahmeyer (Germany), DongAh (Korea), IMPSA (Argentina), and Alstom (France) (Allison 2000).

Bakun has proven controversial. Its sheer size has drawn international odium ever since the World Bank and the World Commission on Dams both eschewed any further involvement with large dams as “dam projects face on average cost-overruns of 56%, that promoters systematically exaggerate benefits and that 55% of the analysed dams generated less power than projected” (BMF 2012a, 7). Officially Bakun cost RM7.4 billion (Sovacool and Bulan 2011; *Malay Mail Online*, October 2, 2013), although critics suggest the project cost closer to RM15 billion (BMF 2012a; *Asia Sentinel*, April 24, 2012). The exact total amount of public funds expended for the completion of this project, however, remains unknown. What is known is that the federal government paid about US\$250 million compensation to Bakun Hydroelectric Corporation and its foreign contractors, Asea Brown Boveri, Companhia Brasileira de Projetos e Obras, and DongAh of South Korea to rescue the project from its myriad disputes and delays (Allison 2000; Swain and Ang 2004).²⁸⁾ Bakun was ultimately completed with financial support from various Malaysian government pension funds and the China Export Import Bank (International Rivers n.d., Bakun Dam).

Such massive expenditures without accountability suggest that when it came to mega-development projects linked to political interests, financial costs were not the priority of the Malaysian government. Instead, crony political business links were. In a 2005 report, Transparency International branded the project “‘a monument of corruption’ citing years of delays, ownership changes and overall costs that more than doubled” (*Free Malaysia Today*, October 27, 2011). A similar conclusion was reached by Bruno Manser Fonds (2012a) given the numerous politically connected companies involved in the construction of the dam. Indeed, one of the biggest beneficiaries of Bakun was the politically

28) “Major construction contracts for the Bakun Dam project were given to Asea Brown Boveri (ABB), Companhia Brasileira de Projetos e Obras (CBPO), and DongAh of South Korea. However, after the 1997 economic crisis hit Malaysia, these private companies received USD250 million as compensation when the Malaysian Ministry of Finance decided to take over the project from BHC. The revived Bakun HEP was taken over by Sarawak Hidro Sdn Bhd (SHSB) and its main contractor was Malaysia-China Joint Venture (MCH JV) for the civil works portion” (Swain and Ang 2004, 103).

linked company Cahya Mata Sarawak,²⁹ which has long had a monopoly on the supply of cement and steel in the state. In 1996 it expanded its production capacities as a direct response to the building of Bakun (Aeria 2002).

Bakun has also been dogged by local and global criticism over the treatment of those resettled. Over 10,000 indigenous people from 15 communities were relocated and resettled on account of the Bakun hydropower project. Although initially given assurances and a raft of promises about a better life and future for their communities in the Bakun Resettlement Area at Sungei Asap, all were eventually shortchanged. Despite the communities being resettled in 1998, compensation for inundated NCR lands was delayed by over 14 years on account of uncertainty over how the compensation was calculated (Netto 1998; *The Borneo Post*, June 17, 2012) and also because of local disputes over the size of each community's and individual's NCR landholdings and among individual claimants (Tawie 2010).

Most of those affected by the dam were resettled in a remote area with poor soil (rocky, sandy, and sloping land) in Sungei Asap. Despite the government's promise of three hectares of adequate land per family, each family was given only three acres of land; this was insufficient for hill rice cultivation (Hornbill Unleashed 2011). All their efforts to plant traditional crops such as pepper, cocoa, dragon fruit, and ginger came to naught since the land was too poor to nurture any crop except oil palm. To add insult to injury, all resettled families were told to pay between RM50,000 and RM60,000 for their individual apartments in the longhouses built for them (*The Borneo Post*, November 9, 2010). Sungei Asap did have a school, a police post, a health clinic, and an agricultural office. But it still does not have a fire station, a post office, or a bank (SMLD and SALCO 2008).

Cut off from their traditional river environments where they had access to fishing and river transportation, forced to settle on poor soil, and constrained to pay for their new apartments in Sungei Asap, the resettled communities were effectively forced by the government into penury and hardship (*Malaysiakini*, September 17, 2010). In other words, despite rosy official promises that construction of the dam would bring progress and development, once proud and dignified communities have been reduced to working as unskilled labor in nearby oil palm plantations and construction sites and waiting on coffee shop tables in urban areas. Many residents who could not take the "bad living conditions" and the severe stress they encountered in their new lives in the resettlement area moved back to their traditional lands (*Malaysiakini*, July 6, 2013).

The near absence of sustained agricultural activity due to poor soil fertility in Sungei

29) CMS is owned and controlled by the family of Sarawak Governor Abdul Taib Mahmud. In the 1990s he was chief minister and led the Sarawak BN government (Aeria 2002).

Asap, the absence of nearby markets for the villagers' meager produce, and "a lack of employment and limited resources in the resettlement" (Jehom 2008, 152) has also meant that many longhouses of the Sungei Asap resettlement village are largely vacant except for a few old people with their grandchildren.³⁰ Adults of working age are rarely seen in Sungei Asap as most of them work as migrant labor in urban centers such as Bintulu, Sibu, Miri, Kota Kinabalu, Kuching, and farther afield in Singapore and Peninsular Malaysia. These migrant workers return only once or twice a year, during festive periods. This serious labor outflow from rural areas to urban centers is made worse on account of the lack of waged employment in Sungei Asap, low wages, and poor educational achievement of the resettled communities (Baru 2012; *The Borneo Post*, June 17, 2012). Those who remain in Sungei Asap "imply a disappointment with the resettlement" (SMLD and SALCO 2008, 54).

In 2008, a study that examined the standard of living and quality of life in Sungei Asap found a "majority (55 percent) rated themselves as 'middling' (sedang), with a sizeable 39 percent rating their condition as 'difficult' (susah)." The more nomadic Penan who had been resettled felt, without exception, that their living conditions were "difficult" and that they were worse off after resettlement (*ibid.*, 54–55). While resettlement had a positive impact³¹ on a small proportion (of those resettled), for the majority it had no impact or a negative one (*ibid.*, 58). Indeed, the study found that "resettlement had apparently not improved the standard of living of the majority, with only 10 per cent reporting themselves to be better off than five years ago" (*ibid.*, 60).³² The study also

30) "Due to lack of employment and limited resources in the resettlement, seeking paid employment elsewhere seems to be the most common trend amongst the settlers. After leaving school, married men and women seek employment of any sort to send money back to their family at the resettlement. The settlers also invest in education for their children hoping that one day when the children have jobs, they will send money home" (Jehom 2008, 152). Welyne Jehom (2008) studied one community, the Kenyah-Badeng of Long Geng, who were involuntarily resettled in Sungei Asap by the Bakun Dam project. Her findings of the Kenyah-Badeng are replicated throughout the other longhouse communities of Sungei Asap. See also Soda (2001) for a discussion on this phenomenon of declining agricultural activities with rural-urban out-migration of labor in the Iban village community of Rantau-Kemiding, Kanowit, Sarawak.

31) This was mainly in the form of tarred roads, schools, and health clinics (SMLD and SALCO 2008).

32) That is, compared to 2003, since the study was undertaken in 2008. Basically, those resettled in Bakun were deeply unhappy with being forced into a fully-cash economy where they had to pay for everything when previously they could access resources from the forests. As well, they were deeply unhappy with the lack of adequate and timely compensation for their lands and homes; being forced into long-term debt by paying for their low-quality housing, which was inferior to that of their original villages; and paying for the monthly provision of electricity and water (which was promised to them for free). Taken together, this along with the fragmentation of their original communities in Sungei Asap due to the resettlement and the out-migration of people in search of monthly cash wages represented a severe drop in the quality of their lives (SMLD and SALCO 2008). See also *The Borneo Post* (June 29, 2012) for a journalist's personal reflection on "The Sungei Asap Experience."

concluded that, apart from incomes and ownership of consumer durables, there were likely to be “other more psycho-social, or cultural matters relating to a sense of well-being” (*ibid.*). The Sungei Asap resettlement area today does not reflect the rich cultural diversity and communal intermeshing of rural life that was once the hallmark of indigenous society along the Balui River basin.³³⁾

Along with unhappy Sungei Asap residents who moved back into their traditional homelands, there were about 189 families from five longhouses within the Bakun catchment who refused to move to Sungei Asap. All these people moved to higher grounds on their NCR lands that lay within the Bakun reservoir and catchment area (*Malaysiakini*, September 28, 2010). These higher grounds, hilltops, soon became islands (hilltop-islands) within the Bakun reservoir once the dam was impounded to its full capacity. Consequently, many of these indigenous communities now live on homemade houseboats (*jelatongs*)—built with floating logs and large plastic jerry cans—in the dam reservoir lake or tributaries, their houseboats tethered to their hilltop-island NCR lands.

Visits to the hilltop-island *jelatongs* confirm that these floating communities, with a total population numbering in the hundreds (*Malaysiakini*, July 6, 2013), do not have access to any clean water, electricity, fuel, sanitation, or public services. Located hours away by boat from the dam, these communities face lives that are “deplorable and inhumane” (Kedit 2012). They rely completely on rainwater, as the reservoir water is “polluted, foul-smelling and muddy. Their only source of clean water is from heaven; rain-water collected in plastic tanks fitted with piping to supply the main hut” (*ibid.*). There are public health signs warning these communities against drinking or swimming in the reservoir water “because of the risk of Melioidosis and Leptospirosis” (*Sarawak Report*, November 25, 2012). Toilets are holes cut into the floor of the *jelatongs* that empty straight into the dam. The only source of electricity is generator sets powered by gasoline, which has to be purchased from shops near the dam, hours away by boat—a dam that produces surplus energy that the communities cannot access (*ibid.*). Given their remote location, children in these communities do not have access to schools. Nor do the sick have access to health clinics or hospitals. As for food, the *jelatong* communities cultivate hill rice on nearby hilltop-islands. And they have a plentiful supply of fish, although little is known about how healthy these fish are. Comprehensive studies on the health and nutritional status of these impoverished and marginalized communities are currently lacking.

33) See also the report by the Coalition of Concerned NGOs on Bakun (Gabungan), Malaysia (1999) titled “The Resettlement of Indigenous People Affected by the Bakun Hydro-Electric Project, Sarawak, Malaysia” as well as the Borneo Project, “Broken Promises at Sungai Asap Resettlement,” <http://borneoproject.org/updates/broken-promises-at-sungai-asap>.

Adding to the woes of these remote jelatong communities are plans by the state government to gazette their watery homelands and adjoining hilltop-islands into a “Bakun Islands National Park.” A total of 18 islands within the Bakun dam area are affected (*Malaysiakini*, July 6, 2013). Effectively, this action will deprive all the remaining indigenous communities living within the Bakun reservoir area of their NCR rights and privileges (*ibid.*) as well as access to agricultural lands and fishing grounds, since such activities would not be allowed in a national park. Instead, the islands in the park “would eventually be developed into eco-tourism areas so that the locals can venture into the tourism sector” (*The Borneo Post*, March 1, 2012). The local state assemblyman and Assistant Minister of Culture and Heritage Liwan Lagang pledges to safeguard the rights of local people affected by this National Park gazettelement since the decision to gazette the islands was really to “preserve them for the benefit of all the people affected by the Bakun dam” (*The Borneo Post*, July 8, 2013).

One cannot help but consider this a perverse argument to sugarcoat what would effectively be an action to dispossess indigenous peoples of even their marginal lands and impoverished existence so as to allow politicians and their business cronies free and unhindered access to new “tourist playgrounds.” Other more callous politicians have simply chastised the native jelatong communities, telling them to “change their lifestyles” since the “government could not simply cede land to the native community because it involved a large area” (*Malaysiakini*, July 11, 2013).³⁴

Upon inundation, Bakun’s reservoir flooded over 700 km² of forestlands and river valleys. Reportedly, the biomass in this reservoir was not cleared before inundation, which means the dam has since become a huge producer of hydrogen sulfide, methane, and carbon dioxide gas. Like in Batang Ai, a scientific hydrological study undertaken in Bakun in January 2012 found the following:

[T]he reservoir is stratified and thermocline occurred at a shallow depth of about 5 m. pH of stations in the reservoir subsurface were all below 6 and at 5–6 m depth the pH was the lowest ranging between 5.1–5.5 indicating acidic conditions. Turbidity in the reservoir increased with depth and was high in the inflow from upstream and tributaries due to suspended solids. Dissolved Oxygen (DO) at subsurface dropped to anoxic conditions rapidly at 1 m to 4 m depths. Decomposition of submerged carbonaceous materials is the predominant factor in the acidic condition and low DO observed. Due to low DO and low pH, the reservoir is not yet suitable for cage culture activities. (Lee *et al.* 2012, 96)

34) “If you give the land to these people just because they have been roaming in the area, then are we going to send everybody else to the sea?” (Wan Junaidi Tuanku Jaafar, MP for Santubong) (*Malaysiakini*, July 11, 2013).

There were no readings taken of methane and hydrogen sulfide levels in this study, although the “rotten egg smell of hydrogen sulfide was detected during sampling” (*ibid.*, 94). The extent of these gas emissions and its huge global environmental footprint thus remain unknown, although the pervasive stench of hydrogen sulfide even kilometers away from the dam and its reservoir suggests large volumes of emissions. International Rivers, a global NGO that campaigns against mega-dams, suggests that the water in Bakun’s reservoir is saturated with nitrogen on account of a large amount of inundated biomass and fertilizer runoff from the huge oil palm plantations above the reservoir. These nitrogen deposits have reportedly made the waters of Bakun acidic and have begun to corrode the power turbines (International Rivers n.d., Bakun Dam). Lee *et al.*, however, suggest that the low pH values of the Bakun reservoir are likely due to “sulphide oxidising into sulphuric acid” (Lee *et al.* 2012, 94).

Whatever the case, there is little doubt that the high level of acidity does have an impact. The Bakun reservoir is presently unsuitable for “aquaculture due to the anoxic condition at such a shallow depth, low pH and high turbidity” (*ibid.*, 92). However, as in the case of Batang Ai, there are no presently known or publicly available comprehensive studies of the impact of the Bakun reservoir or water flow upon the downstream riparian environment, upon the flora and fauna of the river, or upon nearby human settlements that rely upon the river.

Nonetheless, taken as a whole, one can surmise that the traditional lifestyles and cultural heritage of the tribal communities of the Balui River that were once intricately linked to their forest environment have been transformed drastically by the very dam that was supposed to bring them “development.” As well, despite the claims of the environmental friendliness of hydropower, the reality is that the Bakun dam produces huge amounts of methane, hydrogen sulfide, and carbon dioxide from all the inundated rotting biomass—gases that probably have a very high global environmental cost given their impact upon the ozone layer and contribution to global warming and climate change.

*The Murum and Baram HEP Dams: Impact*³⁵⁾

Keen on securing electricity power supply for SCORE’s reportedly many industrial investors, especially large aluminum smelters, the Sarawak government commissioned the Murum and Baram dams in 2008 and 2013 respectively.

The Murum HEP dam has a power-generating capacity of 944 MW and was com-

35) As far as is known, there have not been any environmental impact studies evaluating the dam’s environmental footprint. If any have been carried out, their reports have not been made available.

pleted in 2013. Developed by Sarawak Energy Berhad, the dam was built by Sinohydro Corporation under the supervision of the China Three Gorges Corporation. Sinohydro Corporation is one of China's major hydropower engineering and construction companies, and it works closely with Sarawak Energy Berhad. In 2013 Sinohydro Corporation established a joint venture with Trenergy Infrastructure Sdn Bhd, a wholly owned unit of Sarawak Cable and Sarawak Energy Berhad. Sarawak Cable is owned by Mahmud Bekir Taib, a son of Governor Abdul Taib Mahmud.³⁶⁾

Reportedly, no social or environmental impact assessments were undertaken until after the dam project was commissioned, and none have been made publicly available. The Resettlement Action Plan (RAP) for Murum was also commissioned after the Murum dam project began, in complete defiance of all internationally recognized protocols governing the resettlement and treatment of indigenous peoples (International Rivers 2012; *Sarawak Report*, September 28, 2012). The UNDRIP³⁷⁾ explicitly requires that indigenous peoples be fully consulted and development plans disclosed before any construction begins.

Built along the Murum River above the Bakun dam, the Murum dam has submerged eight Penan settlements totaling about 1,500 persons, forcing these semi-nomadic peoples into giving up their traditional forest-related lifestyles (International Rivers n.d., Murum Dam). Complicating matters has been the fact that the RAP proposed pitiful compensation for those to be resettled, granting them a mere RM500/month per family for four years. The RAP assumed that those resettled would by then be able to carve out their own livelihoods.

The RAP did not take into account that the alternative lands the Penan were to be resettled upon, namely, the Tengulang and Metalun resettlement areas, had already been allocated to various large commercial oil palm plantation companies. Cultivation of oil palm in these areas has already begun, raising concerns about whether the 14 hectares of land supposed to be allocated to each resettled family under the RAP will even materialize.

36) In February 2014, Sarawak Energy awarded a major contract worth RM619 million for the construction of the "500 kV transmission backbone project" to a joint venture comprising Sinohydro Corp (M) Sdn Bhd and Trenergy Infrastructure Sdn Bhd (*The Star*, February 27, 2014). Both these companies have worked on other major infrastructure projects since 2008, namely, the Bakun-Similajau and Murum Junction Transmission Line Projects (Sarawak Energy 2014). Sinohydro Corporation is also a key partner of the Malaysia-China Hydro Joint Venture Consortium.

37) Other key international protocols are those of the World Bank Operational Policies, the International Finance Corporation Performance Standards, and the Millennium Development Goals—all of which provide clear standards and guidelines for the resettlement of indigenous communities and poverty eradication (*Sarawak Report*, September 28, 2012).

The secrecy and lack of disclosure evident in the Murum RAP thus raised questions about whether all the development proposals for new resettlement townships in Tengulang and Metalun were going to materialize. In the light of the poor resettlement schemes of Batang Ai and Bakun, Sarawak Energy has been accused of human rights violations, land theft, and the institutionalization of poverty under the guise of development promises (BMF 2012a; *Sarawak Report*, September 28, 2012).

Hence, when news leaked in late 2012 that the Sarawak government and Sarawak Energy Berhad were going ahead with the construction of the 1,200 MW Baram dam, it sparked large and sustained protests from numerous communities in the Ulu Baram region, where the dam is to be built. Once completed, the Baram dam reservoir, covering approximately 388 km², will submerge 26 villages and displace over 20,000 indigenous people. Access roads are already being built to the dam site even as social and environmental impact assessments are being undertaken. In other words, the decision to go ahead with the Baram dam paid scant respect to the interests and livelihoods of the indigenous communities that would be affected by the dam. Members of the native communities of the Baram River basin blockaded the access roads to the Baram dam site (*Sarawak Report* 2014).

Such a dismissive approach toward the local community gave rise to a social movement against not only the Baram dam but all the other 52 dams proposed in Sarawak. Save Rivers, a coalition of local NGOs and individuals, has actively campaigned against the Baram dam and in favor of saving all Sarawak's rivers from being dammed up for hydropower. Although not very successful, its vigorous press campaign in Australia against Hydro Tasmania (an Australian company and Sarawak Energy's strategic partner in the construction of the Baram dam project) did lead to the withdrawal of Hydro Tasmania from the Baram project (BMF 2012b).³⁸⁾ Other companies, such as SMEC, GHD (both from Australia), MWH Global (United States), Fichtner GmbH (Germany), and Norconsult (Norway), that conducted feasibility studies for the dams have also come under fire (BMF 2012a). As well, protests at the International Hydropower Association's congress in Sarawak in May 2013 (Save Rivers 2013b) questioned the global association's commitment to sustainable use of hydropower (Save Rivers 2013a).

Save Rivers and its Switzerland-based campaign partner, Bruno Manser Fonds, also revealed that Sarawak Energy had awarded US\$226 million in infrastructure dam and electricity-transmission related construction contracts to companies closely linked to the

38) The Australian consultancy company Hydro Tasmania seconded several key staff to Sarawak Energy, including the Murum dam project director and the senior project manager for the proposed Baram and Baleh dams (BMF 2012b).

chief minister's family, namely, Sarawak Cable, Cahya Mata Sarawak, and Naim Holdings (BMF 2013c).³⁹⁾ Questions raised by legislators in the state assembly about whether Baram or any other hydropower dam in the state had been subject to cost-benefit analyses to establish its investment viability never elicited any concrete response (*Free Malaysia Today*, May 23, 2013).⁴⁰⁾ The Sarawak government also seemingly remains bent on ignoring the global environmental costs of these dams. Hence, despite controversial contracts, alleged corruption, unresolved environmental issues, and global protests, the Sarawak state government remains intent on proceeding with the construction of the Baram and other dams.⁴¹⁾

It seems that downstream investors in SCORE (and the accompanying spin-off benefits to local investors) are more important to the state government than the forests, the rivers, and the overall physical environment that supports the lives and livelihoods of its own indigenous peoples.

V Downstream Investors in SCORE

Since its establishment, SCORE has grown with the involvement of various local and foreign investors. No exact figures are available on the total amount of investment poured into SCORE. However, five key investors have already set up factories and smelters in SCORE, principally in the Samalaju Industrial Park. Four are major foreign investors, while the fifth is a Malaysian company (see Table 5). The third-largest mining conglomerate in the world, Australian-owned Rio Tinto, abandoned its plan to set up a US\$2 billion joint-venture aluminum smelter in Sarawak. It pulled out of SCORE in March 2012 after failing to come to an agreement over “commercial power supply terms” with Sarawak Energy Bhd (*Free Malaysia Today*, March 27, 2012).

39) Such crony business contract awards are not unusual in Sarawak and have been ongoing for decades. For further information on these business practices and the links between politicians and businesses in Sarawak, see Aeria (2002), Mersat (2005), and the Web sites noted in footnote 14.

40) A ministerial reply in the state assembly insists that a cost-benefit analysis was carried out but that “under normal circumstances, it was not a business practice to make the cost-benefit analysis public” (*The Borneo Post*, May 28, 2013).

41) An informative Australian documentary by SBS Dateline titled *The Last Frontier* focuses on the construction of the Bakun dam before moving on to discuss the corporate links between business and politicians in Sarawak and Tasmania in the planning and construction of the proposed Baram dam. It lucidly exposes how a nexus of politics and business in search of profits disempowers local indigenous people of Sarawak in the name of development that transforms the natural environment of Sarawak in a massive way. See *The Last Frontier* here: <https://www.youtube.com/watch?v=87Ed2da5hLs>.

Table 5 Key Investors in SCORE (2013)

Company	Product	Construction ^{a)}	Production ^{b)}	Key Owners
Press Metal Sarawak	Aluminum ingots and billets	Q1 2011 (new plant)	Q4 2012	Malaysian
Tokuyama Corporation	Polycrystalline silicone	Q1 2011	Q3 2013	Japanese
Asia Minerals Limited	Silicone, manganese	Q3 2011	Q4 2012	Hong Kong
OM Holdings Ltd.	Silicone, manganese	Q2 2012	Q2 2013	Singaporean, Australian
Asia Advanced Materials	Metallic silicone		Q4 2013	Korean

Source: RECODA (2013).

Notes: ^{a)} Year that the factory was to be constructed. Q1 is the first quarter of the year followed by Q2, Q3, and Q4.

^{b)} Year that the factory was to start production.

Of the five above-mentioned companies, only Press Metal Sarawak⁴²⁾ has been fully operational since 2009. However, since then it has been accused of seriously polluting the Balingian River (*The Borneo Post*, July 16, 2012), causing the death of nearby forests, and adversely affecting the respiratory health of nearby villagers—all of which Press Metal Sarawak has vigorously denied (*The Borneo Post*, May 8, 2012).⁴³⁾

Apart from such environmental fears, SCORE also does not inspire investor confidence. Specifically, although there is an availability of excess power from Bakun, there are serious investor concerns that supply is not guaranteed. This has raised the risk profile for investors in SCORE. In late June 2013, a major power outage that originated with the Bakun HEP dam led to a complete failure of the electrical grid throughout the state (*New Straits Times*, June 28, 2013; *The Borneo Post*, June 28, 2013). This power outage caused major damage to the Press Metal aluminum smelter, when loss of power for almost six hours caused “solidification in the reduction cells of all its potlines” (PMB 2013). This shutdown of Press Metal’s aluminum production lines forced the 120,000 tonne/annum facility to shut down production for six months for reconstruction works. Press Metal’s profits and credibility took a major hit, with its 2013 net profit estimated to fall to RM36.6 million from RM138.4 million previously (*The Star*, July 3,

42) Press Metal Sarawak (PMS) is a subsidiary of Press Metal Berhad (PMB), which owns 80 percent of PMS shares. PMB is a Malaysia-based aluminum company with an extensive global presence. Set up in 1986 as a privately owned local aluminum extrusion company, it has grown into a globally integrated enterprise comprising both upstream smelting capacity and downstream extrusion, distribution, and trading of aluminum products. PMB is majority owned and controlled by the Koon family (PMB 2013). The remaining 20 percent of PMS shares are held by Sumitomo Corporation (PMB 2010).

43) Some villagers with the assistance of a local NGO, Peoplesdocumentary (2012), posted a YouTube video titled *Pollution from Aluminium Smelting Plant at Balingian, Mukah* with these allegations, available here: <http://www.youtube.com/watch?v=8wJjx2ng-Yo>.

2013). Businesses throughout the state of Sarawak (along with two million residents) also were badly affected by the power outage, with damage estimated at hundreds of millions of ringgit—a situation made worse when one realizes that all the HEP dams in the state were built with public funds with the expressed aim of ensuring a stable power supply.

The Sarawak state government nonetheless continues to claim that SCORE, powered by renewable hydroelectric power, will provide numerous employment and development benefits to the state's labor force. In early 2009, then Chief Minister Abdul Taib Mahmud said, "SCORE's main energy intensive industries are expected to create 1.5 million job opportunities for skilled, technical and professional workers by 2030" (*Edge Daily*, October 15, 2008). In June 2013, Abdul Taib Mahmud further claimed that the "construction of hydro electric dams" would "reverse rural-urban drift and transform the basic infrastructure of the interior of the state" (*The Borneo Post*, June 18, 2013). Yet, an exploratory news article in July 2014 crisply summarized that most of the benefits to be gained through SCORE were being captured by politically well connected infrastructure contractors⁴⁴ while most of the skilled jobs were being filled by foreign workers and West Malaysians. Similarly, the unskilled work was being secured by cheap foreign contract workers who were brought in on fixed-term work contracts (*Malaysian Insider*, July 17, 2014).⁴⁵ The Malaysian Trade Union Congress (Sarawak Branch) has long been concerned about this influx and has called for higher wages and better working conditions for Sarawak labor even as it denounced the decision of the state government and employers to deprive locals of jobs in the timber and plantation sectors, where up to "75 per cent of workers are foreign workers" (*The Borneo Post*, May 4, 2014).⁴⁶

44) "Sarawak lawmaker Chiew Chiu Sing said 'in reality, Samalaju was a boon for big industries and Malaysian companies with high connections. Support industries such as those building and operating the workers camp in Samalaju and those constructing the roads there have all been cornered by companies close to Sarawak politicians'" (*Malaysian Insider*, July 17, 2014).

45) In late 2014, the Malaysian government backed by the Sarawak state government signed a Memorandum of Understanding to pave the way for the import of 12,000 Bangladeshi workers for the oil palm plantation sector on top of the 5,000 Bangladeshis already working in the state (*The Star*, October 21, 2014). The state government justified this move citing a severe shortage of labor (30,000 jobs) in the oil palm plantation sector even as "tens of thousands of Sarawakians" continued to leave the state and their families in search of better wages and employment conditions in Singapore, Johor, Kuala Lumpur, and Penang (*The Borneo Post*, May 4, 2014).

46) There are no accurate figures on the number of foreign workers (legal and otherwise) in Malaysia. Estimates put the figure at anything between three million (*The Borneo Post*, May 4, 2014) and six million (*The Borneo Post*, November 26, 2014).

VI Conclusion

Sarawak's economic dynamism and growth pattern have dramatically reduced poverty and hard-core poverty levels. Nevertheless, they have not eliminated poverty. Indeed, Sarawak's current pattern of development has seen persistent poverty, deepening inequality, and environmental degradation amidst the emergence of a small *nouveau riche* class closely associated with the state's political elite (Aeria 2002; 2013; Straumann 2014).

With its publicly articulated desire to diversify and grow its economy, in 2008 the Sarawak state government embarked upon a massive industrialization drive that had at its center large-scale industry in an industrial corridor called SCORE. This diversification drive is premised on the supply of renewable energy, primarily HEP, to huge energy-guzzling industrial complexes in central Sarawak such as manganese, silicon, and aluminum smelters. The idea is that access to cheap, green, renewable energy should allow the state to build up its industry and grow the economy, increase employment, scale up technology, enhance education tailored to industrial needs, and so forth. *Ipsa facto*, all this would soon lead to economic growth, social welfare improvements, and development for all.

The problem is that the number and size of all the proposed HEP dams are huge. Those built have already displaced thousands of indigenous peoples and their communities into new resettlements, which has left them significantly worse off than before. And this after the forests of Sarawak were already decimated by logging and land clearing for the establishment of oil palm plantations. Central to the plight of all these displaced indigenous peoples has been the attitude of the Sarawak government, which has consistently refused to recognize the environment as a sustainable resource with a limited carrying capacity and has refused to be inclusive in its dealings with indigenous communities despite all its rhetoric about adhering to international protocols and internationally binding conventions that govern development interventions and interactions with indigenous peoples.

This patronizing and prejudiced outlook toward ordinary native landowners and the forest environment is largely explained by the nexus of close linkages that bind key politicians in the state administration with crony businesses via state patronage in the form of timber concessions, land grants, and infrastructure contracts that have proven to be environmentally destructive. Sarawak's over-reliance on resource-based extractive industries and capital-intensive industries has thus generated huge profits for their owners and their political associates but has been destructive to the forest environment.

The model of NEP development in the state (of which state patronage is central)

over the years has brought about unequal development and path dependence. As well, the state's advocacy of "clean and green energy" in the form of 52 HEP mega-dams to power heavy industrialization in SCORE has complicated the development of policy options that prioritize environmental and economic sustainability. Although rhetoric within the state administration has prized long-term economic growth, the reality is that state capture by key crony political-economic interests has more often than not seen them influence and subsequently derive exclusive benefit from the outcomes of development plans and economic decisions taken by key politicians in the state.

The advocacy of HEP dam development to access a large source of "cheap and renewable" energy for heavy industries with their accompanying pollution has brought about further environmental problems. The huge release of greenhouse gases from the numerous dams is already contributing toward ozone depletion, global warming, and climate change. Further dam development can only make things worse.

One is thus constrained to surmise that Sarawak's unilinear and path-dependent approach toward development that prioritizes large-scale infrastructure-led industrialization projects is environmentally unsustainable and economically unjust since it is largely self-serving for the political-business elites of the state. Although this approach is viewed as a panacea in the state's drive for growth and development, it is a chimera since it eschews any serious responsibilities toward husbanding natural resources or caring for the environment (local and global), and it has a deep-rooted callous disregard for the interests and livelihoods of the state's indigenous peoples. It is a recipe for an unfolding disaster.

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Postscript

In late July 2015, owing to intense pressure from widespread grassroots opposition against the building of the Baram dam led by Save Rivers (a local nongovernmental organization), Chief Minister Adenan Satem announced a moratorium on the building of the Baram Dam. In early 2016, as the 11th state elections approached and having an eye on winning as many seats as possible, the chief minister once again reiterated his commitment to the moratorium. Although there was initial skepticism over this moratorium (since the Bakun dam had been shelved twice—in 1990 and 1997—before finally being built), the cancellation of the Baram dam was confirmed when the state government published a notice in the *Sarawak Government Gazette* on February 18, 2016 that officially revoked and repealed its gazette of September 5, 2013 acquiring all native lands earmarked for the dam project (Save Rivers, March 21, 2016).

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Appendix: Flood Areas of Sarawak Dam Projects



Topography

- Mainriver
- River
- Settlement

Dam Status

- built
- under construction
- planned
- Flood area

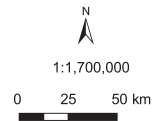
Border

- Brunei
- Indonesia
- Malaysia
- State of Sarawak

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for the peoples of the rainforest

Dam site	Dam status	Area [km2]	Waterlevel AMSL [m]	Affected settlements	Output [MW]
Bakun	built	700	255	31	2400
Baleh	planned	527.3	241	1	1300
Baram	planned	412.5	200	36	1200
Batang Ai	built	76.9	125	59	108
Belaga	planned	37.5	170	0	260
Belepeh	planned	71.8	570	5	114
Lawas	planned	12.4	225	1	87
Limbang	planned	41.3	230	11	245
Linau	planned	52	450	3	297
Murum	under construction	241.7	560	10	944
Pelagus	planned	150.8	60	78	410



Spatial reference System: Timbalei 1948
 Map release date: 17.05.2013
 Source flood areas: Sarawak Energy Berhad
 Source elevation datas: SRTM
 Copyright: Bruno Manser Fonds May 2013

Source: Bruno Manser Fonds (2013b).

Note: The Baram dam was cancelled in early 2016. The Murum dam was completed in 2013 and its turbines commissioned by 2015. Construction of the Baleh dam is now proceeding as of August 2016.

Political Dynamics of Foreign-Invested Development Projects in Decentralized Indonesia: The Case of Coal Railway Projects in Kalimantan

Morishita Akiko*

Resource-rich Indonesia has been promoting massive infrastructure development projects involving billions of dollars in the aftermath of the Seoharto era. One area of intense focus is in Kalimantan which required infrastructure development for extractive industries, particularly coal. Since the early 2000s, the central and local governments as well as foreign companies have been interested in embarking on the first-ever railway construction projects for transportation of coal in Kalimantan. However, the projects have experienced several setbacks including changes to its original plans and delays to approvals. This paper explores the reasons why the local development projects could not progress smoothly from a political viewpoint. It argues that Indonesia's democratization and decentralization have brought about unremitting struggles over power and resources among local political elites. Sometimes national politicians and even foreign investors are embroiled in the struggles of the local leaders when venturing into such development projects. The coal railway projects in Kalimantan highlight how local government leaders deal with the central government and foreign investors in their attempt to secure their position politically and financially in the venture, which would give them an edge over their rivals. This paper reveals the strategy of local power players who project themselves as defenders of local communities and the environment although a gap exists between their rhetorics and the realities on the ground in Kalimantan.

Keywords: Indonesian local politics, foreign investment for railway construction, coal transportation, Barito region, Kalimantan

I Introduction

Indonesian government leaders, both at the national and local levels, have promoted infrastructure development for extractive industries, particularly coal, at a time when global demand for it is rising. Local politicians in natural resource-rich regions are

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embarking on development projects at a rapid pace, using their influence as leverage to broker deals with foreign investors. The first-ever railway construction projects for coal transportation has been in the pipeline in Kalimantan since the early 2000s when feasibility studies were undertaken. However, several of the projects have experienced changes and delays. As a result, the construction of the railway tracks has yet to begin as of early 2016 and this paper explores the reasons why the multibillion-dollar development projects could not progress smoothly from a political viewpoint.

During the New Order period (1967–98), Indonesia was highly centralized and local authorities only acted as agents of the central government. Consequently, studies on international business-government relations focused on interactions between foreign firms and the central government (Khong 1980; 1986). In today's decentralized Indonesia, however, provincial and district governments have extensive regulatory authority over local matters and hold the authorization rights for enterprises in their provinces and districts.¹⁾ District governments have the authority to issue a variety of business permits and licenses—such as a mining services business license (*izin usaha jasa pertambangan*, IUJP), a building permit (*izin mendirikan bangunan*, IMB), and an environmental permit (*izin lingkungan*)—within their own districts, while provincial governments have the authority to issue permits and licenses for business operations extending beyond a single district within a province.²⁾

Given that both the central and local governments participate in the processes of foreign investment projects, investors now “need to play a different game to get access to local resources, which becomes more complicated” (Priyambudi and Erb 2009, 15). Investors have responded to various demands from local governments, ranging from corporate social responsibility programs for local communities to bribery of officials, in order to develop a harmonious relationship with local stakeholders (Indra and Emil 2009). Some foreign companies, especially in the mining sector, also face protests and conflicts with local communities and NGO groups over land and environmental issues (Gedicks 2001; Indra and Emil 2009; JATAM 2010).

In addition to direct demands from and confrontations with local stakeholders, this paper demonstrates why foreign and multinational corporations—not to speak of the

1) According to Decentralization Law No. 22/1999, obligatory sectors for the local government include health, education, public works, environment, communication, transport, agriculture, industry and trade, capital investment, land, cooperatives, manpower, and infrastructure services. Provincial governments are required to coordinate local governments and perform functions that affect more than one local government (World Bank 2008, 113).

2) IUJP, IMB, and environmental permits are under the purview of Regulation of the Minister of Energy and Mineral Resources No. 28/2009; Government Regulation No. 32/2010; and Government Regulation No. 27/2012 respectively.

central government and Jakarta-based big companies—need to be aware of a different layer of political dynamics, specifically local politics, including intra-provincial power struggles as well as inter-provincial relations when venturing into local development projects.

In Indonesian political studies, many scholars have examined local politics since democratization and decentralization brought about unremitting struggles over power and resources among local political elites (Aspinall and Fealy 2003; Schulte Nordholt and van Klinken 2007; Erb and Priyambudi 2009; Hadiz 2010; Choi 2011). Some have also explored central and local government relations with a focus on the formation of new provinces (Okamoto 2007; Kimura 2012) and the privatization of state-owned enterprises (Wahyu 2005; 2006). The relationships between local governments and global players, however, have not been discussed thoroughly enough despite the fact that direct encounter between them occurs particularly at foreign investment project sites.

Thus, this paper gives a clear picture of the local-global relations in decentralized Indonesia, specifically a tripartite relationship of local governments, foreign companies, and the central government through the case study of coal railway projects in Kalimantan. It shows how local government leaders deal with the central government and foreign investors in their attempt to secure their position and financial assistance in the project venture, which would give them an edge in local power struggles. To put it another way, even a big foreign firm with immense financial clout and support from the central government can face difficulty in securing investment deals if its proposed project potentially undermines the power base of local political leaders.

This paper also illustrates how local power players secure their position in a project venture by manipulating the sentiments of local communities and environmental issues. Since the democratization and decentralization of Indonesia, local power players have more often than not exploited social and cultural issues for political purposes, particularly in direct elections for the positions of local government heads (Erb and Priyambudi 2009; Aspinall 2011). One of the most widely used campaign strategies is to promote the resurgence of customary culture and traditional institutions (Davidson and Henley 2007). Even while in power, as this paper demonstrates, local government leaders project themselves as defenders of local communities and the environment so that they will be able to hold a leading position in their negotiations with foreign and national players. This paper exposes a gap between this “defender of local communities and the environment” rhetoric and the reality on the ground when it comes to whether local power players really care for their region’s people and nature.

In what follows, this paper briefly describes the economic background of the development of railway projects in Kalimantan. It illustrates chronologically various efforts

by the central and local governments and foreign companies to construct a railway network, and the arising conflicts of interests among them. In conclusion, the paper sets the direction for future research by providing an insight into the dealings of local leaders in the railway construction projects and the impact of local political conditions on foreign investment projects in Kalimantan.

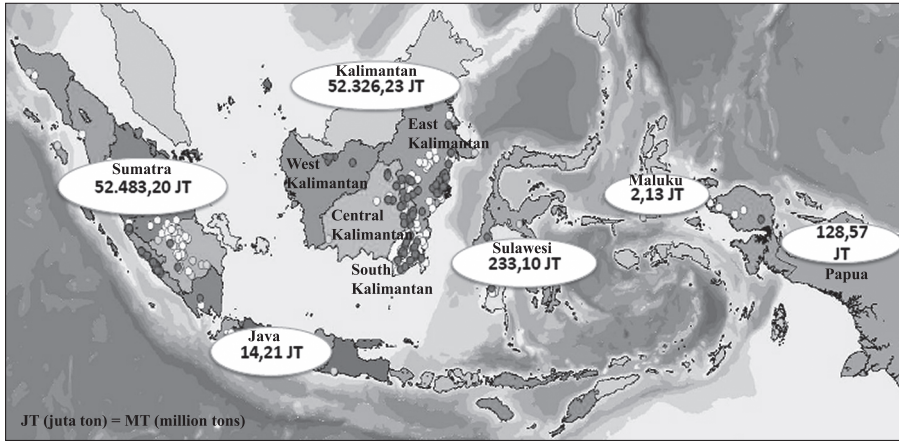
II Coal behind the Railway Network

Coal has played an important role in Indonesia's economic development; the country has extensive deposits—possibly sufficient for another 100–150 years to come (Daulay *et al.* 2007). The production of coal has been increasing steadily, growing from 40.1 million tons in 1995 to 75.6 million tons in 2000 and 152.8 million tons in 2005. In 2010, the total production of coal rose to 275.2 million tons. The increase in coal production is due to rising demand, especially from Asian countries, such as China, Japan, Korea, and India (Indoanalysis 2012).

Today Indonesia is the largest coal exporter in the world, followed by Australia (Ewart and Vaughn 2009). Kalimantan has the second-largest coal reserves in the country (see Map 1), after Sumatra. Kalimantan is the biggest coal-producing region, having provided more than 93 percent of the country's thermal coal production in 2011 (SALVA Report, 2012). Kalimantan's coal is high-grade, with high calorific value and a low ash and sulfur content, which makes it saleable on the export and domestic markets (Harrington and Trivett 2012). The spread of coal reserves is mainly in East, South, and Central Kalimantan, where 69 mines operated as of 2005; there was only 1 mine in West Kalimantan (Hanan 2006).

Provincial governments in Kalimantan recognized the necessity of building a railway network for more efficient transportation of coal from interior mining areas to ports of lading. At present, inland coal transportation in Kalimantan is conducted by trucks and barges that convey coal to an offshore loading point or a coal terminal for transshipment. The capacities of the existing road and river transportation networks for coal are quite limited. Yet, not a single rail line was constructed for coal transportation in Kalimantan, due to the high construction cost and weak institutional capacity to construct new railway lines—including the Railway Law (Law No. 13/1992), which only permitted the state-owned railway company PT Kereta Api Indonesia (PT KAI) to construct railroads (Hanan 2006).

In 2000 the Institute of Energy Economics Japan (IEEJ), a Japanese think tank, conducted a preliminary feasibility study on railway coal transportation in Kalimantan,



Map 1 Coal Reserves in Indonesia (2011)

Source: Based on Kementerian Energi dan Sumber Daya Mineral (2012).

based on its view that newly developed mines would be located farther inland than existing mines and that the use of barges for coal transportation might be unsuitable. Using a linear programming (LP) model, IEEJ determined the coal transportation route that could best maximize earnings of individual mines in Kalimantan as a whole. It estimated the production and transportation costs incurred by new mines, based on survey results of the currently operating mines, and prepared three scenarios for coal transportation routes: the existing truck and barge system, a combination of the existing system plus railway, and a railway network system. By running an LP model, IEEJ simulated the three scenarios and concluded that maximum earnings could be realized by using rail transportation to convey coal from mines rather than using existing road and river networks (IEEJ 2002).

A feasibility study for the provincial government of Central Kalimantan also stated that coal transportation by road was viable only for short distances and that rivers, like the Barito in the eastern part of the province, suffered from seasonal variations that made transportation during the dry season unreliable (Central Kalimantan Provincial Government 2009). Based on the recommendations of the feasibility studies that the railway network was a cost-effective, reliable all-season mode of transportation for coal resources, the central and provincial governments embarked on the Kalimantan railway network venture with foreign multinational companies.

III Development of Railway Projects in Kalimantan

Starting as a Big Regional Dream

The original concept of a vast railway network in Kalimantan began as part of a broader picture of regional economic cooperation and integration when a proposal for a trans-Borneo railway network was discussed at a meeting of the Brunei Darussalam-Indonesia-Malaysia-Philippines East ASEAN Growth Area (BIMP-EAGA) in 1997. Under the BIMP-EAGA railway project, the plan was to build a rail link between Brunei, Sabah, Sarawak, and Kalimantan and to form part of the Pan-EAGA Multi-Capital Transportation Network approved by the subregional grouping in 2000 (Europa Publications 2003, 218). The network would be used mainly for goods trains, with the aim of stimulating regional economic growth. Construction was to have begun in 2001, starting with a rail linking Sabah, Brunei, and Sarawak (*Jakarta Post*, April 21, 1999).

Historically, since the colonial days in Borneo, there have been railway tracks in Sabah and Brunei, covering only a small part of the northern area but not linked with each other. Roads and rivers have been the main mode of transportation in Kalimantan, Sarawak, Sabah, and Brunei. In Kalimantan, arterial roads connect a provincial capital to most district capitals and small towns within the province. There are also inter-provincial roads. But some stretches of road have been severely damaged and even destroyed, especially on routes used daily by trucks carrying tons of timber, oil palm, coal, and other heavy loads (*Tempo Interaktif*, August 3, 2012). River transportation is the main mode for people traveling between coastal towns and villages in the upstream interior areas.

At the international level, a cross-border road connects Pontianak, the provincial capital of West Kalimantan, to Kuching, the state capital of Sarawak.³⁾ Yet, there is no road network connecting other provincial capitals in Kalimantan to the state capitals of Sarawak and Sabah or Brunei's capital, Bandar Seri Begawan. Only small tracks and partly unpaved roads at the border areas are available for local people crossing the international border. Marine and air transportation is also used for cross-border flows of people and goods between Kalimantan and Sarawak, Sabah, and Brunei, but such modes are unsuitable for the daily mass transportation required to stimulate regional economic growth as envisaged by the BIMP-EAGA railway project.

In April 2000 a Sabah-based company, Keretapi Trans-Borneo Berhad (KTB), and the Kuala Lumpur-based Business Focus Sdn Bhd signed a memorandum of understanding (MoU) in Kota Kinabalu to construct a 3,640 km trans-Borneo railway. It would link

3) It usually takes about 8 to 10 hours to drive from Pontianak to Kuching.

all major towns in Sabah, Sarawak, Brunei, and Kalimantan by the year 2010 (*New Straits Times*, April 18, 2000). It was supposed to be financed by German investors; and in June 2002 the German consulting firm, Project Development Management South East Asia, announced that it had allocated US\$7 million for its feasibility study (Europa Publications 2003, 218). The project proposal was supported by the state government of Sabah, but neither the provincial governments of Kalimantan nor the state government of Sarawak were aware of it.

Despite the BIMP-EAGA's big vision of regional integration, the proposed Borneo trans-regional railway project was abandoned. The Sabah-based KTB apparently gave up the plan due to lack of funding. The German companies, which were supposed to be the major players, also expressed some uncertainty over investing in such a project. According to Soenarno, then Indonesian minister of settlement and regional infrastructure, investors were concerned about a delay in the return on their investments since they were not sure whether the situation in Indonesia was conducive to investing (*Tempo Interaktif*, August 26, 2004).⁴⁾

Around the time that the BIMP-EAGA proposal was taking shape, Indonesia had also initiated its own plans for the construction of the first-ever railway system in Kalimantan as part of the trans-Borneo railway project. In 2002, at least 10 Indonesian private companies proposed forming a consortium for this mega project. Giving a push for the rapid progress of the railway infrastructure project, Minister of Settlement and Regional Infrastructure Soenarno granted provincial governors in Kalimantan permission to participate in it (Indonesian Ministry of State Owned Enterprises 2002). The four provinces—East, South, Central, and West Kalimantan—individually showed an interest in the railway project and offered to facilitate its preliminary feasibility studies, conducted through cooperation among the relevant agencies of the central government and foreign experts (Wanly 2012).

In August 2004 the Indonesian government decided to look for other investors for railway construction in Kalimantan and began asking the World Bank and Asian Development Bank to borrow capital. After Susilo Bambang Yudhoyono was elected to the presidency in October 2004, the inflow of FDI increased. It grew from US\$1.9 billion in 2004 to US\$8.3 billion in 2005, reaching US\$13.3 billion in 2010 (ASEAN Secretariat

4) Indonesia's investment climate deteriorated after the Asian financial crisis of 1997–98. In 1997 the inflow of foreign direct investment (FDI) was US\$4.7 billion, but the following year Indonesia experienced a greater outflow than inflow, posting a negative of US\$356 million. The country kept registering a negative inflow of FDI from 1998 to 2001 and in 2003 (ASEAN Secretariat 2006, 13). Frequent labor disputes and rapid wage increases also caused the relocation of foreign firms to other Southeast Asian countries such as Vietnam (Thee 2006).

2006, 13; 2012). But for quite some time, the Indonesian government found it difficult to attract new investors for the railway project. A local newspaper in South Kalimantan reported in 2006 that even the provincial head of the Department of Mining and Energy was unable to confirm when construction would begin since it depended on investors. The reporter remarked that the project appeared to be just a dream (*Radar Banjarmasin*, July 28, 2006).

Local Governments Stay on Track

While the central government made little progress on the railway project, the provincial government of Central Kalimantan worked steadily on its own railway plan. Decentralization enabled local governments to engage in railway construction and operations. Government Regulation (Peraturan Pemerintah) No. 25/2000, linked to the Decentralization Law (Law No. 22/1999), defined the division of authority of the central and local governments such that district and municipal governments were given the authority to plan and construct a railway network in a single district or city while provincial governments were allowed to plan and construct railway networks connecting districts and cities within a single province.⁵⁾

A new Railway Law (Law No. 23/2007) also outlined and defined the three permits required for railway infrastructure: a business license (*izin usaha*), a construction permit, (*izin pembangunan*), and an operations permit (*izin operasi*). The central government has the authority to issue business licenses, while provincial governments have the authority to issue construction and operations permits for railway networks connecting districts and cities within a single province with approval from the central government. The district governments can also issue construction and operations permits with the recommendation of the provincial government and approval of the central government.⁶⁾

In line with those laws and regulations, Agustin Teras Narang,⁷⁾ then governor of Central Kalimantan, signed an MoU with the Japanese company Itochu Corporation in

5) The Government Regulation also defined the authority of provincial governments in 20 sectors, including agriculture, marine, mining and energy, forestry and plantation, and transportation.

6) See Chapter 5 of Law No. 23/2007.

7) Agustin Teras Narang was born to a local Dayak family in 1955. Dayak is a loose generic term for the indigenous communities of Kalimantan. The Narang family is one of the influential families among local Dayaks, especially in the central part of Central Kalimantan. Narang's grandfather was a traditional customary leader and also a Christian church leader in the Kapuas region (interview with a local Dayak historian, April 2005). His father was a local businessman, and his elder brother is a local politician who is now the provincial chairman of the Indonesian Democratic Party of Struggle (PDI-P). Agustin Teras Narang himself was a lawyer and served as a parliament member of PDI-P before being elected as governor. He won the elections for governor of Central Kalimantan in 2005 and in 2010.

2007.⁸⁾ The MoU was for a feasibility study for the construction of a 300 km railway running north to south within the Barito region in the eastern part of Central Kalimantan, and the estimated cost of the project was US\$1 billion. Hatta Rajasa, then Indonesian coordinating minister for the economy, attended the MoU signing ceremony. Itochu had coal-mining concessions in Central Kalimantan and intended to build the railway in the region (*Kompas*, April 16, 2007).

Giving a background of the coal railway project in the Barito region, the provincial government stated the following:

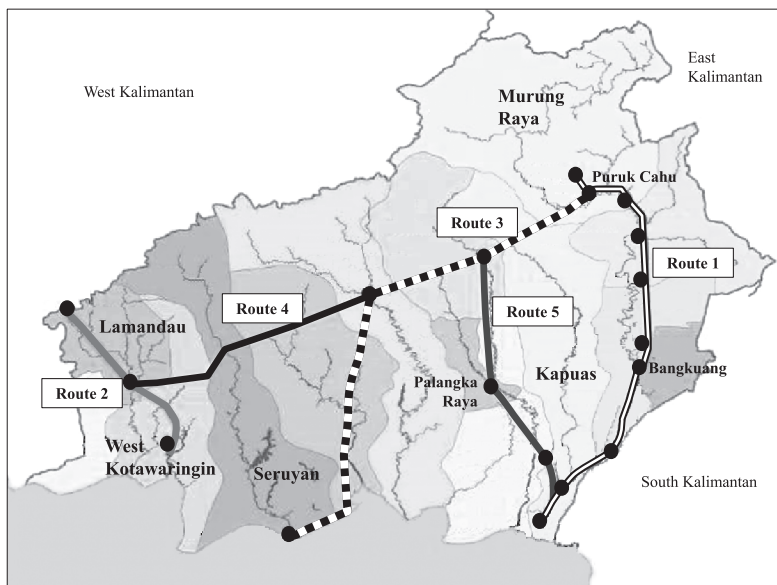
Central Kalimantan is a major source of high-grade coal that is in demand nationally and internationally. The provincial government has already issued permits for the extraction of coal in large areas of the Barito River valley and actual extraction is now starting. However, there are significant constraints to the transportation of coal to the seaports on the Kalimantan coast caused by distance, remoteness of the area, and the lack of reliable transportation. Transportation by road is only feasible for comparatively short distances, and the Barito River suffers from seasonal variation, which makes transportation during the dry season unreliable except in the lower reaches of the river. (Central Kalimantan Provincial Government 2009, ii)

Fifteen big companies have conducted coal-mining operations, covering a 527,444 ha concession area in Central Kalimantan. Among them, seven have concessions in the Barito region, including the Itochu subsidiary PT Marunda Graha Mineral; the military-related PT Asmin Koalindo Tuhup; and PT Maruwai Coal, a subsidiary of the Australia-United Kingdom affiliated PT BHP Billiton Indonesia. Another 17 small and medium-sized coal companies also have concessions in the region but were not active as of 2009 (*ibid.*, 9).

Under the planned Central Kalimantan railway network, the following five routes were chosen:

- a. Route 1: 360 km railway running north-south from the interior district of Murung Raya in the upper Barito to a port in the coastal district of Kapuas in the south-eastern part of the province (see Route 1 in Map 2);
- b. Route 2: 195 km railway running north-south from the interior district of Lamandau to a port in the coastal district of West Kotawaringin in the western part of the province (see Route 2 in Map 2);
- c. Route 3: 466 km railway running east-west in the mid-west part of the province, connecting Murung Raya District to a port in the southwestern district of Seruyan (see Route 3 in Map 2);

8) A Memorandum of Understanding (MoU) is generally a statement of intent and does not imply any legally binding obligation or official agreement.



Map 2 Railway Routes Proposed by the Provincial Government of Central Kalimantan
Source: Based on Central Kalimantan Provincial Government (2009, 2).

- d. Route 4: 418 km railway running east-west in the western part of the province, connecting Route 2 and Route 3 (see Route 4 in Map 2);
- e. Route 5: 390 km railway running north-south, connecting Route 1 and Route 3 via Palangka Raya, the provincial capital (see Route 5 in Map 2) (*ibid.*).

In May 2007 Governor Narang also signed an MoU with China Overseas Engineering Group, a subsidiary of the state-owned China Railway Engineering Corp (CREC), on the construction of a 517 km railway connecting Route 1 of the above-mentioned proposal to a port in Seruyan District via Palangka Raya (*Kompas*, June 8, 2007).

The railway infrastructure is to be developed through a public-private partnership (PPP) scheme, which the central government has promoted to finance infrastructure development projects in the country since the Yudhoyono administration.⁹⁾ Under the

9) Soon after Yudhoyono took over as president in 2004, the central government began to streamline regulatory laws and the system for PPP schemes for infrastructure projects. PPP schemes were implemented since the 1980s but only for specific sectors, such as electricity and toll roads. Following the Asian economic crisis in 1997, the central government embarked on the implementation of a legal and institutional framework that could serve as a basis for a greater degree of private participation in the form of PPPs and as part of the reform process for revitalizing the Indonesian economy. However, it made little progress until Yudhoyono took the presidency (OECD 2012, 184).

regulations of the PPP scheme, the government has to call for bids on a project and the tender winner is granted business licenses and permits.

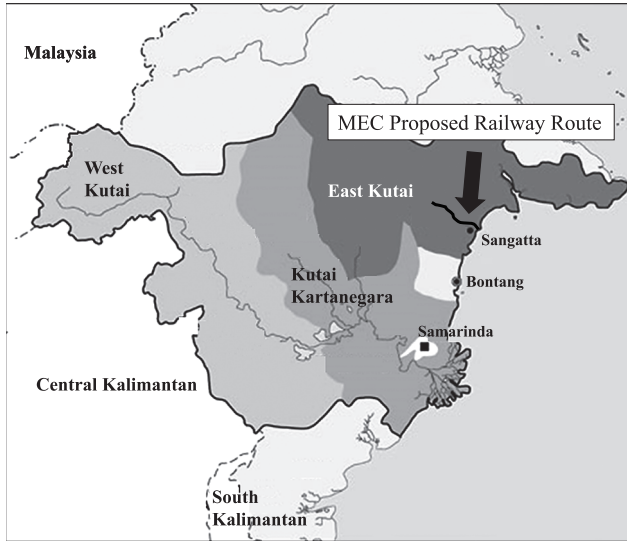
In accordance with those regulations, the Central Kalimantan government asked for bids to be submitted for the construction of a 185 km railway between Puruk Cahu and Bangkuang in the Barito region as the first phase for Route 1. The tender winner would be given a permit for constructing the rail line and a concession to operate the railway for 30 years.

By 2008, 16 consortiums of foreign and domestic companies, including Itochu and CREC, had participated in the bid. After the screening at the end of 2011, the four consortiums that passed the tender prequalifications were: Itochu and PT Toll (an Australia-based transport and logistics firm); China Railways Group (a subsidiary of CREC) and two Indonesian companies called PT Mega Guna Ganda Semesta and PT Royal Energi; Dubai's Drydocks World and PT MAP Resources Indonesia (an Indonesian engineering company); and PT Bakrie (one of Indonesia's most powerful conglomerates) and Canada's SNC Lavalin Thyssenkrupp. The four consortiums submitted their project proposals to the provincial government, and in 2014 a tender was eventually awarded to the consortium of China Railways Group and two Indonesian companies (Imam and Ester 2011; *Antara News*, October 13, 2014).¹⁰

Keeping pace with its neighboring province, East Kalimantan proceeded with its own railway plan in partnership with foreign companies. In March 2009 the district head of East Kutai approved a plan to construct railway infrastructure in the district; the plan was proposed by MEC Holdings, a subsidiary of the Dubai-based Trimex Group. The railway network will be used for coal transportation from MEC's mining concession area to a port terminal (see Map 3). The plan is part of the company's US\$5 billion investment in East Kalimantan to build industrial facilities, including a power plant, aluminum smelter, and fertilizer plant. The project received the complete support of the central government and the East Kalimantan provincial government (*Railway Technology* 2010).

Other foreign companies also participated in this mega project as a joint venture with MEC. India-based IL&FS Transportation Networks Limited is providing financing

10) After the determination of the tender, there is another process, including finalizing government regulations and financing for the tendered project. At the national level, the Public Private Partnership Central Unit (P3CU) under the Directorate of PPP Development in the National Development Planning Agency (Badan Perencanaan Pembangunan Nasional, BAPPENAS) is one of the key central units to monitor and evaluate PPP project development. The P3CU is also assigned the tasks of formulating policies; assessing requests for contingent government support; assessing and recommending project proposals feasible for government support; supporting government contracting agencies in the preparation of projects; and conducting PPP promotions, capacity building, and information dissemination (Strategic Asia 2012, 15).



Map 3 Location of Proposed MEC Railway Route

Sources: Based on Casson (2006, 67) and BAPPENAS (2013, 41).

for the railway project as well as other projects planned by MEC. MEC also has partnered with Canada-based CANAC Railway Services for operating and maintaining the railway and port terminal. The feasibility studies for the railway line were conducted by UK-based ARUP and US-based KPMG. The two consulting companies identified the route of the railway line and the entire layout of the transport corridor, including the necessary infrastructure such as roads and bridges, terminal and jetty structure, and cargo-handling facilities for the railway line. They also prepared the possible timeline for the project's construction and developed a complete financial plan and risk matrix for the railway line (*ibid.*).

MEC announced in March 2010 that it had completed the acquisition of land for the railway project in East Kutai District. Generally, in Indonesia developers face problems with local villagers when acquiring land for any project. However, an MEC representative said that the company had not experienced any such issues. He said the company's biggest concern initially was that the villagers would not give up their land, but "the truth is villagers are the easiest people to talk to. If you go to them and tell them that your plan will create jobs, they will give you their land" (Bisara 2010). The company had to also deal with many stakeholders, such as ministries in Jakarta, politicians, local governments, along with villagers. Mahmud Azhar Lubis, the deputy chairman of the Indonesian Investment Coordinating Board (Badan Koordinasi Penanaman Modal), admired how

“MEC handled all the complications in the land acquisition delicately, by talking to each member and stakeholder of the local community, without putting any pressure” (Trimex 2010).

Among other possible reasons for the smooth land acquisition were the company’s enormous financial capability for providing substantial financial compensation for the land acquired and paying for other miscellaneous expenses incurred during the process of coordination and negotiation with local stakeholders, and the expectations of villagers for more job opportunities created by the revitalization of the local economy with the construction of the railway infrastructure. Another factor could be the relatively narrow width of land used for building railway tracks compared with commercial logging and oil palm plantations, which need huge areas of land and sometimes encroach into natives’ customary land.¹¹⁾ Other factors could be the lack of information on possible negative effects of railway construction, such as environmental degradation with the opening of larger mines, and the massive influx of immigrant workers from overpopulated Java, who might take most railway-related job opportunities away from locals.

IV Center-Local Conflicts of Interest

The smooth progress of the railway projects at the provincial level encouraged the provincial governments in Kalimantan to gain more support from the central government for their regional development. In May 2010 the four governors of Kalimantan gathered in Jakarta to attend a National Development Planning Meeting (Musrenbang Nasional), and during their stay there, they worked hard to draw support from the central government, especially for the railway infrastructure project (Badan Perencanaan Pembangunan Daerah Provinsi Kalimantan Barat 2010).

Their efforts paid off a year later, in May 2011, when the central government introduced the Master Plan for the Acceleration and Expansion of Indonesia’s Economic Development 2011–2025 (Masterplan Percepatan dan Perluasan Pembangunan Ekonomi Indonesia, MP3EI), with the aim of transforming Indonesia into one of the 10 major economies in the world by 2025. MP3EI identified six economic corridors (Sumatra, Java, Kalimantan, Sulawesi, Bali-Nusa Tenggara, and Papua-Maluku Islands) to boost economic development, and it designated Kalimantan as a “center for production and processing of national mining and energy reserves” (Coordinating Ministry of Economic

11) Compared with the vast hectares of oil palm plantations fully utilizing all the land within concession areas, railways need land only for the length of rail tracks and the width of the rail gauge (approximately 1,000–1,500 mm in Indonesia).

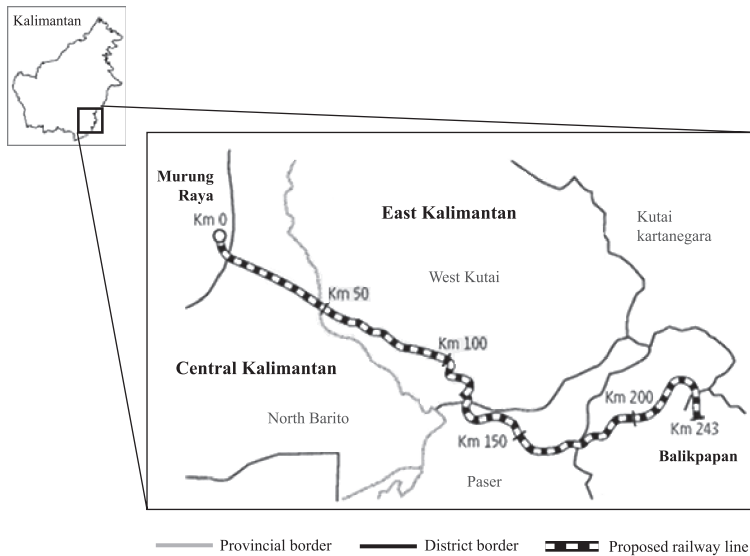
Affairs 2011a). The trans-Kalimantan railway infrastructure became part of the corridor project under which companies engaged in mining, particularly coal, would share the use of railways and roads constructed through a consortium model of a PPP scheme.

The central government also enacted certain necessary laws to facilitate infrastructure projects in Indonesia. In December 2011 the national parliament approved a land-acquisition bill that allowed the government to acquire private land more quickly in order to facilitate the development of new infrastructure projects such as roads, ports, power plants, airports, railways, dams, oil facilities, and other projects catering to the public interest.

During Soeharto's New Order period, the government confiscated land easily by exercising the coercive power of the military. After 1998, democratization brought a reduction in the military power and a rise in the number of local protests against land acquisitions. This resulted in longer negotiation periods for acquiring land, with many cases taking as long as five years to settle. The new Law on Land Procurement for Development in Public Interest (Law No. 2/2012) and Presidential Decree No. 71/2012, clearly outlined the procedures for land acquisition. The law stipulates that the land acquisition process should be completed in less than 583 days. A landowner will receive cash compensation, alternative land, resettlement, shareholding, or something else agreed upon by the government agency and the landowner. The owner is required to release his or her land after receiving compensation or in accordance with a binding court decision in which the compensation will be deposited with the district court (Hanim and Afriyan 2011).

Serious steps were also undertaken by the central government to encourage foreign and domestic joint-venture investments in the trans-Kalimantan railway project. In June 2011 Hatta Rajasa, then Indonesian coordinating minister for the economy, was invited by the Russian government to attend the International Economic Forum. He took the opportunity to attract Russian investments for the food security, energy, trade, and transportation sectors as well as welcoming Russian participation in the trans-Kalimantan railway infrastructure project (Coordinating Ministry of Economic Affairs 2011b). During a Jakarta meeting in early August 2011 between Hatta Rajasa and Alexander Andreyevich Ivanov, the Russian ambassador to Indonesia, Russia confirmed its intention to invest US\$2.5 billion for the construction of a 135 km railway link between East Kalimantan and Central Kalimantan to transport coal (*Jakarta Post*, August 1, 2011) (see Map 4).

However, this Russian bilateral agreement with the central government created a conflict given that the rail line would connect coal mines in Central Kalimantan to a port in East Kalimantan. Soon after the Hatta and Ivanov meeting, Agustin Teras Narang, then governor of Central Kalimantan, expressed his stiff disagreement with the central



Map 4 Central Government's Proposed Trans-Kalimantan Railway Route
 Source: Based on *Kompas* (February 8, 2012).

government and opposed the railway plan linking the two provinces. Narang stated that Central Kalimantan had its own plan to build a railway network in the province. He also argued that the central government's plan of a railway link could destroy the environment as the tracks passed through areas of protected forest,¹²⁾ while the provincial plan would not involve forest clearing since the railway would be built alongside roads and rivers. Narang even said that he would resign as governor if the central government persisted with the Russian railway plan (*Berita Daerah*, October 12, 2009; *Jakarta Post*, August 4, 2011; *Tempo Interaktif*, August 8, 2011).

Following the governor's objection, the provincial branch of the Dayak Customary Council (Dewan Adat Dayak, DAD), an organization of indigenous people in Kalimantan, also voiced its opposition to the central government's plan. Governor Narang is the

12) According to the forestry laws (Law No. 41/1999), Indonesian forest is classified into three categories: production forest (*hutan produksi*), protected forest (*hutan lindung*), and conservation forest (*hutan konservasi*). Protected forest is a forest area having the main function of protecting life-supporting systems for hydrology, preventing floods, controlling erosion, preventing sea water intrusion, and maintaining soil fertility (Article 1). The use of protected forest can be in the form of utilizing its area, environmental services, and collection of non-timber forest products (Article 26). The law also stipulates that the use of forest area for development needs for non-forestry purposes can be made only in production and protected forest areas, and open-cast mining is prohibited in protected forest (Article 38).

president of the National Dayak Customary Council (Majelis Adat Dayak Nasional), DAD's umbrella organization. Provincial DAD members were concerned that natural resources from Central Kalimantan would be taken to East Kalimantan through the railway and nothing would remain in their own province (Surya 2011).

On the other hand, an environmental NGO called the Indonesian Forum for Environment (Wahana Lingkungan Hidup Indonesia, WALHI) disagreed with the railway plans of both the central government and the provincial government, saying that the project could harm not only the environment but also the safety of people living alongside the Barito and Mahakam Rivers since the railway network would pass through the catchment areas (*Jakarta Post*, August 7, 2011).

In fact, the provincial government acknowledged the possible environmental impact on the Barito region caused by the railway construction. However, it justified the project from an engineering point of view by saying:

Throughout this part of Central Kalimantan, there are very significant environmental issues connected with coal mining and commercial forestry. Of particular concern is . . . coal roads from the coal mining areas to the Barito River. . . . The road corridors are wide and the construction and operation of these roads have caused: loss of forest cover for long distances, significant dust creation particularly during the construction phase, blocking of local drainage channels and only limited replacement of cross and parallel drainage. Although the rail construction and operation will cause environmental impacts it is likely that these impacts will be less than impacts caused by the continued construction of coal roads. In addition the environmental benefits of rail for the transportation of coal will be greater if the construction of new coal roads is restricted for all new coal mines. Coal roads will still be necessary from the mine to the rail head, but coal roads to the Barito River will not be necessary. (Central Kalimantan Provincial Government 2009, 16)

This statement indicates that the provincial government used different arguments and logic to push through its own railway plan depending on whom it had to persuade. The provincial government actually recognized that the rail construction and operations would cause an impact on the environment. Thus, it used the rhetoric of “a less-damaging way of infrastructure development” to persuade local stakeholders to agree to the provincial railway project while using the rhetoric of “defender of local communities and the environment” to oppose the central government's plan.

Moreover, some domestic NGOs such as WALHI and the Indonesian Mining Advocacy Network (Jaringan Advokasi Tambang, JATAM) were aware of another possible environmental impact—that the vast railway network would see a rapid increase of coal exploitation in Kalimantan. Based on research by the two NGOs, JATAM reported that coal-mining and transportation operations by some companies had caused dust pollution, displacement of indigenous communities, and disruption and threats to clean water supplies due to river pollution in several mining areas in Kalimantan (JATAM 2010).

However, the provincial government turned a blind eye to such possible destructive consequences after the construction of the railway.

From the double-talk and selective criticisms of the provincial government, it is likely that a concern for local communities and the environment is not the real reason for the provincial government to push through its own railway project and oppose a cross-provincial railway network planned by the central government. As demonstrated in the following section, the provincial government had another reason to adhere to its own railway plan.

V Local Struggle over the Barito Region

Governor Narang's opposition to the central government's railway plan to link Central and East Kalimantan was not essentially due to his concern for local communities and the environment. Along with a fear that the profits from his province's natural resources would be intercepted by the neighboring province, there was also a perceived risk that he would lose regional control, economically and politically, in the Barito region.

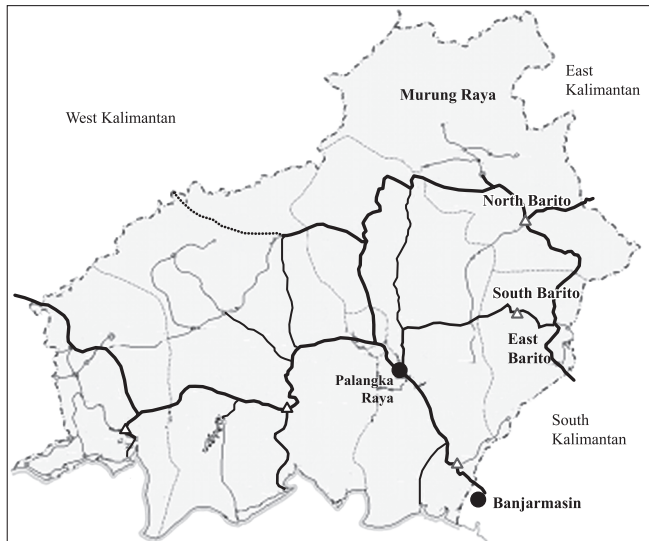
The main channel of transportation in the Barito region is the Barito River, which flows from the northeastern part of Central Kalimantan to Banjarmasin, the provincial capital of the neighboring province of South Kalimantan. This has made Banjarmasin a key hub for logistics and commerce in the Barito region, although a major portion of the region administratively belongs to Central Kalimantan. Coal and other commercial products such as timber, rubber, and palm oil from the upstream Barito districts are transported via the river to a port of lading in Banjarmasin, and commodities headed to the interior towns also have to go through Banjarmasin (see Map 5).

Even the road network connecting districts in the Barito region to Palangka Raya, the provincial capital of Central Kalimantan, has to pass through Banjarmasin. There is a northern mountainous route connecting the Barito region to Palangka Raya, but it has been badly damaged by heavy trucks rumbling down the road daily. Therefore, people prefer to take a southern route via Banjarmasin to go to the Barito region from Palangka Raya (see Map 6).

Hence, it is likely that Narang viewed the central government and Russia's railway plan connecting the Barito region to East Kalimantan as taking the Barito region farther away from the control of the Central Kalimantan government (see Map 4). On the other hand, the Central Kalimantan provincial government's railway network plan would first connect districts in the Barito region and then extend the railway track to a port of lading in Kapuas District, located in the southeastern part of Central Kalimantan (see Map 2).



Map 5 Barito River across the Provincial Border
Source: Based on NordNordWest/Wikipedia (2011).



Map 6 Road Network in Central Kalimantan
Source: Based on Kementerian Pekerjaan Umum dan Perumahan Rakyat, Republik Indonesia (2012).

Not only economically but also in part socially and politically, the Barito region has been closer to South Kalimantan than Palangka Raya. In the lower Barito region, local residents are mainly Banjarese—Malay descendants of aristocrats and subjects of the Banjar Kingdom (1526–1860) centered in South Kalimantan—while Dayaks live mainly in the middle and upper Barito regions. One of the major Dayak sub-ethnic groups in the region is the Bakumpai, making up 36.4 percent of the 36,2815 total population of four districts (Murung Raya, North Barito, South Barito, and East Barito) in the middle and upper Barito regions (Badan Pusat Statistik 2001, 75). Bakumpai people converted to Islam under the strong influence of the Banjar Kingdom, while many other Dayaks converted to Christianity or continue to practice varieties of animism. Narang is a Christian Dayak Ngaju, a major Dayak sub-ethnic group in the central part of Central Kalimantan that makes up 39.9 percent of the 670,218 total population of three districts in the provincial central part (Kapuas, Gunung Mas, Pulang Pisau) and Palangka Raya (*ibid.*).

The Bakumpai people also dominate politics in the Barito region. The current district heads of North Barito, South Barito, and East Barito are of Bakumpai descent. Since 1999, Bakumpai politicians have played a leading role in proposing the formation of a new province of Barito Raya, consisting of Murung Raya, North Barito, South Barito, and East Barito in Central Kalimantan and the district of Barito Kuala in South Kalimantan. If the new province is established, profits from the natural resources in the Barito region, including coal, will fly out of the hands of the Central Kalimantan provincial government and land in the hands of Bakumpai politicians.

In order for the formation of Barito Raya to materialize, the Bakumpai politicians also attempted to extend their influence at the provincial level. In the 2010 gubernatorial election, two pairs of candidates for governor and vice governor campaigned for the formation of the new province of Barito Raya. One pair was Achmad Amur, the Pulang Pisau district head, and Baharudin H. Lisa, the South Barito district head; and the other was Achmad Yuliansyah, the North Barito district head, and Didik Salmijardi, the former district head of East Kotawaringin. They had a close contest with the pair of then incumbent governor Narang and vice governor Achmad Diran.

While Achmad Amur is Banjarese, Baharudin H. Lisa and Achmad Yuliansyah are Bakumpai. Achmad Diran and Didik Salmijardi are immigrants of Javanese descent, a category that makes up 18.1 percent of the total population in Central Kalimantan (*ibid.*). In the gubernatorial election, Narang and Achmad Diran won 42.3 percent of votes, while Achmad Amur and Baharudin H. Lisa gained 37.7 percent and Achmad Yuliansyah and Didik Salmijardi gained 15.7 percent (Noorjani 2010). Narang and Bakumpai politicians are certainly political adversaries, and thus Narang has to defend a provincial railway plan at all costs in order to retain the resource-rich Barito region in his province.

VI Intra- and Inter-provincial Politics over Railway

A Conciliatory Move

In response to Governor Narang's objection to the interprovincial railway plan, Hatta Rajasa, coordinating minister for the economy, called on Narang to compromise on the provincial railway project. He stated that the railway project proposed by the provincial government had not materialized yet, and that the central government's plan was more feasible than the provincial one since the latter intended to build a long railway, which would cost too much. Hatta ensured that the central government would review the railway route so that it would not pass through protected forest areas (*Tempo Interaktif*, August 8, 2011). While facing opposition from Central Kalimantan, the central government continued the discussion with Russia on the trans-Kalimantan railway project, which became one of the agendas for the Russia-Indonesia High Level Meeting on Bilateral Economic Cooperation in Jakarta in October 2011 (*Media Indonesia*, October 27, 2011).

The central government made a conciliatory move in November 2011 to resolve the deadlock with the provincial government of Central Kalimantan over the railway project. The government-sponsored Indonesian Infrastructure Financial Guarantee Fund (PT Penjaminan Infrastruktur Indonesia, PII), which was launched in May 2010 for the purpose of providing guarantees for infrastructure projects under the public-private partnership scheme, agreed to guarantee a railway project planned by Central Kalimantan. PII would guarantee investors from risks that could arise from licensing delays, land acquisition, and government policy changes (*Jakarta Post*, December 1, 2011).

East Kalimantan as Willing Ally

In contrast to Central Kalimantan, the provincial government of East Kalimantan welcomed the railway plan proposed by the central government and Russia. The East Kalimantan government dispatched its delegation to Marketing Investment Indonesia in Moscow in September 2011 to undertake a possible business partnership with Russian investors. Awang Faroek Ishak,¹³⁾ the governor of East Kalimantan, and Andrey Shigaev, director of Kalimantan Rail—a subsidiary of Russian Railways Group, a public-private

13) Awang Faroek Ishak was born to a local aristocratic Kutai family in 1948. He was a scholar and became a member of parliament, representing East Kalimantan from 1987 to 1997. He was also the provincial secretary of Golkar from 1983 to 1988. After decentralization, he was elected as the district head of East Kutai in 2001 and reelected in 2006. He was elected as governor of East Kalimantan in 2008, backed by the then President Yudhoyono's Democratic Party (Partai Demokrat) (Morishita 2008).

partnership railway company—signed an MoU in February 2012 on the construction of a 275 km railway and associated infrastructure in Kalimantan.

Russian Railways is the fourth-largest company in Russia by revenue, with over 1195.2 billion rubles (about US\$40 billion) in 2010. The project consists of two phases. The first one involves building a railway between coastal Balikpapan and inland district of West Kutai in East Kalimantan, which will connect to the neighboring province of Central Kalimantan in the second phase. The total project investment would be US\$2.4 billion. The MoU signing event was attended by the Russian ambassador and representatives of Russian Railways and the Russian state-owned Bank for Development and Foreign Economic Affairs (Vnesheconombank). The Indonesian attendees were the deputy coordinating minister for economic affairs, the director general of the Indonesian Ministry of Transport, the director for Central and Eastern European affairs of the Indonesian Ministry of Foreign Affairs, district heads of East Kalimantan, and other officials (Embassy of the Russian Federation in the Republic of Indonesia 2012).

Russia is so serious about its investment in the trans-Kalimantan railway project that it established the Export Insurance Agency of Russia in November 2011 to facilitate the project. For the Russian government, the railway construction is needed to support the plans of the Enplus Group, a Russia-based diversified mining, metals, and energy group owned by the Russian billionaire Oleg Deripaska, which plans to acquire a coal-mining company in Indonesia (Algooth and Stefanus 2012b).

In order to avoid any conflict with the Central Kalimantan provincial government, the Russian government stated that the Kalimantan railway would pay special attention to avoid all protected forests in the area. It also mentioned that the project would require careful planning and coordination with other existing projects in Central Kalimantan (Embassy of the Russian Federation in the Republic of Indonesia 2012).

However, Narang again voiced his strong opposition to the project on the day of the MoU signing ceremony between East Kalimantan and the Russian investor. He said the Central Kalimantan government would not participate in the Russian-planned railway project. He reiterated the argument that according to the Russian plan, the railway line would be constructed in a protected forest area in the Muller-Schwanner mountain range in Murung Raya District, which serves as a water catchment area (Algooth and Stefanus 2012a).

The Russian investor was forced to shelve part of the project. In March 2012 Shigaev, the director of Kalimantan Rail, said that only after Central Kalimantan finished its own railway project would his company start to build the rail line connecting Central Kalimantan and East Kalimantan. Syahrin Daulay, the head of the Provincial Regional Development Planning Agency (Bappeda) in Central Kalimantan, confirmed in April 2012

that the four governors in Kalimantan had agreed to build a rail network in their own regions first and after that the interconnection among provinces would be constructed (*Tempo Interaktif*, April 16, 2012).

District Power Play

While Governor Narang opposed the railway link between the two provinces, Achmad Yuliansyah, then district head of North Barito who was one of Narang's rival candidates in the 2010 gubernatorial election, welcomed the MoU between East Kalimantan and the Russian investor. Without giving any notice to Narang, Yuliansyah signed an MoU with Ismail Thomas, the district head of West Kutai in East Kalimantan, a northeastern neighboring district of Central Kalimantan, on cooperation for interdistrict infrastructure development—including the railway between the two provinces, which the provincial government of Central Kalimantan strongly opposed (*Antara News*, March 1, 2012).

The MoU obviously outraged Narang. Siun Karoas, then provincial secretary of Central Kalimantan, stated that the provincial government strongly deplored the MoU signed by the district governments of North Barito and West Kutai without any consultation with the provincial government (Agustin Teras Narang Center, March 7, 2012). Narang immediately issued a letter of request to cancel the MoU between the two districts. Achmad Yuliansyah then made a rebuttal statement that it was the provincial government that had long ignored the North Barito district governments' asking for support for infrastructure development such as a local airport, hospital, bridge, and so forth. He also said that the interdistrict cooperation and coordination for infrastructure development across the provincial border had been discussed since 2004 (*Kalteng Pos*, March 15, 2012).

South Kalimantan's Catch-up Attempt

Meanwhile, South Kalimantan has lagged far behind the neighboring provinces of Central and East Kalimantan in the promotion of local infrastructure development under the Kalimantan Corridor of MP3EI, including the railway construction. In April 2012 Gusti Nurpansyah, an executive member of the Banua Care Forum (Forum Peduli Banua, FPB), a social organization aiming at improving social economic conditions in South Kalimantan,¹⁴

14) The FPB was established in February 2012 by national and local figures in politics, business, and civil society who came from South Kalimantan. As of 2015, they included Berry Nahdian Furqon, an executive director of WALHI; Mohammad Ilmi, an official of the National Atomic Energy Agency; Hasnuryadi Sulaiman, a son of Sulaiman HB, then provincial chairman of the Golkar Party and a founder of the Hasnur Group—which operates forestry, coal mining, oil palm plantations, infrastructure, shipping services, and so forth mainly in the Barito region; Aditya Mufi Ariffin, then national parliament member belonging to an Islamic party called United Development Party (Partai Persatuan ↗

expressed his hope that South Kalimantan would get actively involved in the implementation of the Kalimantan Corridor, not just stand by and watch. The FPB intended to hold a focus group discussion on the Kalimantan Corridor and to invite national and local NGOs and young leaders to the discussion (*Radar Banjarmasin*, April 29, 2012).

In the middle of May 2012, Rudy Ariffin, then governor of South Kalimantan, led delegates from the four provinces in Kalimantan to urge the national parliament to increase subsidized fuel quotas since the allocation for Kalimantan was too small. The central government restricted supplies of subsidized fuel, which costs less than half as much as regular fuel, to try to stop a surge in oil prices hurting its budget deficit. Previously, a petition signed by the four Kalimantan governors was sent to the Ministry of Energy and Mineral Resources, the Upstream Oil and Gas Regulator and Implementing Agency (Badan Pelaksana Kegiatan Usaha Hulu Minyak dan Gas Bumi, BP Migas), and the national parliament, threatening to terminate coal supplies from Kalimantan if subsidized-fuel allocations were not raised. The governors argued that the supply of fuel to the four Kalimantan provinces had to be raised from 7 percent of the total national allocation to 14 percent due to rapid economic development (Rangga 2012b). Rudy Ariffin became the most active participant, as he was the only governor who attended the meeting with members of the energy commission of the national parliament. The other three governors were represented by their deputies. The meeting ended with no decision (*Jakarta Post*, May 23, 2012).

At the end of May 2012, with support from Governor Rudy Ariffin, the FPB initiated a protest and launched a blockade against coal barges entering the lower Barito River—in retaliation to the lack of fuel oil supply—and demanded a bigger quota of subsidized fuel for the Kalimantan region. Thousands of local residents took part in the blockade of the coal transportation route using motorboats; they stopped at least 20 barges from sailing through.

The blockade affected the entire Barito region, including major coal mines in the territory of Central Kalimantan. The Indonesian Coal Mining Association (APBI) threatened to stop the supply of coal to Java from Central Kalimantan if the blockade at the Barito persisted. The State Electric Company (Perusahaan Listrik Negara) prepared for the worst scenario if Java failed to receive coal supplies from Kalimantan once its entire coal stockpile was consumed. Aside from halting supply, APBI estimated that coal com-

↘ Pembangunan, PPP) and a son of Rudy Ariffin, then governor of South Kalimantan; and Gusti Perdana Pesuma, an influential politician from South Kalimantan belonging to the Golkar Party. Rudy Ariffin, then governor of South Kalimantan (2005–15), also supported the organization. As of 2015 he was a member of the advisory board of the FPB along with Gusti Muhammad Hatta, then minister for research and technology (2011–14) (*Media Kalimantan*, February 16, 2012).

panies would have to bear substantial losses.

Only a few barges could pass through Barito. They were the barges owned by the Hasnur Group, as the owner was the father of Hasnuryadi Sulaiman, one of the FPB executive members, and by PT Adaro Indonesia, a big coal company that had a close relationship with the Hasnur Group. Their barges passed through the Barito before protesters started a blockade (Rangga and Hans 2012; *Radar Banjarmasin*, May 17, 2012; *Tribun News*, May 26, 2012; *Jurnal Nasional*, May 28, 2012). The two companies were probably told the time schedule of the blockade by the FPB.

A similar blockade was raised at the Mahakam River in East Kalimantan, led by the provincial branch of the Indonesian Youth National Committee (Komisi Nasional Pemuda Indonesia). They were inspired by the Barito's blockade. However, the blockade in the Mahakam quickly fizzled out as Awang Faroek, the governor of East Kalimantan, disapproved of it and warned the protesters that they were committing a criminal offence (*Tempo Interaktif*, May 29, 2012).

As an emergency response to the blockade at the Barito River, Jero Wacik, then minister of energy and mineral resources, stated that the central government would increase the quotas for the supply of non-subsidized fuel to Kalimantan. Governor Rudy Ariffin responded by asking the blockade organizers to stand down. The blockade was over within a week (Rangga 2012a; Rangga and Hans 2012). With the success of the blockade, Rudy Ariffin was able to show that South Kalimantan was capable of playing a leading role in the negotiations with the central government for the sake of regional development in Kalimantan, just like the neighboring provinces.

Windfall for Governor Narang

The blockade at the Barito brought a windfall to Governor Narang. It showed the political and business circles in Jakarta that the dependence on river transportation in the Barito region would pose a high risk to coal supply to Java as well as to the coal-mining industry in the middle and upper Barito regions in Central Kalimantan if blockades occurred in the lower Barito in the neighboring province. It also demonstrated not only that the coal railway network in Central Kalimantan was vital to economic strategy but also that there was a need to diversify risk.

In July 2012, a declaration of commitment for the construction of a rail track between Murung Raya and Kapuas in Central Kalimantan was signed by state-owned companies, including PT PLN and PT PII, as well as the areas' major coal-producing private companies such as PT BHP Billiton Indonesia, PT Asmin Koalindo Tuhup, and PT Indika Indonesia Resources. The signing ceremony was held in front of then Indonesian Vice President Boediono and ministers in Palangka Raya (*Kompas*, July 12, 2012).

Another railway line in Central Kalimantan also became a real possibility. In August 2012, Governor Narang and PT Kereta Api Indonesia (PT KAI), the state-owned railway company, signed an MoU on the construction of an approximately 200 km railway network running north to south in the mid-west part of the province. It would connect the northern district of Gunung Mas to a port in the southwestern district of Seruyan. PT KAI showed its keen interest by agreeing to conduct a feasibility study on soil conditions right away. This rail line would be used for goods and passenger trains. PT KAI stated that the railway would not only improve the local economy and social welfare but also create job opportunities, since at least 1,000–2,000 railway officers were required to operate a railway system (*Tempo Interaktif*, August 3, 2012).

Narang expressed his long-standing concern that forests in Central Kalimantan had been cut and lost since the 1970s but the results of local development had never been seen, with the people living in poverty. “Conditions of national roads in the province have been always severely damaged because 8-ton capacity trucks carrying 12 to 20 tons of load rumble down the roads daily,” he said. “I feel even if hundreds of billions are spent on the construction of roads, they will always remain damaged and broken. Given this situation, the solution is to build a railway line in Central Kalimantan” (*ibid.*).

VII Conclusion

The question to be asked is: How effectively planned is the trans-Kalimantan rail project going to be in the midst of the wheeling and dealing taking place at the district, provincial, central, and global levels?

As the case of East Kalimantan shows, local power holders would welcome a railway plan proposed by foreign investors and the central government if the project fitted in with the economic and political agenda of local government leaders. However, as in the case of Central Kalimantan, the central government and foreign investors could face difficulty in securing investment deals if the proposed plan had the potential to undermine the power base of local power holders. In such cases, as represented by Narang, the governor of Central Kalimantan, local political leaders have tried to hold a leading position by portraying themselves as defenders of local communities and the environment in their negotiations with foreign and national players.

It is, however, clear that the local government’s priority is not the concerns of local communities or the environment in Central Kalimantan. The provincial government actually recognized that the rail construction and operations would cause an impact on the environment. Thus, it used the rhetoric of “a less-damaging way of infrastructure

development” to persuade local stakeholders to agree to the provincial railway project while using the rhetoric of “defender of local communities and the environment” to oppose the central government’s plan.

Whatever the case may be, the voices of ordinary local residents in the region where the railway projects would be implemented have not been publicly heard in any significant way. A possible reason could be that it has yet to sink in among residents that a coal railway will be built in their area. They might have been listening to the politicians and businesspeople harping on the positive aspects of a new railway system. They might have heard that the infrastructure development would lead to urbanization, with more jobs and economic opportunities as well as a better life for them. They might be expecting foreign companies to pay a large amount of financial compensation for their land.

The railway construction might also bring about some negative effects for local residents and the environment. There might be an influx of immigrant workers from other provinces, and locals might have to compete with them for railway-related job opportunities, which could eventually lead to ethnic tensions. Unplanned rapid urbanization of Kalimantan might lead to social problems, including poverty. Roads and paths might be opened up illegally from the railway line to interior forest areas, making it easier for illegal logging. More coal-mining companies would enter the region, and they could include some that might not be able to fulfill the technical requirements and financial guarantees related to compulsory reclamation and post-mining rehabilitation. Some companies might operate in a forest beyond their licensing area. These issues could escalate if the central and local government authorities failed to supervise the planning of the rail infrastructure as well as control businesses and mining operations in the region.

Hence, the role of local governments is crucial not only in the negotiation process with the central government and foreign investors but also during the construction and operations of the railway. However, general elections and direct elections for local government heads are held once five years, by which time major realignments can take place in national and local politics. In Central Kalimantan, the last gubernatorial election was held in January 2016. Narang was not able to run for re-election since the law limits the governor to two terms of office, and his favorite candidate was not elected as governor. Therefore, the direction for future research will be to seriously consider the impact of highly possible realignments in local politics on the progress of railway construction, and its effects on local residents and the environment. How rapidly the pace of development and projects move in Kalimantan will very much depend on it.

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Rare Earth Plant in Malaysia: Governance, Green Politics, and Geopolitics

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A rare earth elements (REE) extraction plant was built and began operating in Gebeng, Malaysia (near the city of Kuantan), from early December 2012. This plant, slated to be the world's largest when it operates at full capacity, is very controversial in Malaysia. Various factors appear to have influenced the setting up of this foreign-owned REE extraction plant, although the source of its raw material is thousands of kilometers away in the desert of Western Australia. This article examines and discusses the reasons why the Malaysian authorities approved the highly controversial project despite the fear of the local community that it would have significant negative impacts on the environment and the health of the public, and despite major protests (some of which were nationwide) against the project. The decision by the Malaysian authorities to approve it was probably due to factors such as the importance of rare earth metals in high-technology production; geopolitical considerations, with China dominating and supplying most of the market; high rare earth prices because of actions taken by the Chinese authorities; differences in environmental laws and their enforcement between Malaysia and Australia; and poor governance and lack of citizen input into public decision making in Malaysia. This article demonstrates how a seemingly local issue—specifically, strong objection by local residents to an industrial project—is linked to broader issues such as governance, regional and national politics, and the geopolitics of access to critically important mineral resources. It also discusses various ethical issues in relation to the controversial project.

Keywords: rare earth, governance, environmental politics, environmental ethics, Malaysia

I Introduction

Foreign investment in the mining sector in developing countries can give rise to bitter conflict between local residents on the one hand and the investors and their supporters (including host government authorities) on the other. These conflicts are often fueled

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by fears of—or actual experience with—serious damage to the environment, negative effects on human health, and negative impacts on livelihoods and property values. Sometimes such investment may even lead to divisions among the residents themselves if some think they will benefit materially from it.

Hazardous wastes have been defined as wastes that “have the potential to cause harm to human health and the environment if they are improperly treated, stored, transported, or inadequately disposed of” (British Medical Association 1991). Mining operations often generate wastes in large quantities, some of which can be classified as “hazardous wastes.”

In theory, environmental and public health standards and their effective enforcement can protect local communities against the negative effects of foreign investment in sectors such as mining. However, it has been noted that in many developing countries standards may look good on paper but enforcement is often problematic because of issues such as lack of resources, inadequate training, or corruption on the part of local pollution control officials (Newell 2008; Sahabat Alam Malaysia n.d.). A related concern is the suspicion that poor enforcement or inadequacy of environmental regulation can be used by transnational corporations to locate the more hazardous or highly polluting of their activities in poorer developing countries (Newell 2008).

In their review of the literature on global environmental governance, Frank Biermann and Philipp Pattberg (2008) argue that it increasingly involves the participation of actors that were previously active mainly at the subnational level. Thus, governance today involves not only environmentalists, networks of experts, government regulatory bodies, and multinational corporations, but also other agencies such as intergovernmental organizations and international courts. Recent conflicts over the possible impact of specific industrial foreign investment projects on the environment and health in Malaysia have seen the involvement of non-Malaysian (Australian) environmentalists and European experts (Okol Institut 2013) as well as international organizations such as the International Atomic Energy Agency (IAEA 2011).

In a similar vein, Maria Carmen Lemos and Arun Agrawal define environmental governance as “. . . the set of regulatory processes, mechanisms and organizations through which political actors influence environmental actions and outcomes. . . . It includes the actions of the state and, in addition, encompasses actors such as communities, businesses, and NGOs” (Lemos and Agrawal 2006, 298).

Recent conflicts over environmental governance in Malaysia have involved a wide range of actors. For example, the conflict over the Australian-owned rare earth elements (REE) processing plant in Gebeng has drawn in environmentalists and local residents as well as public sector regulatory bodies, individual politicians, political parties, scientists

and academicians, the courts, and even ministries that normally do not deal with environmental and health issues, e.g., the Ministry of International Trade and Industry.

Why did the Malaysian authorities approve the highly controversial project despite the fear of the local community that it would have a significant negative impact on the environment and public health, and despite major protests (some of which were nationwide) against the project?

Adnan A. Hezri's (2011) view on environmental governance in Malaysia is that it can be greatly improved. For example, he notes that there may be a lack of coordination amongst various government agencies dealing with environmental issues, and the policies of the federal government and individual state governments can sometimes contradict each other. More than that, I argue in this paper that the approval of the project by the Malaysian authorities (especially the Atomic Energy Licensing Board or AELB, located within the Ministry of Science, Technology and Innovation), the construction of the plant, its operation under the two-year temporary operating license (TOL), and the resulting controversy are due to various factors, including the importance of rare earth metals in high-technology production to many developed nations (including Japan); geopolitical considerations, with China supplying 97 percent of the market (Hurst 2010); high rare earth prices when the project was launched because of actions taken by the Chinese authorities; differences in environmental laws and their enforcement between countries; and poor governance and lack of citizen input in public decision making in developing countries such as Malaysia.

II The Controversial REE Extraction Project in Gebeng, Malaysia

Rare earth elements such as lanthanum, cerium, and neodymium are a group of strategically important metals that are used in the production of high-technology equipment (including those with military applications) and, ironically, also in green technology such as wind turbines. REE production in Baotou, China, has been associated with significant environmental damage (Hurst 2010). Partly because of rare earth metals' strategic importance and the dominance of China as a source of them, local political conflict over potentially harmful and environmentally damaging mining and processing activities associated with REEs could conceivably also get entangled in geopolitics.

A foreign-owned rare earth elements extraction plant began operating in Gebeng, a small town near the city of Kuantan, the state capital of Pahang state, Malaysia (see Fig. 1), in early December 2012. This plant is owned by an Australia-based company, Lynas Corporation. The plant is a subject of great controversy and has energized the



Fig. 1 Map of Malaysia (showing location of Kuantan)

Source: Adapted from Wikimedia Commons.

environmental movement in Malaysia. Basically, the plant imports its ore from thousands of kilometers away, in Western Australia, processing it in Malaysia and then selling the resulting REE to overseas customers. At the same time the plant owners enjoy a 12-year tax holiday. Meanwhile, there are no concrete plans for long-term waste management except for vague assertions that the waste (which includes radioactive thorium and uranium) can be processed into by-products that can be sold on the market. Western Australia authorities have explicitly ruled out the possibility of taking back any of the waste generated (Sta Maria 2012).

Gebeng lies within the Kuantan metropolitan area (population 700,000) and hosts a major industrial estate with many different foreign-owned factories. It is located near the port, but the city of Kuantan actually lies about 25 kilometers farther south (Pahang State Development Corporation 2012). Major foreign companies that have built chemical and petrochemical plants at Gebeng include BP, Kaneka, and BASF. Some of these are joint ventures with Petronas, the Malaysian national petroleum corporation.

The public authority tasked with attracting foreign investment to the Gebeng industrial zone proclaims that its

excellent infrastructure such as a 9-kilometre common pipe-rack connects the petrochemical plants of Gebeng Industrial Estate to and from the tank farm facilities at Kuantan Port and its liquid chemical berths to facilitate safer and faster transportation of petrochemical products between the two areas. (*ibid.*)

Improperly regulated petrochemical plants can have a significant negative impact on surrounding areas. Critics—the most prominent groups opposing the project being Save Malaysia, Stop Lynas (SMSL; Save Malaysia, Stop Lynas 2014) and Himpanan Hijau

Table 1 The Process of Rare Earth Elements (REE) Extraction

Step 1	Cracking and Leaching <ul style="list-style-type: none"> • Rare earth concentrate is mixed with sulfuric acid and cracked in a rotary kiln to convert it to rare earth sulfate. • Water is added in the leaching stage, and impurities in the form of iron phosphogypsum are removed. The solution advances to the neutralization stage to produce a rare earth-rich solution as feed to solvent extraction.
Step 2	Solvent Extraction <ul style="list-style-type: none"> • <i>Upstream Solvent Extraction</i>: To separate light rare earths (lanthanum, cerium, praseodymium, and neodymium—LCPN) and heavy rare earths (samarium, europium, and gadolinium—SEG—and other heavier rare earths—HRE): <ol style="list-style-type: none"> i) SEG/HRE extraction ii) LCPN extraction iii) HRE solution iron removal process • <i>Downstream Solvent Extraction</i>: <ol style="list-style-type: none"> i) Didymium extraction (lanthanum cerium/praseodymium neodymium separation) ii) Cerium extraction (lanthanum/cerium separation) iii) Didymium purification (didymium/samarium separation); samarium is returned to the SEG product.
Step 3	Product Finishing <ul style="list-style-type: none"> • In the final stage, rare earth elements are precipitated as carbonates, hydroxides, or oxalates. Some are calcined to the respective oxides.

Source: Lynas Corporation (2012).

(Green Gathering) (Himpunan Hijau 2014)—fear that an REE plant would further increase the risk to the environment partly because of the chemicals used in the process of rare earth extraction. Another reason is that when production reaches full capacity of about 22,000 tonnes of REE per annum at the Gebeng factory, this plant will be the world's biggest rare earth plant and will therefore generate a huge amount of waste too.

Processing agents and chemicals that will be used in rare earth extraction at the plant (Lynas Corporation 2012) include ammonium bicarbonate, oxalic acid, sulfuric acid, hydrochloric acid, magnesium oxide, kerosene, and trichloroethylene. All these chemicals are known to be hazardous to human health. As for the waste that will be produced, it will include radioactive materials such as thorium and uranium and the products of their radioactive decay, e.g., radium. Some of the isotopes of thorium and uranium have very long half-lives (extending into millions and even billions of years) and therefore will be present in the immediate environment as a result of REE extraction unless they are removed and stored safely elsewhere.

Final REE products include lanthanum-cerium carbonate, lanthanum carbonate, samarium europium gadolinium, and heavy rare earths carbonate as well as neodymium and praseodymium (didymium) oxide (see Table 1).

The plant at Gebeng is controversial because of the following three reasons. First,

it processes rare earth-containing ore (lanthanide concentrate) that is imported all the way from its source at Mount Weld in Western Australia and Australian governmental authorities have stated explicitly that they will not accept any return of the waste that is produced (Sta Maria 2012).

Second, Lynas Corporation, the company that owns the plant (called Lynas Advanced Materials Plant, or LAMP) has no long-term waste management plan in place although the waste will include radioactive materials such as thorium and uranium and the products of their decay. No permanent disposal facility (PDF) has been built to store the waste, and no plan for eventual decommissioning of the plant exists. The building of such a facility and a plan was recommended by a panel of experts from the International Atomic Energy Agency (IAEA 2011).

Meanwhile, the main Malaysian governmental body responsible for regulating the project, the AELB, has arranged a financial scheme with the company whereby 0.05 percent of yearly revenues will be paid to the AELB. In response to criticism about a financial conflict of interest, the director general of the AELB claimed that this money would be used only to verify the company's waste management studies by independent researchers (Yow 2012). Yet, no detailed environmental impact assessment or health impact assessment has been done for the plant in Malaysia (Teoh and Palani 2012).

Lastly, huge amounts of waste will be produced. It should be pointed out that although environmental contamination by rare earth metals can have an impact on human health, the substances are not especially toxic (Hirano and Suzuki 1996). It is actually the storage and disposal of the waste associated with REE extraction that is of primary concern and the source of controversy.

According to Lynas Corporation, current plans are to have liquid discharge of 500 tonnes per hour into the nearby Balok River, which flows into the South China Sea. The company also claimed, in response to fierce criticism of its lack of a long-term waste management plan, that the waste could be processed into commercial by-products that could be sold on the market (Lynas Corporation 2011). These include synthetic gypsum for the manufacture of plasterboard and cement; magnesium-rich gypsum fertilizer for plantations, crops, and soil remediation; and carbon-enriched magnesium gypsum fertilizer to rejuvenate acidic soils. The remaining material allegedly can either be "disposed safely in a secure municipal landfill" if it is classified as non-scheduled waste or "disposed at a licensed facility" if classified as scheduled waste by the Department of the Environment (*ibid.*).

The estimates made by Lee Bell (2012) based on the experience of REE plants in Baotou show a different picture. Bell made the following estimates of the huge amount of waste that will be produced per year when the plant reaches full capacity. As radio-

active waste, 22,500 tonnes of radioactive waste residue (containing water) will be produced. As non-radioactive waste, 191.25 tonnes of fluoride compounds, 292.5 tonnes of flue dust particulates, 1,687,500 cubic meters of acidic wastewater, and 216–270 million cubic meters of waste gas (containing nitrogen oxides, carbon monoxide, sulfur dioxide, hydrogen fluoride, dust concentrate, and sulfuric acid) will be produced.

III Factors Affecting the Approval of the REE Extraction Plant

Why did the Malaysian authorities approve this highly controversial project despite the public fear that it would have a significant negative impact on the environment and the health of the public?

Rare earth metals are of major importance in high-technology production to many developed nations. The term “rare earth” is a misnomer since such metals are actually abundant. But the challenge for rare earth production is that the metals tend not to be found in concentrated deposits, unlike other metals. Rare earth metals are used in the manufacture of high-tech products such as mobile phones, aircraft engines, and advanced weapons systems (e.g., missiles) and, ironically, also in green technologies such as catalytic converters, hybrid cars, and wind turbines. Recognition of their strategic as well as commercial importance has led to efforts by governments and companies to either stockpile REEs (Grasso 2012) or engage in long-term contracts with companies supplying REEs. M. A. B. Siddique (2009) analyzed the importance of Western Australia as a source of raw materials for industrial production by Japanese companies. The fact that the plant owners in Malaysia have signed contracts with Japanese companies to supply the latter with REEs is simply a continuation of this relationship. Mitsubishi UFJ Financial Group is also a substantial shareholder in the company that owns the Malaysian REE extraction plant (Lynas Corporation 2012).

In terms of access to REEs, there are also geopolitical considerations since China supplies 97 percent of the world market for rare earth metals (Hurst 2010). Valerie Grasso (2012) noted the following:

In 2010, a series of events and press reports highlighted what some referred to as the rare earth “crisis.” Some policymakers were concerned that China had cut its rare earth exports and appeared to be restricting the world’s access to rare earths, with a nearly total U.S. dependence on China for rare earth elements, including oxides, phosphors, metals, alloys, and magnets.

Additionally, some policymakers had expressed growing concern that the United States had lost its domestic capacity to produce strategic and critical materials, and its implications for U.S. national security.

According to the *New York Times*, in September 2010

China imposed a two-month embargo on rare earth shipments to Japan during a territorial dispute, and for a short time even blocked some shipments to the United States and Europe. Beijing's behavior, which has also included lowering the export limit on its rare earths, has helped propel world prices of the material to record highs—and sent industrial countries scrambling for alternatives. (Bradshaw 2011)

Such actions undertaken by the Chinese authorities (under the guise of closing illegal rare earth mines in China in order to deal with environmental problems), and the resulting effect on prices of rare earth metals, has raised the financial incentive for producers outside China to increase production of REEs for sale on the world market.

According to a British newspaper, some experts believe that another motive for Chinese export restriction of rare earth metals is to force foreign high-technology manufacturers to bring their factories and technological secrets to China. Thus, Dudley Kingsnorth, an independent rare earths marketing consultant, is quoted as saying, “The Chinese will not deny the rest of the world rare-earths but the price will be that the West needs to move its manufacturing facilities to China in order to get access” (Jones 2010).

Differences in environmental standards and enforcement vigor between countries such as Australia and Malaysia also appear to be a factor in the interesting phenomenon whereby REE-containing ore is mined in Western Australia but extraction of the metals is carried out thousands of kilometers away in Malaysia. Lynas chose Malaysia to site its processing plant although the company also had the option to do so in Australia. Table 2 illustrates differences (as required by regulatory authorities) in REE production and the handling of waste in the two countries.

It is interesting to note that Australian standards forbid the accumulation of waste at the refinery site, while in Malaysia waste can be stored “temporarily” on-site. In fact, Australian standards require waste to be shipped to the burial site immediately as it is produced. Furthermore, Australia's total containment policy mandates that liquid waste needs to undergo evaporation, thus leaving only solid waste for safe disposal. In contrast, in Malaysia the rare earth extraction plant is allowed to discharge liquid waste at the rate of 500 tonnes per hour into the Balok River, which flows directly into the nearby South China Sea, as described previously.

The Gebeng plant is located on land that is prone to flooding. This constitutes a significant environmental risk since floods can spread hazardous waste widely into surrounding areas. The Gebeng-Kuantan area is subjected to the heavy rains of the Northeast Monsoon at the end of every year. The project site was flooded (to a depth of just a few centimeters) because of heavy rain as the plant was being built. Kuantan city

Table 2 Differences in REE Production and the Handling of Waste in Australia and Malaysia

Australia	Malaysia
Waste is buried at Mt Weld, where it came from. No accumulation of waste at the refinery; the waste is shipped to the burial site immediately as it is produced.	No permanent waste disposal plan. Waste is temporarily dumped on-site.
Distance between Mt Weld and the refinery site at Meenaar is 880 km by road.	Raw materials are transported 1,000 km by land and more than 4,000 km by sea to Gebeng.
Nearest population center is 35 km away, with only 1,500 inhabitants.	700,000 people live within 35 km.
Waste is diluted to 2.3 Bq/g.	Waste is not diluted; radioactivity is nearly 3 times higher, at 6.1 Bq/g.
Impermeable ponds, progressively buried when full.	Waste is temporarily covered by an “unspecified” method.
Located in the desert away from the aquifer; annual rainfall 234 mm.	Located on reclaimed swampland; underground water is just 0.95–3.5 m below the surface; annual rainfall 2,860 mm; area prone to flooding.
Total containment policy; all wastewater is evaporated, and all leftover residue is returned at Mt Weld.	500 tonnes/hour of water is discharged to the South China Sea.

Source: *Malaysian Insider* (2012a).

also suffered a major flood, its worst ever, in December 2012 (*The Star*, December 24, 2012).

There appears to be poor governance and lack of citizen input in public decision making when it comes to the Gebeng REE plant. “Poor governance” can be defined as the failure of the authorities to adhere to the laws of the land or to follow relevant regulations and administrative procedures. Many local residents were unaware about plans to build the factory until the *New York Times* published an article about it in March 2011 (Bradshaw 2011). When citizen groups formed to voice their opposition to the project, the governmental authorities responded in ways that failed to alleviate public concerns.

For example, the government invited a team of experts from the International Atomic Energy Agency (IAEA) of the United Nations to evaluate the project. However, many of the recommendations of the IAEA team were not implemented, e.g., the recommendations that the project should come up with a long-term waste management plan, build a PDF to handle the waste that would be produced, and draw up a decommissioning plan for the factory (IAEA 2011).

Another example of poor governance and inadequacy of government action would be the approval of the TOL (valid for two years of production) in February 2012 and its issuance in December 2012, although a long-term waste management plan did not materialize and there were no plans to build a PDF for the waste. Critics of the project tend to view this as a ploy to get the plant built and operating, supposedly on a “temporary”

basis, although the important IAEA recommendations were neglected (S. M. Mohamad Idris 2012).

In January 2012, a major nongovernmental organization in Malaysia called the Consumers Association of Penang voiced its strong opposition to the project and criticized the Malaysian authorities for poor governance and non-transparency with respect to the handling of the REE project. The association urged that no TOL should be issued for the project. It also claimed that various government agencies were acting in an uncoordinated manner (CAP 2012).

In response to criticisms such as these, ministers from four ministries (International Trade and Industry; Science, Technology and Innovation; Natural Resources and Environment; Health) declared jointly that “[t]he Temporary Operating License (TOL) granted to Lynas requires as a specific condition that the company removes all the residue generated by LAMP out of Malaysia. This includes all products made from the residue” (Ministry of International Trade and Industry 2012).

Shortly after, one of the ministers made the seemingly contradictory statement that commercial by-products made from the waste could be sold in Malaysia itself (*New Straits Times*, December 12, 2012). This was after the local managing director of the plant had publicly announced that international law forbade the export of hazardous waste out of Malaysia and that the company would process the waste into marketable commercial by-products called “synthetic aggregate” (Tasker 2012).

Pro-project Malaysian authorities include the prime minister and the chief minister of the state of Pahang. Both Prime Minister Najib Razak and Chief Minister Adnan Yaakob have been defending the project throughout the controversy. Najib said, “We have studied the Lynas project and we have come out with scientific evidence endorsed by local and international experts, that the Lynas plant and rare earth residue are safe” (*Malaysian Insider* 2012b).

The main Malaysian governmental bodies responsible for regulating the project, the Atomic Energy Licensing Board (part of the Ministry of Science, Technology and Innovation) and the Department of Environment (part of the Ministry of Natural Resources and Environment), appear to be consistent defenders of the project. For example, during the worst-ever floods in Kuantan in December 2013, the AELB reassured the public that the “residue” (i.e., waste generated by REE production) storage areas and retention ponds had not been affected by the floods; that radioactive material would not leak into ground and underground water; and that even if there was flooding, there would be no risk of radioactive waste leaking to the surrounding area. However, the AELB also made the contradictory statement that any radioactive material that leaked would be “diluted” by floodwaters to safe concentrations (Lim 2013).

IV Anti-Lynas Movement

In the face of such inconsistent and even contradictory remarks from the Malaysian authorities, it is not surprising that the negative reaction of local residents and the larger Malaysian public has been strong. One suspicion is that Malaysia will be used as a permanent dumping ground for improperly stored toxic waste (both radioactive as well as non-radioactive).

The Malaysian Medical Association (MMA) expressed its concerns about the project in a public statement released in July 2011. In fact, the MMA declared bluntly that it believed that

there remain many unanswered and unresolved questions and concerns regarding the safety and the implementation of the Lynas rare earth refinery plant in Gebeng, . . . we remain deeply concerned that public safety and health concerns have not been adequately met. . . . We need evidence that the plant will be totally failsafe and a guarantee that no harm will be caused to our people . . . the MMA joins numerous individuals, community groups and NGOs in urging the government to stop the Lynas project in order to ensure the protection of our citizens' health and the safety of our environment. (Malaysian Medical Association 2011)

A scientific study commissioned by SMSL from the *Oko Institut* (Institute for Applied Ecology, a Germany-based scientific consultancy firm), which was released in January 2013, concluded bluntly that the proposed processing of waste from the rare earth plant into commercially viable by-products was “scientifically and technically nonsense, and in respect to the so posed risks, careless” (*Oko Institut* 2013). The study also declared that the operation of an REE extraction plant that generated huge amounts of waste like the Gebeng factory “should only be (temporarily or permanently) allowed if the PDF is available, otherwise another dangerous legacy is created and the burden of caring about and disposing these wastes is unacceptably shifted to future generations” (*ibid.*). The study also pointed out severe technical deficiencies with respect to the planned method of “temporary storage” of waste on-site.

Thus, there are multiple areas of concern associated with the project, including the treatment of waste (e.g., no evaporation of wastewater such that only solid waste would remain), storage of waste (“temporary” storage on-site under technically deficient conditions), and disposal (discharge into the nearby river and into the air, with other waste converted into allegedly safe commercial products that can be sold on the market in Malaysia).

All these issues have created worry among local residents and also given grounds for suspicion among the Malaysian public that there could be a financial conflict of interest on the part of ruling regime politicians and the Malaysian authorities and their relevant

regulatory agencies vis-à-vis the REE extraction plant project. The financial arrangement between Lynas and the AELB mentioned earlier casts doubt on the latter's ability to regulate the former in a totally objective manner. Another reason for suspicion is the mention in 2011 (which later disappeared) of an "indemnity fund" set up by the company in cooperation with Malaysian governmental authorities (Chong 2011a). Details on how much was paid into this indemnity fund and who is managing it have not been forthcoming from the parties involved.

Activist groups are continuing their opposition to the plant in various ways. The main groups include SMSL, Himpunan Hijau, and the Stop Lynas Coalition. SMSL has chosen a more legalistic route, with challenges filed using the judiciary system. It has not given up on the strategy of using legal proceedings although the plant has been operating since December 2012. Nevertheless, SMSL has also protested at the headquarters of the parent company in Sydney and attended the parent company's shareholders' meeting to highlight the concerns of Kuantan residents about the entire project. The group has also sought support from green groups and sympathetic politicians in Australia. One of the SMSL leaders said that there has been a "lost [*sic*] of faith and trust on the government brought about by their past responses to queries and appeals by the affected communities" with the phenomenon of "irregular approval procedures" for the REE project.¹⁾

Himpunan Hijau has engaged in more dramatic direct action, including organizing demonstrations at the site of the plant and carrying out publicity-generating events such as the "Green Walk" protest march from Kuantan to Kuala Lumpur, which grew into a mass demonstration with an estimated 20,000 protesters at its final destination. After this, it organized a protest motorcade that went in the other direction, i.e., from Kuala Lumpur to Kuantan. One of the leaders of Himpunan Hijau, Wong Tack, even stood as a candidate for a Pahang parliamentary seat in the Malaysian general election of 2013 (Anisah 2013). Wong Tack was narrowly defeated by the candidate from the ruling Barisan Nasional (BN, National Front). The light green T-shirt with a logo produced by Himpunan Hijau has become an iconic symbol and features prominently at mass demonstrations in Malaysia that push for clean elections and responsive, accountable government.

Activists have been making use of traditional face-to-face meetings as well as information and communications technology (including independent online mass media that are not linked to the Malaysian government) to mobilize opposition both in Malaysia and

1) From personal communication between the author and Bun Teet Tan, Save Malaysia, Stop Lynas (SMSL). Kuala Lumpur, June 23, 2014.

overseas in Australia. Opposition political parties in Malaysia such as Parti Keadilan Rakyat (People's Justice Party), Parti Islam Se-Malaysia (Islamic Party of Malaysia), the Democratic Action Party, and Parti Sosialis Malaysia (Malaysian Socialist Party) have lent their support to the anti-Lynas movement. The member of parliament for Kuantan—from Parti Keadilan Rakyat—has also lent her strong support for the movement opposing the rare earth extraction plant.

The REE plant has become a major political issue in the state of Pahang, where Gebeng is located. Pahang is considered to be a BN stronghold, and the controversy has weakened support for BN in this state. For example, in the May 2013 general election the federal parliamentary seat for Kuantan was won by the opposition. Of the five Pahang state assembly seats under Kuantan, four were won by the opposition (*The Star*, May 9, 2013). The strong support given to the anti-Lynas movement by the opposition party member of parliament for Kuantan, the Right Honourable Fuziah Salleh, has boosted her popularity and shot her into national prominence. Fuziah Salleh pointed out that the government of the neighboring state of Terengganu had actually turned down a proposal by Lynas to build the REE plant in the state in 2007 and demanded to know why Pahang had chosen to allow the building of the plant within its borders (Chong 2011b). Parliamentarian Fuziah Salleh and Pahang State Assembly Person Andansura Rabu have been especially active in opposing the project and in supporting anti-Lynas environmental activists.

The Gebeng rare earth plant controversy has not only weakened support for BN, especially in the Kuantan area, but has also energized the green movement in Malaysia. Thomas Rudel, J. Timmons Roberts, and JoAnn Carmin (2011) note that local residents may turn to foreign environmental activists for help in their environmental battles.

However, they note that the effectiveness of this strategy depends to a certain degree on

the preferences of the international NGOs for working in familiar democratic political settings. . . . The selective engagement of transnational actors means that domestic environmental actors in some of the nations with the greatest needs have difficulty enlisting help from external bodies and pressuring their governments to adopt policies that will reverse trends in resource depletion and environmental degradation. (Rudel *et al.* 2011)

The anti-Lynas activists have had some success in enlisting help from Australian environmental groups and sympathetic politicians from the Australian Greens political party. Help has been forthcoming also from the overseas Malaysian community resident in Australia and from ex-Malaysians (now Australian citizens). However, the mining lobby is strong in Western Australia, and this strategy does not seem to have made much headway.

Robin Chapple, an Australian Greens member of the Legislative Council of Western Australia, declared in response to the approval of the TOL:

For all intents and purposes, this approval looks like the sanctioning of an Australian mining company making use of lax environmental controls and governance arrangements in a developing country. To my mind it has not gone through a rigorous environmental process and should not have been issued. This is a poor representation of Australian notions of “fair play” and good corporate citizenship and one that it seems our State Government is paying little mind to. (Guthrie 2012)

Major political parties in Australia, such as the Australian Labor Party, have been notably silent on the controversy. Thus, Lynn McLaren of the Western Australian Greens, another member of the Legislative Council of Western Australia, declared, “It is unacceptable for the Australian Government to wash its hands of responsibility for the effects of unsustainable mining, whether they are in our own backyard or that of our neighbours” (*ibid.*).

V Ethical Issues Fueling the Controversy

There are ethical issues associated with the siting and operation of the REE plant in Malaysia rather than in Western Australia, since the latter is the source of the rare-earth-containing ore. Local residents oppose the project partly because they were not informed about the project beforehand. Iris Young’s principle of “participatory justice” (Young 1983)—i.e., the right to take part in collective decisions that affect one’s interests—has been violated here. On the other hand, some local supporters of the project—including politicians associated with the ruling BN government—argue that it is generating jobs that pay relatively high wages. Thus, project supporters claim that activists opposing the plant are infringing on the rights of others to make a decent living.

Supporters of the project sometimes argue that the technological spin-offs may be considerable. Ethical questions to be pondered here include the issue of overall costs (direct as well as indirect) versus overall benefits, the distribution of costs and benefits across social groups and across the two countries, benefits arising now versus benefits arising later, and so on. The fact that the plant is wholly foreign-owned and that it has been granted a 12-year tax holiday has led activists to believe that local residents are getting the raw end of the deal, especially in terms of having to bear the health and environmental costs arising from the toxic waste that will be generated (Lit 2014).

The principle of participatory justice is of major importance especially in light of Malaysia’s negative experience with the earlier and much smaller REE extraction plant

built at Bukit Merah on the west coast of Peninsular Malaysia. This plant, owned by a company called Asian Rare Earth (partly owned by Japan's Mitsubishi Corporation), extracted an REE called yttrium from monazite ore. It operated from 1982 to 1994 in spite of protests from residents of Bukit Merah and nearby communities. It was closed by court order in 1992, but the verdict was suspended and eventually overturned by the Supreme Court in 1993. The plant finally closed a year later due to public pressure (including pressure in Japan). Critics argue that there is a link between the waste produced by the plant and physical defects in newborn babies. Furthermore, eight cases of leukemia occurred over five years among a population of only 11,000 people (Koh 2012).

An article on lessons to be learned from the Bukit Merah project declared,

It was a saga that ran for more than two decades, and it pitted the villagers, helped by various civic organisations, against big business and powerful state authorities. An exercise to decommission the ARE [Asian Rare Earth] plant finally began in 2003, but the work to decontaminate the area is still going on and is estimated to cost RM300 million. (*ibid.*)

The Proximity Principle, i.e., the disposal of hazardous waste should be as near to its place of production as possible (Landon 2006), is also violated by the “temporary storage” of waste on-site in Malaysia before it is “processed” into commercial by-products. Other harm that will arise includes economic and psychological harm. Economic harm caused to people employed in the fisheries and tourism sectors, such as loss of livelihood, may not be compensated adequately.

The Gebeng project may also generate externalities for neighboring countries in the form of significant pollution of the South China Sea. A vast amount of waste will be produced and discharged into it. Possible health threats to residents of countries adjoining the South China Sea include airborne fine particulate waste, lead contamination (since process wastewater from cerium production will contain this material), and contamination—radioactive as well as non-radioactive—of seafood caught in the South China Sea. Other questions to be pondered include the possibility of significant damage to mangrove swamps, damage to coral formations, and eutrophication (algae blooms leading to oxygen depletion and death of marine life).

Psychological harm refers to any negative impact of the project on the mental health of nearby residents. One could also argue that the project will have an unfair impact on future generations yet unborn as it will add to the environmental burden they will have to bear (Jamieson 2008).

If the health and welfare of residents are negatively affected, will residents be adequately compensated? And by whom will they be compensated? These will be the next issues surrounding the REE plant in Gebeng.

VI Conclusion

Various factors appear to have led to the approval of the controversial REE plant in Gebeng by the Malaysian authorities in spite of strong opposition at both the local and national levels. I argue that the decision to build and operate the plant in Gebeng and the decision by the Malaysian authorities to approve it are probably due to factors such as the importance of rare earth metals in high-technology production and the resulting necessity of ensuring continued access to REE; geopolitical considerations, with China supplying 97 percent of the market and its seemingly politically motivated actions with respect to supply restrictions of REE on the international market (Hurst 2010); high rare earth prices because of such actions taken by the Chinese authorities; differences in environmental laws and their enforcement between Australia and Malaysia; and poor governance and lack of citizen input into public decision making in developing countries such as Malaysia.

Baotou has paid a heavy price in terms of environmental damage as a center for REE production in China (*ibid.*). However, the Malaysian authorities approved the Lynas project and continue to support it even though Malaysia has had a prior negative experience with environmental pollution caused by the much smaller foreign-owned rare earth extraction plant (partly owned by Mitsubishi) in Bukit Merah, which closed down in 1994 (Sahabat Alam Malaysia n.d.).

Top political leaders, such as the prime minister of Malaysia and the chief minister of the state of Pahang, continue to doggedly defend the project in the face of significant opposition from the Malaysian public, e.g., the “Green Walk” protest march from Kuantan to Kuala Lumpur grew into a mass demonstration of an estimated 20,000 protesters at its final destination.

Opposition political parties did very well in the March 2008 general election in Malaysia, with the BN ruling coalition losing its two-thirds majority in parliament for the first time and a number of important states falling under the control of the opposition too. In the May 2013 general election, the opposition parties did even better: the BN was again prevented from winning a two-thirds majority in parliament. Furthermore, the BN share of the popular vote was only 47 percent. However, the BN remained in power at the federal level because the first-past-the-post electoral system allowed it to win more parliamentary seats than the opposition political parties did.

The green movement in Malaysia has been given a strong boost by the controversy through the support of opposition politicians as well as members of the public. In turn, green activists have encouraged members of the public to vote for opposition political parties since the latter, in the shape of the Pakatan Rakyat (People’s Alliance) coalition,

has stated that it will shut down the plant if it comes to power at the federal level (*Free Malaysia Today*, March 15, 2013).

In terms of economics, a 12-year tax holiday has been granted to the foreign investors. Furthermore, only 350 jobs will be created directly. Meanwhile, future damage to the existing labor-intensive local fisheries and tourism industries could be significant, notwithstanding claims by Lynas and its supporters that the REE project will generate spin-offs and even serve as a catalyst in attracting additional REE-related high-technology investments to the area.

The question arises as to whether there is enough democratic accountability in a country like Malaysia. In other words, are the actions of the authorities sufficiently “transparent” to the ordinary citizens of Malaysia, and have they been carried out in conformity with usual practice in parliamentary democracies? Who would ultimately be responsible for the consequences of the action of granting the operating license to the controversial Lynas project? Furthermore, if the worst fears and predictions of the activists (based on the earlier experience with the Bukit Merah plant and the contemporary example of Baotou in China) come true, will those who suffer physical, economic, and psychological harm be adequately compensated? Who will bear the costs of cleaning up the damage to the environment? Meanwhile, the 700,000 people of the Kuantan metropolitan area (in which Gebeng lies) who are caught in the middle of all this can only continue with their protests and strong resistance to the project with the help of their allies from the rest of Malaysia and overseas.²⁾

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When Memory Speaks: Transnational Remembrances in Vietnam War Literature

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This article offers a brief overview of the problems in representations of the Vietnam War and the Vietnamese people, in Vietnamese, American, and Vietnamese American literatures. Each literary corpus ideologically politicizes collective and individual memory about the war to serve a certain political agenda. Bao Ninh's *The Sorrow of War* and Dang Thuy Tram's *Last Night I Dreamed of Peace*—two narratives written from the perspective of the Vietnamese victims of the war—which are selected for textual analysis in this article, with an emphasis on traumatic memories and suffering, debunk the myth of the just cause of the war claimed by the United States and decenter the Euro-Americacentric view on trauma and human suffering, thus challenging the common, one-dimensional perceptions about the Vietnamese and the Vietnam war in American cultural politics and memory.

Keywords: trauma, postcolonial discourse, Vietnam War, Vietnamese literature, Bao Ninh's *The Sorrow of War*, Dang Thuy Tram's *Last Night I Dreamed of Peace*

The conflicting attitudes toward, and the moral dilemmas surrounding, the Vietnam War are recorded extensively in Vietnamese, Vietnamese American, and American histories and literatures. Each side interprets the war from its own partisan perspective, creating a plethora of opinions and well-argued positions on the political and military conflict. The year 2015 marked the 40th anniversary of Vietnam's reunification, and although nearly half a century has elapsed, the Vietnam War remains actual in the socio-political determinants, literary productions, and cultural memories of both Vietnam and the United States. Viet Thanh Nguyen notes, "So much is told about Viet Nam, and so little is understood" (V. T. Nguyen 2006, 13), and Neil L. Jamieson advises the Americans to "learn more about Vietnamese culture and Vietnamese paradigms in order to untangle the muddled debates about our own," because the Vietnam War is an important event that Americans must excavate in their attempt to understand the Vietnamese and them-

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selves (Jamieson 1993, x). Discourses on the Vietnam War, in the West and particularly in the American cultural memory, have been criticized for their exclusion of the Vietnamese experience and suffering, and even if the Vietnamese are present in U.S. films and books, they tend to be presented as “shadowy cardboard figures, merely one-dimensional stage props for the inner workings of the American psyche” (*ibid.*). Thus, in order to gain a multidimensional understanding of the war, Edward Miller and Tuong Vu suggest a new critical approach, dubbed “The *Vietnamization* of Vietnam War Studies” (Miller and Vu 2009, 2) that accentuates “Vietnamese agency and the sociocultural dimensions of the event as lived and experienced by Vietnamese” (*ibid.*, 5). This approach facilitates examinations of how the war exercises perennial effects upon Vietnamese society and its postwar mentality and how it enriches our knowledge about this conflict. In this article, I respond to the appeal made by Miller and Vu above by highlighting several problems occurring in representations of the war in both U.S. and Vietnamese literature in order to challenge or debunk certain misconceptions about the Vietnamese experience. My analysis of Bao Ninh’s *The Sorrow of War* and Dang Thuy Tram’s *Last Night I Dreamed of Peace* will indicate that these two Vietnamese literary texts function to humanize victims and pay due respect to the wounded and the dead on the Vietnamese side, thus challenging the way U.S. and Vietnamese American cultural politics funnel “all of these histories into the single story” that serves a narrow ideological agenda (Nguyen-Vo 2005, 171). The nameless faces and the faceless names of the Vietnamese victims of the war that Bao and Dang lament demand questioning the “narcissistic myths of the war as a US tragedy” (Schwenkel 2009, 39).

Epic Heroism in Vietnamese Literature about the Vietnam War, 1960 to 1975

Prior to considering the two literary texts selected for this article, it behooves readers to understand how war-related trauma and suffering necessarily were treated in Vietnamese literature produced under the guidelines prescribed by the Hanoi government: writers were required “to support the national endeavor by authoring stereotyped works that featured typical characters and themes and that focused on the goals of the collective struggle” (Schafer 2000, 13). If one were to study the wartime corpus of literature without some background knowledge of its historical and political context, one might mistakenly conclude that the Vietnamese did not suffer excessive loss and pain during the war, because the war was romanticized in the literature, as a propagandistic expedient to invigorate the people in their struggle against the enemy (the Americans and anti-

communist South Vietnamese troops). Vương Trí Nhàn observes, retrospectively: “‘Accentuate the positive, cover up the negative’—this way of thinking has sunk deep into the Vietnamese psyche and silently guides society” (Vương 2008, 182). He also quotes Nguyễn Minh Châu, a well-known Vietnamese author, who wrote that the Vietnamese traditionally have “idealized texts as sacred objects” devoid of “the vulgar and dirty” and that the public expects authors to portray patriotic heroes and their sacrifices nobly and beautifully, without “a single spec of dirt” (*ibid.*). Vương emphasizes that Vietnamese wartime literature had to be ideological, inspirational, and propagandistic because “[o]ne must depict the war in Vietnam as different from all other wars in the world” (*ibid.*, 183). He uses the term *epic-propagandistic* to characterize the wartime literary corpus: in order to achieve victory, a soldier must be ebullient and possess a different mindset by showing “dogged determination and be[ing] able to steel his soul to the suffering of combat” (*ibid.*, 185). Literature that deviated from such criteria was censored and rejected from dissemination.

Anthropologist Christina Schwenkel, in her article on a 2000 photographic exhibition about the war in Ho Chi Minh City, insightfully reminds us that visual images of warfare must be contextualized within specific “structural and ideological frameworks and offer only partial and situated insights rather than transparent historical truths and accuracies” (Schwenkel 2008, 37). Her statement is also germane to our reading of Vietnamese war literature, which attempts to represent the national struggle against the Americans very differently from the way the United States and Western media often portray the “violence and suffering” (*ibid.*). In Vietnam, “[o]fficial narratives of the American War are encoded in images that symbolize *national* heroism and sacrifice, rather than *individual* memories of hardship, loss, and trauma” (*ibid.*, 47). Vietnamese writers were required to produce narratives that celebrated triumphs, virtues, solidarity, and optimism that imbued people with great faith in the Party and the army and that honored those who joined the revolution. For example, Lam Thi My Da’s poem entitled “A Sky in a Bomb Crater” (1972) expresses the speaker’s admiration for the heroine’s distinguished mettle or fortitude:

Your friends said that you, a road builder,
had such love for our country, you rushed
down the trail that night, waving your torch
to save the convoy, calling the bombs on yourself. (Lam 1998, 111)¹

In a later stanza, the speaker romanticizes the road builder’s audacious sacrifice, endow-

1) The poem was published in Vietnamese in 1972, and it was translated into English and published in 1998.

ing her soul with celestial beauty:

Now you rest deep in the ground,
 quiet as the sky that rests in the crater.
 At night your soul pours down,
 Bright as the stars. (*ibid.*)

When the speaker and his comrades pass by this area, they are inspired by the road builder's intrepidity, and in their minds, she has metamorphosed into beacons, "columns of white clouds," and "the sun," beaming light upon the hearts of other soldiers (*ibid.*). The poem does not depict her death as tragic; the pain associated with her death is mitigated because "Our country is so kind" (*ibid.*). The stanzas quoted above can be construed theoretically, based on Shaun Kingsley Malarney's discussion of the definition and connotations of the Vietnamese word *hi sinh* (sacrifice) as: "The revolutionary formulation of selfless virtue was conjoined with the public glorification of death and personal sacrifice to advance the revolutionary cause. The greatest virtue was achieved with death, a transformation that reached its apotheosis in the concept of 'sacrifice' (*hi sinh*)" (Malarney 2001, 49). Because the road builder exemplifies selfless virtue, her death is nobly transformed into sacrifice that kindles in soldiers the fire of patriotism and dedication for the revolutionary cause. Or as Peter Zinoman observes, "Representations of revolutionary heroism" are efficacious in evoking patriotic spirits in wartime (Zinoman 2001, 37).

War causes separation, which is especially traumatic between loved ones, and it generally engenders feelings of sorrow, despair, and loneliness. Phan Thi Thanh Nhan's "Secret Scent" (1969), however, romanticizes the separation of two friends who are lovers. The girl learns about her friend's pending departure for the front, and "She [hides] a bunch of flowers in her handkerchief" when she comes to say goodbye to him, so that the scent of her flowers will follow him everywhere and fill his heart: "Leaving each other / They still didn't speak, / Yet the fragrance sweetens the young man's journey" (Phan T. T. N. 1998, 117).²⁾ In her aforementioned article, Schwenkel notes that, at the photographic exhibition in Ho Chi Minh City, the photos taken by Vietnamese correspondents not only expose the cruelties of war but also capture the solidarity and cooperation between soldiers and civilians by focusing on their daily activities and hopeful futures (Schwenkel 2008, 45–46). She adds that even when deaths and injuries are evident, "the emphasis is on camaraderie," rather than on "pain and suffering" (*ibid.*, 49). Visual images are political-ideological expedients, and so is literature. This fact urges us to

2) The poem was published in Vietnamese in 1969, and it was translated into English and published in 1998.

reexamine how deaths and injuries are portrayed in canonical Vietnamese literature. Nguyen Duc Mau's "The Grave and the Sandalwood Tree" (1969), for instance, is an in-memoriam poem about the death of a fellow soldier named Hung; however, its tone is heroic as the speaker celebrates Hung's fearlessness, their comradeship, and their mutual affection. As the speaker buries his friend, he says,

Not much distance between us now.
 Only a yard of earth separates us. But you don't hear my call?
 A yard of earth becomes an endless sky.
 Now, I miss you more than ever. (Nguyen D. M. 1998, 107)³

The speaker later calls Hung's sacrifice "a source of happiness" (*ibid.*), and Mother Earth tends his grave with blossoming flowers and shining stars. To live the life of a soldier is "beautiful," and Hung's corpse "perfume[s] the earth and sky" (*ibid.*, 109).

Although poems like these served the government's ideological agenda effectively in wartime Vietnam, they undoubtedly have a different effect upon American readers who might fail to see death, separation, loss, and suffering on the Vietnamese side as the tragic and traumatic realities that they, indeed, were to the Vietnamese. A de-romanticized reality was coldly expressed in 1995, when the Hanoi government released the numbers of deaths caused by the long conflict: over three million Vietnamese lost their lives, including both civilians and combatants. The effects of the war remained truly tragic and traumatic in every aspect of postwar Vietnamese society, and they continue to be so even today. This fact is further reaffirmed by Hue-Tam Ho Tai in her essay "Faces of Remembrance and Forgetting," in which she discusses museum photographs of lugubrious faces of Vietnamese mothers grieving the "supreme sacrifice" of their sons who "gave their lives to the cause of independence and revolution." Many Vietnamese women and wives "[hugged] to themselves memories of loss," while others became maritally devastated by the cruelty of war (Tai 2001, 167).

Problems in Representations of the Vietnam War in U.S. Literature

In the 1980s and 1990s, Vietnam War literature in the United States burgeoned, as veterans returning from the war started to write about their experiences in Vietnam. In 1980, the American Psychiatric Association introduced the neurobiological term *Post-Traumatic Stress Disorder* (PTSD) to describe and diagnose the mental and psychological

3) The poem was published in Vietnamese in 1969, and it was translated into English and published in 1998.

conditions of victims of warfare more properly, and another authorial perspective emerged: the literature of trauma. Literary criticism on Vietnam War literature generally tends to be one-dimensional, focusing extensively on the American experience and perspective, and it “is concerned with the ways in which the literature of the war challenges and adjusts American myth” (Jason 2000, 4), and with how a sense of American masculinity is constructed when boys achieve manhood through experience in war (Boyle 2009, 3). This corpus of literature and its criticism have been negatively criticized for their Americentrism and ethnocentrism. Philip H. Melling observes that, in American literature about Vietnam, “the Vietnamese have been culturally undermined”—they are portrayed merely as “figures of darkness and obscurity who live on the wrong side of history, the bearers of a primitive and fallible wisdom who have fallen prey to an atheistic mission and a communist myth” (Melling 1990, 32). This attitude toward the Vietnamese during the war, Viet Thanh Nguyen argues in his book *Race and Resistance*, effectively “served the interests of the United States” because it focused the discourse on *the just cause* of the war (V. T. Nguyen 2002, 111). Peter Marin criticizes the Americans for not being able to “extend our own sense of human reciprocity or responsibility past the ordinary limits of family or nation to include those unlike ourselves” (Marin 1980, 51). The Vietnamese and their sufferings are almost invisible in American literature, and the apologia for this exclusion is based on the pretext that U.S. authors do not have “sufficient knowledge” of the Vietnamese to “feel comfortable in characterizing them,” because, during the war, there was hardly any close contact between the Americans and the Vietnamese. Therefore, U.S. writers focus on the American tragedy instead of the universal tragedy of the war (McGregor 1990, 54). In his book *Vietnam in American Literature*, Philip H. Melling points out that U.S. writers who attempted to portray Vietnam as a country, and not simply as a war, did not attract substantial critical attention:

In our discussion of the Vietnam War, those who write about the Vietnamese people are often relegated to the periphery. In criticism we continue to regard the Vietnamese as second-class citizens, culturally impoverished, socially unimportant, and aesthetically dull. Their presence has yet to fire the imagination of those of use who bring to Vietnam much of the cultural baggage—and the cultural prejudices—of a vast colonial undertaking. The tragedy of indifference is the continuing tragedy of the war itself: the failure to recognize that the war in Vietnam belongs to the country, not the country to the war. For Graham Greene this was the problem that lay at the heart of the American dilemma in Indochina. (Melling 1990, 95)

Melling’s insightful comments explain why, to most Americans, Vietnam remains a war and not a nation with a long history and significant culture. In Bruce Franklin’s words, the United States generally has viewed Vietnam as “something that happened to us, an event that divided, wounded, and victimized America” (Franklin 2003, 28).

The Vietnamese American Perspective

The gear shifted slightly when Vietnamese American literature started to gain some attention in U.S. academe in the 1990s, especially with the publication of Le Ly Hayslip's *When Heaven and Earth Changed Places* (1993) and Lan Cao's *Monkey Bridge* (1998), both of which deal with traumatic memories caused by the Vietnam War and introduce the American readership to another reality—that of the Vietnamese refugees. Isabelle Thuy Pelaud argues that Vietnamese American literature, which focuses primarily on diaspora, displacement, nostalgia, and emotional attachment to the homeland, “provides alternative portrayals of the American War in Vietnam and its legacy” by emphasizing the “complexities and contradictions of abandonment and protection” (Pelaud 2015, 109–110).

The gap between Asian American Studies and Asian Studies recently has become narrower, as scholars in both fields promote transnational discourse, transoceanic interaction, and interdisciplinary research. In the United States, although discourse on Vietnam War literature in the last two decades has attempted to include both the American perspective and the Vietnamese American perspective, the transnational discourse remains incomplete and even biased, as the voice and presence of the Vietnamese nationals have not yet received enough serious consideration. I attended a panel on the future of Asian American studies at the 2014 Association for Asian American Studies conference, held in San Francisco, and one member in the audience expressed his concern about the absence or exclusion of Asian scholars from critical dialogue in the panel. Although all discussants promoted transnationalism and global discourse in the field, the panel members either were born in the United States, or grew up in the United States from very early in their lives, and all had earned graduate degrees from U.S. institutions. In his book *Literary Criticism*, Charles E. Bressler raises a question on the credibility of some critics of postcolonialism who are “products of the Western mindset”: they have completed their formal, advanced education in the West and come from the upper echelon in society; therefore, they do not represent the voice of the subaltern cultures and their peoples (Bressler 2011, 209). To refer to the lens through which most Asian Americans view Asia and Asian people, I coin the term *Amerasia-centricism*. A characteristic of this Amerasia-centricism, to borrow Frank H. Wu's argument on the issue, lies in the perception that Asian Americans feel a need to criticize Asian cultural mores and political policies negatively as “prerequisite” to addressing racial and socio-political in the United States (Wu 2002, 86). To this, I would add that Asian Americans tend to interpret the concepts of freedom and democracy from a Eurocentric viewpoint. In his article “Just Memory, War and the Ethics of Remembrance,” Viet Thanh Nguyen discusses problems of recollection in Vietnamese American literature. He argues that Asian

American literature, in general, is both “an act of resistance against oppression” and “an act of accommodation.” For example, Hayslip’s memoir *When Heaven and Earth Changed Places* has been positively and widely received in the United States because the book not only addresses the cruelties of war but also expresses the author’s forgiveness for the atrocities committed by the Americans. However, her forgiveness cannot be accepted as the Vietnamese people’s general forgiveness of the Americans: the theme of reconciliation in Hayslip’s book “becomes problematic and premature when the historical conditions that produced such pain have not yet themselves been resolved, including American global domination and the inequitable place of minorities within the US” (V. T. Nguyen 2013, 147–148). Nguyen also observes that Southeast Asian refugees in the United States speak out about their trauma, poverty, and oppression, all of which make them empowered or “ideal Asian Americans” whose activism and representation gain attention within the dominant culture. However, they are also “unideal Asian Americans” because they speak from a partisan point of view, expressing an “anticommunist, conservative, and prowar” attitude (*ibid.*, 149), and Vietnamese Americans, in particular, “have the unnerving experience of seeing themselves in those crosshairs of American solipsism and American memory” (V. T. Nguyen 2006, 25).

Like the Vietnamese literature of the period, the Vietnamese American literature fails in objectivity. Many Vietnamese American literary texts about the war illustrate the problems that Nguyen mentions above. By romanticizing South Vietnam before the war ended, supporting the U.S. involvement in Vietnamese politics, and dehumanizing the communists and soldiers of the North Vietnamese Army (NVA), many authors justify their life in exile, express their rapport with the United States, reaffirm their anti-communist political affiliation, strengthen their diasporic solidarity, and gain sympathy from the American public. Ironically, while Vietnamese American refugees left their home country because of discovering an absence of freedom, human rights, and democracy in postwar Vietnam, many of them subsequently have demonstrated extremism and hostility toward those fellow refugees who do not share their anti-communist perspective in the United States. For example, Hayslip says that, after the publication of her memoir, several Vietnamese refugees threatened to kill her because of her former affiliation with the communists during the war. In *Child of War, Woman of Peace*, Hayslip observes that books about Vietnam generally have been authored by “generals or soldiers or politicians or scholars—nobody has told Americans what the war was like for ordinary people, villagers and farmers” (Hayslip 1993, 283). She is the only Vietnamese American author who did not come an elite background—the educated class of wartime Vietnam. Her wartime experience was that of a peasant, and even that of a prostitute. In his most current book, *Nothing Ever Dies: Vietnam and the Memory of War*, Viet Thanh Nguyen notes

that while the majority of Vietnam's population was of the peasantry and of the farming class, Vietnamese American literature is written by or about the "classes above them"; therefore, it fails to represent the voice and experience of Vietnamese Americans in general: "If using literature gives the Vietnamese American author a voice, it does not give a voice to the people for whom the author speaks, or is perceived to speak" (V. T. Nguyen 2016, 208).

It should also be noted that most of these texts focus extensively on the traumatic experiences of the Vietnamese refugees while ignoring those similar experiences of the Vietnamese nationals who fought for the country's reunification. They erroneously assume that the victorious Vietnamese are not subject, as they are, to human suffering. For instance, Lan Cao's *Monkey Bridge* portrays Uncle Michael as an American diplomat, or a representative of U.S. goodwill, who embodies the U.S. efforts to help the oppressed, miserable, and least fortunate peoples worldwide. The narrator's mother, Thanh, lavishes encomia upon the Americans for their amiability, simplicity, and politeness, although she once refers to them as "*day ghosts*" and "*elephants*" (Cao 1998, 241). She compares the Vietcong to "*swarms of invisible fleas*" and "*ghosts*" (*ibid.*, 239), accusing them of forcing her and other villagers to participate in political meetings, donate money, and supply foodstuff from their own meager larders:

[T]here were Vietcong study sessions we were forced to attend, and fund drives we had to contribute to. Rice had to be supplied to the Collective and Purchasing Committee of the Front, in exchange not for cash but for promises of payment and receipts redeemable only after the revolution. There was even a rice-bowl policy, so that everyone had to set aside a designated portion of rice every night for a Vietcong soldier, the way you would for a dead family member. (ibid.)

While the arrival of the Americans to the village signaled presents, joy, and laughter, the arrival of the Vietcong heralded only marauding, indoctrination, and atrocity. Similarly, Kien Nguyen's *The Unwanted* (2001) romanticizes the narrator's happy childhood and his family's wealthy lifestyle in South Vietnam during the war, when the Americans were present, and a few years after the reunification of the country, his mother, Khuon, still hoped that the Americans would return to save South Vietnam. After 1975, his family's mansion was appropriated, and the family consequently lost its privileged, upper-class status. Although the Americans are described only briefly at the opening of the memoir, they leave positive impressions upon Kien's childhood memory. In opposition to this, postwar communist officials, who had affiliated themselves with the NVA, are described as dirty, ugly, uneducated, corrupt, and uncivilized. These prejudicial descriptions of the communists and NVA veterans, and the romanticized depictions of pre-1975 South Vietnam, are also present in many other Vietnamese American texts, such as Jade Ngoc

Quang Huynh's *South Wind Changing*, Truong Nhu Dinh and Tran Thi Truong Nga's *The Last Boat Out*, and Nguyen Qui Duc's *Where the Ashes Are*. Wayne Karlin, in his Introduction to *Love After War*, debunks this biased myth about Vietnamese combatants as he reflects upon his experience of interacting with Vietnamese writers about the war: "I found a common humanity and rapport with them, and when I began to read their stories, I discovered that they both reflected our own heartbreaks and concerns" (Karlin 2003, x).

Another challenge for U.S. readers in understanding the experience of the Vietnamese nationals lies in the limited number of Vietnamese texts that are available in English translation. Since the U.S. diplomatic normalization with Vietnam was achieved in the early 1990s, some attempts have been made on both sides to understand the war from a more balanced perspective. With the publications in English translation of Bao Ninh's *The Sorrow of War*, Le Luu's *A Time Far Past*, Dang Thuy Tram's *Last Night I Dreamed of Peace*, and editors Kevin Bowen *et al.*'s *Mountain River: Vietnamese Poetry from the Wars, 1948–1993*, as well as through international conferences on the Vietnam War and its literature held in both Vietnam and the United States, the war has been re-examined more critically, although many obstacles and ideological myths still impede true dialogue.

Trauma and the Politics of Remembrance in Bao Ninh's *The Sorrow of War* and in Dang Thuy Tram's *Last Night I Dreamed of Peace*

The Sorrow of War is the first Vietnamese novel written about the Vietnam War to be translated into other languages, and it first appeared in English in 1994. Upon its initial release in Vietnam in 1987, the novel had a different title, *Thân phận của tình yêu* (*The Destiny of Love*), and even though it had won a prestigious award from the Vietnam Writers' Association and was widely received by the Vietnamese readership, it was soon after mysteriously banned for a year, primarily because it entered realms of cultural politics antithetical to the Party's policy directives. The "destiny" of this novel seems to have been prophesied in its original title. *The Sorrow of War* represents the spirit of the Vietnamese literature of the Reform (or Renovation) period of the late 1980s, when writers began to critique societal reality more vigorously, focus upon individual experience more insightfully, experiment with unconventional narrative styles more imaginatively, and expose negative perceptions more candidly. In his summary article on Vietnamese literature since 1975, and more specifically the period between 1986 and the early 1990s, Nguyễn Văn Long observes that such authors as Nguyen Minh Chau, Bao

Ninh, Duong Huong, Nguyen Khac Tuong, and Ma Van Khang are pioneers in portraying dark corners of reality that had been sugar-coated under the veneer of propagandistic romanticization. These authors candidly use their works as “wake-up calls” to draw the public’s attention to various frustrating, anguishing social issues, as a response to the new mission of Vietnamese literature, which encourages artists to “enthusiastically reform society, express aspirations for democracy, and demonstrate candidity in critiquing reality directly” (Nguyễn V. L. 2006, 12; my translation).⁴⁾

Prior to my discussion of *The Sorrow of War*, it is important to contextualize the novel within the literary movement of the Reform period, which has attracted substantial attention from Western critics. In 1986, Le Luu published *A Time Far Past*, which became a glorifying success as he critiques the psychological effects of war and “collective concern” upon the male protagonist Sai, who is unable to adjust himself to postwar marital life and society. John C. Schafer notes that Sai has always had to live his life according to the expectations of his family and society; thus the novel emphasizes the “private battles” and “the hopes and fears of individuals” (Schafer 2000, 13–14). With the appearance of *The General Retires* (1987), Nguyen Huy Thiep established his reputation as one of the most prominent writers of the late 1980s. After having devoted all of his youthful life to the national resistance against the French and the Americans, the general finds himself alienated from a postwar society that views him merely as a forgotten piece of wood. In an interview, Nguyen stated that he “was interested in judgments about the work’s literary merits [. . .] rather than assessments of its political or social project.” He refuses to follow the traditional portrayals of “colorless, monotonous, and one-dimensional characters” by examining the richness and profundity of the gamut of human emotion and comportment, often times through sarcasm and irony (Dinh 2006, 492). Peter Zinoman observes that in Nguyen’s fiction, he critiques the state’s “prescribed and policed socialist realism” (Zinoman 1994, 304). Duong Thu Huong’s *Paradise of the Blind* (1988) is another salient example of this literary movement, but unfortunately it was banned in Vietnam due to its political incorrectness: her novel criticizes patriarchy, rampant corruption, and bureaucracy in postwar socialist Vietnam, and the female protagonist Hang eventually has to free herself from the suffocating past of her family and national memory. By doing so, Hang “embodies a totally different attitude toward [the] revolutionary past” and articulates her “yearnings for different futures” (Tai 2001, 8–9). Duong is a maverick whose fiction is a polemical counterblast to the ugly realities camouflaged under socialist idealism, and Linh Dinh, a Vietnamese American author and

4) For more information about Vietnamese literature since the mid-1980s, see Nguyễn Ngọc’s “An Exciting Period for Vietnamese Prose,” which has been translated into English and published in *Journal of Vietnamese Studies* 3, no. 1 (2008): 197–219.

translator, insightfully notes that “many Vietnamese writers [of the Reform period] are not concerned about “the exigencies of war and politics,” but that they “are plumbing their own subjectivity and reinventing the multifaceted self” by not conforming to “[t]otalitarian, dogmatic truth” (Dinh 1996, xiv).

Paralleling the literary ideologies promoted during this period, in *The Sorrow of War*, Bao empowers his protagonist to explore his personal reflections and memories, and he resists adherence to the official history of the Vietnam War mandated by government agencies. Memory plays a significant role in the protagonist’s search for self-identity, because memory “establishes life’s continuity; it gives meaning to the present, as each moment is constituted by the past. As the means by which we remember who we are, memory provides the very core of identity” (Sturken 1997, 1). Vietnamese culture often is portrayed as a culture of remembrance: the media and a common set of images, ideas, and texts record the nation’s past and reinforce the public’s awareness of important facts and events. War memorials, war monuments engraved with “The Fatherland is grateful,” and cemeteries for the martyred dead are built everywhere in Vietnam to honor the fallen soldiers of the victorious and reunited country. Hue-Tam Ho Tai observes that in the postwar period, the Vietnamese government “has tried to shape collective memory,” which is equated with a significant form of “cultural production,” in order to emphasize the necessary and unbreakable nexus between the national revolution against the Americans and Vietnam’s preceding struggles for independence (Tai 2001, 177). *The Sorrow of War* weaves the protagonist’s individual memory into the nation’s collective memory, and by doing so, the novel both subverts the official narrative of historical events and diversifies the collective memory, which heretofore has been ideologically limited; or to borrow Tai’s words from her Introduction to *The Country of Memory: Remaking the Past in Late Socialist Vietnam*, the protagonist’s private memory and counternarrative are “powerful weapon[s] against the totalitarian conspiracy of silence” for the sake of political hegemony and official commemoration reinforced by the state (*ibid.*, 7).

Bao’s novel can be categorized under the rubric of the literature of trauma. Andrew Ng describes the traumatic memories portrayed in the novel as “the unspeakable” and “the unrepresentable,” those which resist linguistic representation and defy attempts to impose meaning upon them (Ng 2014, 85–86). *The Sorrow of War* is a quasi-autobiographical fictional account (not a memoir) that displays the emotional and psychological wounds caused by warfare in thousands of Vietnamese veterans, including the author himself, who joined the national revolution against the Americans from 1969 through 1975. The novel’s protagonist, Kien, is plagued by the traumatic and indelible memories of his past experience: the deaths of his comrades, the atrocities of war, the haunting images of damaged souls, and the fragility of human life. Unlike most previous Vietnamese fiction

about the war, which was used as propaganda to extoll heroism, promote patriotism, and romanticize soldiers' experiences on the battlefield, *The Sorrow of War* condemns how the cruelties of warfare enervate soldiers' spirits and cause lasting mental, physical, emotional, and psychological damage to those who suffered through them.

A salient characteristic of the literature of trauma is a fragmented plot, resulting from the victims' inability to articulate their thoughts coherently. After his deployment, Kien processes his war-zone trauma in order to construct personal meaning out of his experience. The war-zone reality is so devastating for Kien that it violently intrudes upon and disrupts the present, and the line between past and present, space and time, becomes blurred, as Kien struggles to understand the incomprehensible past while attempting to achieve reconciliation with it. Ng notes that Bao depicts Kien's tragedy through both *what* cruelties surface and *how* they are translated into language (*ibid.*, 84). Kalí Tal explains that traumatized victims constantly write and rewrite their traumatic experiences "until they become codified[,] and narrative form gradually replaces content as the focus of attention" (Tal 1996, 6). In *The Sorrow of War*, events are narrated non-chronologically, through a mediated consciousness: Kien is unable to enjoy his present moments because lingering war-related memories and the powerful emotions evoked by them constantly intrude into his consciousness. The traumatic scars of war impede Kien's ability to establish events in a linear order or see them in logical, cause-and-effect relationships. He cannot translate the chaotic ebb and flow of his combat flashbacks into a conventional narrative, with a beginning, a middle, and an end. Thus, the novel's plot is structured around Kien's "sensations of psychical/temporal dislocation" (Ng 2014, 88). This psychological phenomenon, Cathy Caruth insightfully explains, results from the fact that the traumatized victims "carry an impossible history with them, or they become themselves the symptom of a history that they cannot entirely possess" (Caruth 1995, 5). Therefore, Elizabeth A. Waites defines *trauma* as "an injury to mind or body that requires structural repair" (Waites 1993, 22), and a common way to "repair" the injury is through *scriptotherapy*—"the process of writing out and writing through traumatic experience in the mode of therapeutic reenactment" (Henke 2000, xii). Kien transforms his experience into fiction, attempting to find healing and self-redemption through such scriptotherapy, but his pen refuses to comply with his intended plan to piece together a postwar plot about the Missing in Action Remains-Gathering Team. Living in postwar Vietnam, Kien struggles to return to his prewar life: "He drinks to stay awake"; alcohol helps him become more alert, imaginative, and creative, especially at night, because "[i]t seems that darkness truly reflects the darkness of his soul" (Bao 1998, 107). Kien hopes that writing down his memories will help him "rid himself of his devils" and mitigate his trauma: "[t]he spirits of all those killed in the war will remain with Kien beyond

all political consequences of the war (*ibid.*, 44, 57). Writing becomes a therapy for Kien's repressed memories because it helps him redirect his frustration, agony, paranoia, and fear, especially when he is unable to communicate these "unspeakables" directly to any other human being.

In postwar Vietnam, there is no battlefield and no bombardment, but Kien's mind contains its own battlefield, and the sounds of screaming souls call to him in his sleep as Kien is unable to exorcise the demons of war from his consciousness: "And now his whole fighting life parades before him, with troops of dead soldiers met on the battlefields returning through a dim arch in an endless dream. The echoes of the past days and months seem like rumbles of distant thunder, paining then numbing his own turbulent soul" (*ibid.*, 22). Caruth points out that a traumatized victim, when directly confronting reality, often experiences "an absolute numbing to it" (Caruth 1995, 6). She further emphasizes that traumatic remembrance is by no means synonymous with memory, literally, because this act of recollection conflicts with the inaccessibility to the past "through the very denial of active recollection" (*ibid.*, 151–152). Kien struggles with how he should comprehend past catastrophic events and where truth actually resides. In her book *Unclaimed Experience*, Caruth once again elaborates upon this complicated issue, stating that the traumatized victim is trapped "between knowing and not knowing," which can be seen in "the language of trauma and in the stories associated with it" (Caruth 1996, 3–4). Echoing Caruth's observations, Dominick LaCapra draws our attention to the fact that the disruption engendered by trauma deprives the self of the ability to articulate itself effectively and meaningfully. In fact, trauma "has belated effects that are controlled only with difficulty and perhaps never fully mastered" (LaCapra 2001, 41). The ghosts of Kien's war are seen in the recurring images in Bao's novel, and Heonik Kwon reminds readers of the novel that, because the images are associated with "the troubled memory of the war," the readers must bear in mind that death in this war occurred primarily in Vietnam and that "it is the Vietnamese who count [as] the vast majority in the list of the war dead" (Kwon 2008, 13–14). That Kien, in postwar Vietnam, serves as a member of the Missing in Action Remains Gathering Team is important: as a war survivor, his excavation task to restore fallen soldiers' bones evokes gruesome memories about the war, reminding him of the unrelenting impact of severe trauma, and of the constant threat of mortal danger that he and his comrades had faced. The nightmares that constantly haunt Kien in his sleep suggest that he not only is suffocated by brutal reality but that he also is unable to comprehend its violence (Caruth 1996, 6). While peace should be celebrated and enjoyed, Kien must conduct his persisting, internal war, in which "[a]ges and times were mixed in confusion, as were peace and war" because "peace is a tree that thrives only on the blood and bones of fallen comrades" (Bao 1998,

37). Kien's traumatic memory disruptively intersects Vietnam's hegemonic history in this way: whenever he recollects calamitous events, he suffers "the same quality of shock or disruption" (Leys 2000, 10). Thus, postwar peace, to him, is not rewarding but a reminder of tragic deaths, sorrows, and sanguinary battles.

The damages caused by warfare are incalculable, and the sorrows associated with them often are unbearable. Fear, agony, frustration, and anxiety dominate Kien's psyche. For him, "war was a world with no home, no roof, no comforts. A miserable journey, of endless drifting. War was a world without real men, without real women, without feeling" (Bao 1998, 27). These felicitously written lines capture the entire picture of Kien's war, in which tragic death, bloody massacre, and human vulnerability comprise the human condition: "Dying and surviving were separated by a thin line" (*ibid.*, 81). Christina Schwenkel, in her book *The American War in Contemporary Vietnam*, comments that, by emphasizing the horrors of war, especially the sounds, smell, and images associated with death, injuries, lost souls, and suffering—all of which "permeated the solemn air for years"—the novel gives "representation to individual suffering in a broader context of pervasive social trauma" (Schwenkel 2009, 63). Kien learns, from his 10 years as a combatant, that romantic love becomes a luxury because the fear of death deprives combatants of their sense of humanity.

The Sorrow of War, a novel of disillusionment and subversion, deviates thematically from the orthodox Vietnamese war literature that promotes the Vietnamese government's agenda of praising the national revolution and the spirit of noble sacrifice. Postwar literature was expected to portray the war as a heroic endeavor and to view the reunified Vietnam through a rose-colored lens. Bao's iconoclastic novel does not comply with these tenets. Its depictions of "rampant but admittable despair, uncontrollable violence, broken dreams, and pain" help to explain why it was once banned in Vietnam (Janette 2015, 51). Kien neither romanticizes nor glorifies the soldiers' experience on the battlefield. In most traditional Vietnamese literature about war in general, the image of the soldier has been idealized and ennobled; tragic events involving soldiers are uncommon, and even if tragic events occur, they are depicted with elements of heroism. Soldiers in Vietnamese war narratives live and fight for the collective cause, and they repress their personal feelings and inner crises. Living in postwar Vietnam, Kien, unlike traditional Vietnamese war heroes, feels imprisoned by memories of his hellish past: "Since returning to Hanoi I've had to live with this parade of horrific memories, day after day, long night after long night. For how many years now" (Bao 1998, 41), and these memories bring him only "utter isolation" and "spiritual emptiness" (*ibid.*, 67) as he is unable to salvage his life and career. Kien also considers the way the local authorities treat his fellow soldiers, searching their pockets "as though the mountain of property that had

been looted and hidden after the takeover of the South had been taken only by soldiers” (*ibid.*, 73). In his description of postwar Hanoi, he exposes its “loneliness in poverty,” characterized by “unbroken, monotonous sorrow and suffering” and “cheap flashing lights” (*ibid.*, 138). After 10 years of fighting the war, Kien is unable to appreciate the arrival of peace: how can he enjoy peace when his comrades have suffered so long from hunger, cold, malaria, and death? A soldier does not have the right to choose his fate or destiny; he responds to external circumstances; he basically is powerless to do otherwise. The former soldier drinks, thinks of women, dreams of family reunions, or seeks solace in drugs to evade the ghosts of the warfare that has been experienced. The soldiers’ wartime lives were defined by endless fighting, and former combatants generally do not perceive their former military duties as noble and glorious. At the time, they had no other choice, trapped, as they were, in a meaningless game named *war*. Bao humanizes his protagonist by highlighting his simple aspirations and his continuous effort to live with past trauma. Kien is not developed as a traditional hero; he is a victim of the events that determine the sorrows of his life.

A question arises concerning how Bao’s *The Sorrow of War* could be interpreted in terms of truth claims and historiography. Dominick LaCapra analyzes the relationship between narrative structures and truth claims profoundly in his book *Writing History, Writing Trauma*. He coins the term *traumatic realism* in his discussion of art (more specifically, fiction) and historiography (LaCapra 2001, 14): “Truth claims are neither the only nor always the most important consideration in art and its analysis. Of obvious importance are poetic, rhetorical, and performative dimensions of art which not only mark but also make differences historically” (*ibid.*, 15). The language and plot development employed by Bao highlight how the present and future are blocked by the “compulsive repetition of traumatic scenes” (*ibid.*, 21). Kien camouflages his personal emotions and private memories as a way to present multiple histories and to deconstruct the orthodox History policed by the government.

Last Night I Dreamed of Peace, a diary by Dang Thuy Tram, was first published posthumously in Vietnam in 2005, and its English translation was released in the United States in 2007. Commenting upon that book, Vietnamese American author Bich Minh Nguyen emphasizes the importance of Dang’s diary in her brief review of the book in *The Chicago Tribune*. In the United States during the last 40 years, the Vietnam War usually has been interpreted from an Americacentric point of view, but for this reason crucial elements tend to be omitted: “the voice of the Vietnamese and, even more so, the voice of the ‘other side’—the North Vietnamese.” The English version of Dang’s diary “helps fill this gap and presents a major contribution to the literature of the Vietnam War” (B. M. Nguyen 2007, n.pag.). Richard C. Paddock, in his discussion of Dang’s diary in the *Los*

Angeles Times, asserts that the book is “an emotional account of sacrifice, love and bloodshed, the diary humanizes an enemy of America once demonized as ruthless and sneaky” (Paddock 2006, n.pag.). Clearly, *Last Night I Dreamed of Peace* enables U.S. readers to reconsider the war and adjust the dehumanized image of the Vietnamese communists projected by most American writers. The diary also questions the “just cause” for the Vietnam War, which the United States has claimed.

Historically, American political involvement in Vietnam began in the late 1940s and early 1950s, when American support of French interests there arrived through allotments of aid and deployments of advisors. The escalation of that early involvement into a larger-scale military commitment by the United States occurred during the 1960s under the Johnson administration. It reached a turning point when the Tet Offensive of 1968 proved the determination of the communist partisans to reunite their divided nation. It was during this climactic period of concerted communist effort that Dang volunteered her service. The original title of the diary in Vietnamese was simply *The Diary of Dang Thuy Tram*. Translator Andrew X. Pham changed it to *Last Night I Dreamed of Peace* for its English publication. An interesting history lies behind the publication of the diary. In 1970, Frederic Whitehurst, an American intelligence specialist, captured Dang’s diary but did not burn it, although he was ordered to destroy any seized documents written by the communists that had no intelligence value. He returned to the United States with Dang’s diary in 1972 and kept it until 2005, when he decided to give it to Dang’s family in Hanoi. For several months, following the publication of the diary in 2005, it became a much-discussed topic in all national newspapers and public media in Vietnam, and it still foments strong sentiments among Vietnamese readers of all generations. Its English version reaffirms the fact that the Vietnam War served primarily an American political agenda. For American audiences, the diary highlights a Vietnamese spirit of humanity and survival amid the chaos, atrocity, and destruction caused by the war, which presented a new perspective for an American audience. It is its positive spirit that transforms the diary into a literary text worthy of international attention, and since 2005, the diary has been published around the world, in more than 20 languages.

Dang’s diary chronicles her life as a civilian doctor between April 8, 1968, and June 20, 1970. After graduating from Hanoi University of Medical Studies in 1966, Dang immediately volunteered to serve in the country’s war against the Americans, joining the National Liberation Front. In March 1967, she arrived in Quang Ngai, a province in central Vietnam, where she was assigned to work at the Duc Pho Hospital, a civilian hospital but used primarily to treat injured communist soldiers. As a diary, the text is fragmented and somewhat difficult to follow because it does not have a central plot, and names are mentioned but often are not contextualized. The diary reflects, rather, Dang’s

daily or weekly thoughts and feelings about the war, the goals of the revolution, the Vietnamese Communist Party, Dang's comrades and patients, her nostalgia for Hanoi, and her homesickness.

Despite its purely chronological presentation of events, many recurring themes are developed, which provide coherence: the professional challenges Dang encounters as a doctor in an inadequately equipped, thatched-roof clinic in war-torn Vietnam; her abhorrence for the Americans who were killing her countrymen and destroying her country; the patriotism and heroism of the communist soldiers; and the fragile divide that separates life and death amid the cruelties of war. On April 27, 1969, Dang returned to her clinic after an evacuation and witnessed the ubiquitous destruction caused by American bombing, which saddened her deeply. She wrote: "Last night, a dream of peace came to me [. . .]. Oh, the dream is not mine alone, but it's the dream of Peace and Independence burning in the hearts of thirty million Vietnamese and in millions of people around the world" (Dang 2007, 111). The English title of the diary emphasizes Dang's and the Vietnamese people's burning desire for peace and for an end to suffering caused by war. The word *dream* suggests that peace remained for Dang an almost unattainable dream, because the war would not end soon.

At the opening of her diary, Dang quotes a famous statement from Nikolai Ostrovsky's *How the Steel Was Tempered*, a Russian novel about courage and self-sacrifice for a socialist, labor-exploitation-free society: "All my life and all my strength have been dedicated to the most noble goal in life, the struggle to liberate the human race" (*ibid.*, 3). This statement expresses the philosophy of her life, permeating all of her thoughts and actions, as well as those of many other communist soldiers and civilian workers. Dang's diary shares many themes common to other literary texts and memoirs about war: it portrays the human body in pain and the terrors and absurdities of war; it treats comradeship, love, and humanity vs. enmity, rancor, and violence; it celebrates a resilience of the human spirit and an undefeated optimism for a better future. Judith B. Walzer, therefore, lauds the diary for its "human qualities that much of the American literature [about the Vietnam War] lacks" (Walzer 2010, 99). Love and war, of course, form a leitmotif in *Last Night I Dreamed of Peace*. Despite the horrors of war and the scenes of death that Dang and her comrades witness daily, American weapons and bombardments cannot extinguish their longing for peace and liberty.

The Vietnamese communists and soldiers are not stoic, unemotional "jungle fighters" as they often are stereotyped in American writings. Haywood T. Kirkland, an African American veteran, says that before U.S. soldiers went to Vietnam, they were trained to detach themselves from the realities of a war zone and instructed "not to call Vietnamese 'Vietnamese.' Rather, everyone is called gooks, dinks, slant-eyes, and not

talked about as people and not to be treated with mercy or apprehension” (Terry 1984, 90). The reason behind this practice was to free U.S. soldiers from moral dilemmas, so that killing the enemy would be perceived as tolerable. Even as the United States racialized and dehumanized the Vietnamese, Dang humanizes her countrymen: her diary is replete with human interactions and affectionate exchanges between fellow nationals. She writes, for example, “A wounded soldier under my care wrote me a poem [. . . which] was filled with compassion for my broken heart, it spoke of the bitter grief of a girl betrayed by her lover” (Dang 2007, 7). At the time, Dang is upset with her own lover, M., who has become indifferent to her feelings, but in this scene the reader sees that she finds consolation in the abundant affection that she receives from her soldier patients, friends, and nurses. The romantic soul of the Vietnamese infuses Dang and many soldiers with the courage and confidence to overcome fear and danger, even when they know that death is a constant companion to all in wartime Vietnam.

Occurrences of bravery and self-sacrifice for the noble cause of reunification are noted throughout the diary. Many soldiers and colleagues that Dang mentions or describes reveal these qualities; they are true patriots and nationalists fighting for the liberation of Vietnam. The possibility of being captured and tortured does not make them unduly fearful or tractable. She writes: “The war has not hindered our nation on the road to victory (of course it has suffered grievous wounds, but it marches forward like a wounded soldier who still has a smile on his lips and determination and conviction in his heart)” (*ibid.*, 37). Comradeship and solidarity strengthen platonic sister-brother relationships and motivate comrades to fight heroically for the realization of their two most cherished aspirations: “Independence and Liberty,” and Dang herself is “ready to die for the final victory” (*ibid.*, 27, 93). She emphasizes that no victory can be attained without sacrifice.

It is important to be aware of the genre of *Last Night I Dreamed of Peace*. Because it is a diary, and its author did not intend to have it published, it records the perceptions of her individual “I” and her private reflections on the war and the Party, which were not censored. Thus, as she criticizes corrupt and parochial communist cadres, exposes the atrocities of war, and contemplates the tragedy that her countrymen must endure, her diary does not conform to the strict constraints imposed by government agencies upon the writing of history. The daily entries reflect her internal battles and express her personal fears, hopes, and frustrations. The diary portrays “purity and innocence” in the attitude of its author, who devoted her entire life to the communist cause (*ibid.*, 110), or to the idealized paradigm of values iterated and published publically as guidelines for the national revolutionary struggle for a reunified Vietnam. However, Dang does not romanticize war. Unlike Bao, she does see the revolution as an epic struggle for the right of

self-determination of political identity for Vietnam, and she does view the efforts of the Vietnamese people, both military and civilian, as heroic. She condemns the Americans for their war crimes and atrocities, laments the tragic deaths of Vietnamese soldiers and civilians, grieves with families whose sons or daughters are killed, and emphasizes the incomparable sacrifices that the Vietnamese people must make for liberation's sake: "War means losses. On this scorching soil of the South, it seemed one hundred percent of the families had suffered a loss. Death and suffering weigh heavily on each citizen's head" (*ibid.*, 24); she later adds, "day after day, blood pours, bones shatter" (*ibid.*, 27). Like Bao's *The Sorrow of War*, Dang's diary highlights the thin line that separates, even in peacetime, life and death, which is made all-the-more narrow by the cruelties and absurdities of warfare. Tragic but often heroic deaths, or severe and often mortal injuries, are images that recur on almost every page of *Last Night I Dreamed of Peace*. Thus, the conditions of trauma come to define the usual experience of the life that Dang's diary records. Humans necessarily live on the cusp between life and death. Gunfire, bombing, fighting, and possible imprisonment bracket one's life dramatically and focus the mind upon the existential moment. Dang perceives the cruel reality of war when she all-too-often receives news of the deaths of her comrades: "I suddenly thought of my dear ones in both parts of the country, and told myself, Death is so simple" (*ibid.*, 121). Unlike Kien, in *The Sorrow of War*, however, Dang stands as a witness to much of the trauma experienced in battle. Her personal experience remains peripheral, while Kien's direct experience more seriously impairs his ability to break free of the existential moment and live again in the challenging continuum of time, the medium through which a meaningful postwar life is to be constructed.

The diary acerbically condemns American atrocities. The fire of hatred for the American enemies burned deep in the thoughts of Dang and in the hearts and minds of millions of Vietnamese people. She accuses the Americans of "trampling on our nation and killing our countrymen" and of raining havoc upon Vietnamese families who "are still scattered in all directions" (*ibid.*, 86). Language fails to expose fully the deep-seated resentment for war crimes that the Americans perpetrated in Vietnam and for all of the suffering that the Vietnamese experienced due to the long-term effects of those atrocities: "This is war; it spares no one, not a baby or an old woman, and the most hideous thing about it is the bloodthirsty Americans" (*ibid.*, 149). Dang uses obloquies to describe the Americans, referring to them as "devil bandits," "invaders," "the enemy," "bloodthirsty devils," "foes," and "imperialists" (*ibid.*, 84, 119, 118, 47, 83, 187), and she calls President Richard Nixon a "mad dog" who "has foolishly enlarged the fighting" (*ibid.*, 210).

Dang's fragmented diary is unified in part by the metaphorical recurrence of the

word *fire*. When Frederic Whitehurst was about to burn Dang's diary along with other seized documents, his Vietnamese translator Sergeant Nguyen Trung Hieu alerted him: "Don't burn this one, Fred. It has fire in it already" (Fitzgerald 2007, xvi). Dang's use of the word *fire* bears various layers of metaphorical meaning. It refers to the fire of patriotism and sacrifice, the fire of youth and service, the fire of love and comradeship, the fire of the revolution, the fire of desire for peace and a unified Vietnam, and the fire of partisan animosity for the American enemy. It is these references to raging fires that compelled Whitehurst to reread Dang's diary repeatedly for more than 30 years, to gain on-going understanding of the war from the "other side." It is these fires that help make Dang's diary a very significant literary text in Vietnamese, and an important historical document in the transnational discourse on the Vietnam War, as it makes visible the sufferings of the Vietnamese people during the devastating conflict.

Contextualizing Dang's *Last Night I Dreamed of Peace* within the postcolonial discourse on war and trauma is difficult because of its uniqueness as a text. Her diary does not treat the theme of traumatic memory, as does Bao's *The Sorrow of War* does, because Dang was martyred to her political cause before the retrospective conditions of a memoir, or of a fictional reconstruction of past events, could prevail. However, her family, and especially her mother, who read the diary must deal emotionally with the memories that the diary evokes. Her mother is "unable to bear reading more than a few passages at a time" (Võ 2008, 201), because the painful recollection of wartime events continues to impinge upon her present moments. The Vietnamese version of the diary, published in Vietnam in 2005, adds a brief anecdote about the journey taken by the diary, written by the author's younger sister, Đặng Kim Trâm, who writes: "Mrs. Doan Ngoc Tram, Dang Thuy Tram's mother, has agreed to have the book published although she has not dared read twice the bloody lines written by her own beloved daughter thirty-five years ago" (Đặng 2005, 27, my translation). The photo of her mother holding the diary close to her chest at the Vietnam Archive of Texas Tech University and her moving words, "Her corpse is in Vietnam, but this is her soul. [. . .] She's right here in front of me. I want to hold her, but I cannot. I can only hold her diary," emphasize that the war and memories of lost loved ones pressure the present (A. Phan 2005, n.pag.). The lingering vexation of inexpressible grief caused by the war haunts Dang's mother, as her memories of extreme personal suffering continue to register as the lingering effects of trauma caused by a mother's loss of a daughter to the senselessness of wartime events. Although Fred Whitehurst's return of the diary to Dang's family in Hanoi 30 years later and its subsequent publication in Vietnam stand as tangible acts of contrition, on the one hand, and of reconciliation, on the other, "the emotions are no less intense for those who lived through the war," as both sides were victimized mentally, emotionally, and physically (Võ 2008,

196). Diane Niblack Fox, in her essay on “Fire, Spirit, Love, Story [in Dang’s *Last Night I Dreamed of Peace*],” states:

Through an interaction of narrators and listeners in the process of recasting traumatic events—events that engulfed them and stripped away their previous identities, threatening to turn them from active subjects and victims—storytelling creates new narratives that restore agency and give narrators some control over the events that overpowered them. The challenge is to tell stories in such a way that they both bear faithful witness to the past and transcend its deadly limits. The publication of Dang Thuy Tram’s diaries as *Last Night I Dreamed of Peace* may be one such retelling. (Fox 2008, 220)

The diary became a best-seller in Vietnam because the Vietnamese born after the war find the book’s personal reflections on love, perseverance, homesickness, and nostalgia appealing, while the veterans who had joined the revolution in their early 20s identify with the death or the memory of missing loved ones, which the diary depicts so heart-wrenchingly (Võ 2008, 200). Vrong Trí Nhàn, in his article “*The Diary of Dang Thuy Tram* and the Postwar Vietnamese Mentality,” states that the book “happened to appear at a time when Vietnamese were yearning to understand more about the war’s impact on society. In the diary they found an account of the war in real time, enabling them to look back and examine both its conditions and participants” (Vrong 2008, 189). It is such immediacy that defines the uniqueness of Dang’s diary within the context of Vietnamese war literature.

While trauma generally has been studied through a psychoanalytical lens in the West, war-related trauma often is dealt with from a cultural and ritual perspective in postwar Vietnam. In *Culture, Ritual and Revolution in Vietnam*, Shaun Kingsley Malarney rightfully observes that the Vietnamese government recently has become more “tacitly tolerating, and sometimes encouraging” when it comes to ritual practices, although it theoretically endorses Marxist materialism (Malarney 2002, 1–2). In 1996, the Center for Studying Human Potentialities was established as a necessary response to the needs of families searching for missing-in-action or dead soldiers of the Vietnam War. Interestingly, with the assistance of spiritual mediums, several families have been able to retrieve the remains of war martyrs.⁵⁾ Malarney describes the “audible sobbing” and “distress inflicted by their loved one’s death” when members of the deceased’s family learn about how their soldier had died and where the soldier had been buried in wartime Vietnam. It should be noted that dead soldiers were buried where they fell, and only “[f]ew were

5) A few years ago, the BBC and the Discovery Channel broadcasted a 45-minute documentary film on how Vietnamese spiritual mediums proved successful in locating unidentified graves of the honored dead. <https://www.youtube.com/watch?v=z--4NZklTA0>

transported back to their natal villages for burial” (*ibid.*, 181, 183). Wayne Karlin states that missing-in-action soldiers and war martyrs who lost their lives on the battlefield are “wandering souls [...] that still haunt Viet Nam” (Karlin 2009, 183). This fact is portrayed vividly in *The Sorrow of War*, as Kien is unable to enjoy any moment of postwar peace while his comrades are still wandering souls in the jungles. Vietnamese families who lost their loved ones in the war suffer, of course, from psychological trauma, especially when the families have not been able to locate where the martyrs were buried and to commemorate their deaths properly, which requires the presence of the deceased’s corpse. Karlin adds, “It is as if the arc of trauma and recovery has been given corporality in the form of the dead who still need to be discovered, disinterred, and brought home again, wrapped into the lives of their families” (*ibid.*). Vietnamese people feel that the remains of the dead must be brought home to their families, or no one, neither the living nor the dead, “[can] find peace, in the simplest and most profound meaning of that word. As long as they [the martyrs] remained lost, the war [will] never be over” (*ibid.*).

Conclusion

Bao’s *The Sorrow of War* and Dang’s *Last Night I Dreamed of Peace* bear witness to the suffering of the Vietnamese people caused by the Vietnam War, standing as testimonies, as they do, to the cruelties of war inflicted upon the so-called “victorious side.” Although the two narratives differ, primarily due to their genres, they can be read as documents that effectively decenter the Americacentric writing of history and literature about the war. Stef Craps and Gert Buelens argue that trauma studies based in a Euro-American context or agency “maintain or widen the gap between the West and the rest of the world” (Craps and Buelens 2008, 2). Therefore, according to their findings, scrutiny of a marginalized group’s trauma and the historical experience in which the traumatic events occurred “can contribute to a cross-cultural solidarity and to the creation of a new form of community” (*ibid.*, 1). Generally, trauma studies focus on individual psychological damage, but by situating an individual’s traumatic experience within a larger, historical and societal context, one gains a more profound insight into the agonies of a marginalized group that had remained voiceless in Western literary history. In Bao’s novel, Kien’s PTSD lingers as an intolerable presence in Kien’s psyche; in Dang’s diary, Dang’s depiction of the horrific suffering of Vietnamese soldiers and civilians in wartime Vietnam become pain-inducing memories, 30 years later, in the minds of her family members, and in the minds of Vietnamese readers who had lived through the war. By presenting the textual analyses in this article of *The Sorrow of War* and *Last Night I Dreamed of Peace*, I

emphasize the marginalized pathos of the Vietnamese people that these narratives evoke, rejecting thereby the post-structuralist ahistorical perspective celebrated by post-modernists. Because much information about the Vietnam War is filtered through the ideological and discriminatory lenses of the U.S. media and the society's *idées reçues*, reading of the traumatic experiences of the Vietnamese people becomes an ethical responsibility for anyone interested in the Vietnam War, and anyone is seeking to discover the humanity that is common to each side in the a partisan divisions that persist even after nearly half a century. Through a deep consideration of the wounds suffered by the "enemy," American readers may find healing for some of the wounds from which they also suffer. The English version of Bao's novel and Dang's diary, the Vietnamese version of Tim O'Brien's *The Things They Carried*, and the publication of U.S. veterans' journals, such as Wayne Karlin's *Wandering Souls: Journeys with the Dead and the Living in Viet Nam*, about their returns to Vietnam and their reflections upon their former enemy, just to name a few, help both sides of the conflict gain a more humanistic perspective of the war. The inclusion of both perspectives in college courses on Vietnam War literature narrows the gaps between Vietnam and the United States in terms of historical analysis and interpretation.

Vietnamese author and literary critic Nguyễn Ngọc observes that writers help readerships remember: they are entrusted "with the ongoing task of holding a mirror up" from the past for later generations to view (Nguyễn N. 2008, 211). Remembrances of past events, whether they be fictional or non-fictional, necessarily are subjective. David G. Marr expresses this observation with candor: "The only truth in history is that there are no historical truths, only an infinite number of experiences, most of them quickly forgotten, a few remembered and elaborated upon by bards, novelists, philosophers, priests, filmmakers, and, of course, professional historians" (Marr 1995, xxv). However, it is important to discuss the Vietnam War with an informed attitude of fairness toward both sides of the conflict in order to appreciate the human costs for each side. *The Sorrow of War* and *Last Night I Dreamed of Peace* and other such insightful accounts help to generate that attitude of fairness for all readers who seek mutual understanding and reconciliation in our postwar world.

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The Case of Regional Disaster Management Cooperation in ASEAN: A Constructivist Approach to Understanding How International Norms Travel

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This paper demonstrates how constructivism is applicable to the rationale for the growing trend in international relations. The case to be examined is disaster management cooperation in the Southeast Asian region, although there are now 13 regional organizations around the world implementing concerted regional efforts to respond to and reduce the risk of natural disasters. This paper suggests that national interest is not the sole motive for member states to support this agenda; there are also norms that dictate how states recognize the appropriateness of a behavior. Member states believe that establishing regional disaster management is an appropriate behavior. In an attempt to discuss how the norms for disaster management were adopted in the Southeast Asian region, this paper underlines the importance of international dynamics of norms in the formation of the ASEAN regional disaster management architecture. Ideas travel from one mind to another, and this happens also in international politics. Hence, this paper uses the norm life cycle framework to track the journey of international disaster management norms. The idea of disaster management norms emerged and was promoted by norm entrepreneurs on the international stage, and from there international organizations introduced the idea to the Southeast Asian region.

Keywords: international dynamics of norms, norm life cycle, regional disaster management cooperation, ASEAN

I Introduction

I-1 *Background*

The 10 member countries of the Association of Southeast Asian Nations (ASEAN) started cooperating on disaster management under the framework of the ASEAN Agreement on

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Disaster Management and Emergency Response (AADMER), signed in 2005 and in force since 2009. Cooperation under AADMER is an institutionalized expression of the member states' joint efforts. Previously, ASEAN worked in an ad hoc manner to deal with major natural disasters, especially the Indian Ocean earthquake and tsunami of 2004 and Myanmar's 2008 Cyclone Nargis.

ASEAN now has two operating arms for disaster management. To facilitate the institutionalization of regional cooperation, the ASEAN Secretariat established a division responsible for Disaster Management and Humanitarian Assistance (DMHA). This division works to help the 10 member states discuss the agreement, facilitate meetings to formulate standard operating procedure, and assist the parties in building a working plan for future development several years ahead. In addition, for executing mandated works such as dispatching emergency response and survey teams, coordinating aid from different member states, and delivering such aid to the field, the 10 member states established the ASEAN Coordinating Centre for Humanitarian Assistance on Disaster Management (the AHA Centre) in November 2011, headquartered in Jakarta. The AHA Centre has been involved in some major humanitarian operations, such as in Thailand's floods of 2011–12, the Philippines' Typhoon Bopha in December 2012, response preparation on the eve of Myanmar's Cyclone Mahasen in May 2013, the Aceh's Bener Meuria earthquake in July 2013, and Typhoon Haiyan in the Philippines in November 2013.¹⁾ This development is considered relatively progressive for ASEAN, which was originally established in 1967 as a political effort to contain Communism.

I-2 Significance of the Study

The development of ASEAN is not a unique phenomenon in the contemporary world. Within the last decade there have been many other intergovernmental arrangements established by different actors. The international community has agreed to further support the Hyogo Framework of Action (HFA) of 2005 as the basis for strengthening global, regional, and local empowerment to tackle disasters. Hence, the growing trend of empowering intergovernmental cooperation in disaster management is interesting to examine from the perspective of international relations.

In accordance with the HFA 2005, regional organizations are also strongly urged to establish their own frameworks for disaster management cooperation. According to Elizabeth Ferris and Daniel Petz (2013), there are 13 regional organizations working on their own frameworks for disaster risk reduction and management. International disas-

1) Collected from direct interviews with ASEAN officers and official news disseminated by the AHA Centre.

ter management involves a large number of nations, including ASEAN members.

One motive seems to be positive: in today's international politics, regionalism plays an important role in effectively bridging the international and national systems (Ferris and Petz 2013). Regionalism has also moved from hard politics to more specific issues. The group of scholars who believe in Functionalism Theory argue that more sectorial cooperation is needed to achieve even deeper regional identities. For example, by cooperating in combating common problems, the member states of a region can learn that there are more advantages to cooperation than conflict. This leads to a decrease in military conflict. A reduction in military conflict means more space for peace, which could lead to regional stability, the fortunate condition that is a requirement to further nurture economic development. While interactions through trade and cultural exchange are intensified, at the end of the day the feeling of belonging (togetherness) with each other becomes stronger.

Nevertheless, conventional or rational motives per se (as suggested by realism and liberalism) may not explain the specific reasoning of different regions with regard to their socio-political development. The trend of international disaster management may be explained globally by using both realist and liberal approaches, but it would be a generalization of problems as both schools neglect the importance of the idea and normative reasoning beyond cooperation in disaster management. From the perspective of international relations, it is necessary to answer certain questions about states' behavior: Why are different nations doing the same thing? Furthermore, what makes them do it in a similar span of time? Both realists and liberals might be unable to answer the questions because they require material proof. For example, does the number of disasters necessarily have to increase within the last two decades in every region in the world to meet the requirement of rational justification?

Meanwhile, the more developed form of neorealism as suggested by its main advocate, Kenneth Waltz, is not sufficient to predict the trend of regionalism in Southeast Asia. Nuanced by the Cold War international structure of bipolarism, the neorealist perspective believes that the international structure is anarchic and that therefore states tend to behave according to their own interest and rely on the unequal capacity of power (Waltz 1988). The neoliberal approach might touch the whole picture of international politics, relying on millions of lobbies and interests. The corresponding interests are interwoven into a complex interdependent structure of international politics (Keohane and Nye 1989). However, neoliberalism cannot detach the focus of analysis from state interest and does not deny the anarchic nature of international politics. Neoliberals believe in international institutionalism, but like neorealists they believe in a positivistic way of analyzing the state system.

Meanwhile, regionalism in Europe shows that it is more than a state's interests that determine the behavior of states in international politics. There are many other variables, such as identity, discourse, and norms, that can be manifested in deeper regional integration. This success is echoed through other regional endeavors to deepen ties beyond state boundaries through normative means, including in Southeast Asia. Both neorealism and neoliberalism hence fail to explain the paramount importance of those variables. On the other hand, constructivism emanated as an alternative to further understand the ignored variables, such as the importance of norms in international politics.

Hence, this paper aims to understand the institutionalization of regional and international cooperation in disaster management by using a constructivist approach for a specific region. The main reason for using this alternative approach is that the other conventional approaches fail to explain why such a trend occurs globally during the same period of time. This paper can contribute to understanding the matter from a Southeast Asian perspective. Instead of picking the global stage, this paper attempts to understand regional disaster management cooperation by examining the case of ASEAN to find how the norms of regional disaster management have been introduced, socialized, demonstrated, and internalized as one of the normative drives for ASEAN member states.

I-3 *Literature Review and Methodology*

This sub-section explains the constructivist approach used in this paper as the most suitable approach to understand the development of regionalism in Southeast Asia as part of the debate in international relations between constructivism versus the positivistic approaches of realism, liberalism, and their variants neorealism and neoliberalism.

According to Martha Finnemore and Katheryn Sikkink, constructivism posits that there are factors other than state interests that influence a state's behavior (Finnemore and Sikkink 1998). For example, a democratic state tries to shape its foreign policy according to democratic principles. Foreign policy could be driven by several factors, such as identity, norms, or discourse. How do global norms influence ASEAN? The general definition of a norm is a standard appropriate behavior with a given identity. Norms promote justification over action and embody a quality of moral "oughtness" (*ibid.*, 892).

Two norm life cycle works are examined in this sub-section to illustrate how the theoretical framework is used to explain the spread of new international norms. The first work, by Sakiko Fukuda-Parr and David Hulme (2011), focuses on the international level, while Birgit Locher (2003) focuses on a regional-level case study in the European Union.

Fukuda-Parr and Hulme assert that Finnemore and Sikkink's norm life cycle is a valuable tool to understand the evolution of complex international norms (Fukuda-Parr

Table 1 Stages of Norm Life Cycle

	Tipping Point		
	Stage 1 Norm Emergence	Stage 2 Norm Cascade	Stage 3 Internalization
Actors	Norm entrepreneurs with organizational platforms	States, international organizations, networks	Law, professions, bureaucracy
Motives	Altruism, empathy, ideational commitment	Legitimacy, reputation, esteem	Conformity
Dominant mechanism	Persuasion	Socialization, institutionalization, demonstration	Habit, institutionalization

Source: Finnemore and Sikkink (1998, 898).

and Hulme 2011, 29). They successfully map the journey of the Millennium Development Goals (MDGs) from formulation to introduction by the UN. They show the dynamics within the formulation. There was a norm marketing strategy and even ideological battle within the formulation of the MDGs, but there is also a limitation to using this method according to Fukuda-Parr and Hulme. It cannot be used to understand why the norm life cycle is relatively fast during the process of emergence but rather slow in implementation.

Locher's work indicates that the norm life cycle is sufficient to understand the extension of international norms into regionalism. The case against trafficking of women in the EU is an attempt to demonstrate Finnemore and Sikkink's framework for solving the puzzle of EU policy making. The extension of international norms to the regional level in the case of the EU is possible only if there are "political opportunity structures" resulting from the deepening of regional integration (Locher 2003). In the case of ASEAN, regional disaster management cooperation could also be linked with the success story of the deepening of ASEAN by the establishment of the ASEAN Charter.

The norm life cycle can be described as a tool to understand a pattern of influence. It is divided into three stages. Between the first and second stages there is a critical point that is very important in determining when state actors start to adopt the norms (see Table 1).

I-3-1 Norm Emergence

The first stage is characterized by the motive of persuasion. Norm entrepreneurs work to persuade or influence a critical mass of national leaders to adopt a new norm (Finnemore and Sikkink 1998, 895). One well-known example of a norm entrepreneur is Henry Dunant of the Red Cross. Organizational platforms could also have a certain characteristic that makes them suitable to play the same role. According to Finnemore and Sikkink, the

UN has certain bodies that influence state leaders to promote specific ideas (*ibid.*, 899).

The tipping point is where a norm reaches sufficient critical mass. This means the norm entrepreneurs have successfully persuaded state leaders to adopt the new norm. According to Finnemore and Sikkink, it should reach one-third of the total number of states (*ibid.*, 901). The other way to measure this critical mass is by examining which important states adopt the new norm. The more powerful and influential an adopting country is, the more likely it is to influence critical mass compared to a small country (*ibid.*).

I-3-2 Norm Cascade

The second stage is characterized as dynamic imitation. This means that state leaders are already convinced and are now trying to influence other states to also follow the norm (*ibid.*, 895). Cascading an idea means that the population is about ready to accept the new idea due to pressure for conformity, to gain international legitimacy, or because the political leaders are pursuing self-esteem and are therefore promoting this new idea to the people and their counterparts.

I-3-3 Internalization

If an idea is already well recognized, the newly formulated norm has started to be internalized. People and actors with different interests are less likely to challenge the importance of the idea. State leaders are willing to obey agreements regarding this norm. Regional or international actors are therefore bound by the necessity to comply. The other word to describe this behavior is “habit.”

II Analysis

For the analysis, this paper uses data collected from interviews conducted with ASEAN bureaucrats: at the ASEAN Secretariat with Neni Marlina of the DMHA Division and Rio Augusta and Asri Wijayanti of the AHA Centre in Jakarta in July 2013; and the deputy secretary general of ASEAN, Dr. A. K. P. Mochtan, in October 2014. This paper has been greatly influenced by the works of Finnemore and Sikkink on the international dynamics of norms, the experiences of ASEAN bureaucrats through William Sabandar’s “Cyclone Nargis and ASEAN: A Window for More Meaningful Development Cooperation in Myanmar” (2010), and Ferris and Petz’s *In the Neighborhood: The Growing Role of Regional Organizations in Disaster Risk Management* (2013).

II-1 *Norm Emergence in International/Regional Disaster Management*

The very foundation of norm development is the necessity to govern. Modern history is filled with progress as well as calamities. The necessity to govern responses during calamities is the origin of disaster management. As suggested by Damon P. Coppola, as the world witnessed the horrors of World War II states were beginning to organize civilian protection; the concern was not natural disasters at that time. This wartime civil defense is the origin of disaster management (Coppola 2011). As for how the idea of disaster management was developed further at the international level, the role of the United Nations International Strategy for Disaster Reduction (UNSIDR) in the 1980s was critical to creating the tipping point. Meanwhile, to introduce the advanced idea of regional disaster management into Southeast Asia in the 1990s, donors and dialogue partners engaged with ASEAN.

II-1-1 The Norm Entrepreneurs: States Involved in Wars

Coppola mentions no specific individual who had the most important role in building the new idea of international and regional disaster management. Instead, he suggests that states initially introduced the idea of civil defense. During this early period, the term “disaster management” was not well known. Coppola observes that the idea of global standards and organized efforts to manage disaster emerged only in the middle of the twentieth century (*ibid.*, 4). It was correlated with the institutionalized mechanism of civil defense in the post-World War II period.

Prior to World War II the idea of disaster management was largely unknown. After the war, governments with experience in facing war played an important role in the formulation of civil defense. There were no comprehensive national disaster management authorities as we know them today, but the system was reinforced with legal frameworks to provide authority and budgeting during the 1950s and 1960s. According to Enrico Quarantelli (1995), these civil defense units later evolved and formed more comprehensive disaster management organizations (Coppola 2011, 5). This process of evolution can be seen in the following examples. In Britain, the Civil Defence Act of 1948 evolved into Great Britain’s multilayered disaster management system, which included the involvement of local authorities, the Strategic Coordination Centre, the Civil Contingencies Secretariat, and the Cabinet Office Briefing Room. In Canada, the Canadian Civil Defence Organization, which was established in 1948, is the foundation of Canada’s Office of Critical Infrastructure Preparedness and Emergency Preparedness. In the United States, the Federal Civil Defense Act of 1950 led to the creation of the Federal Emergency Management Agency. In France, the Ordinance of 1950 and the Decree Relating to Civil Defense of 1965 formed the basis for the Direction de la Protection et de la

Sécurité de la Défense, which is administered by the Ministry of Interior. Algeria's Direction Générale de la Protection Civile is rooted in the 1964 Decree on the Administrative Organization of Civil Defense.

Nevertheless, Coppola observes that there was another motive for the creation of disaster management agencies, particularly in countries that established their disaster management in the 1970s. This other motive was responding to the pressure of popular criticism of governments' poor disaster management, for example in Peru in 1970, Nicaragua in 1972, and Guatemala in 1976 (*ibid.*, 6). The first attempt in Southeast Asia also occurred during this decade. Yasuyuki Sawada and Fauziah Zen argue that disaster management in ASEAN was conceived in 1976 (Sawada and Zen 2014). Meanwhile, Lolita Bildan's report also points out that among the earliest domestic disaster management bodies established in Southeast Asia are the Philippines' National Disaster Coordinating Council in 1978 and the Indonesian BAKORNAS PBP in 1979 (Bildan 2003). We may say that these countries were in the second wave of disaster management emergence.

From Coppola's examination we can conclude that although disaster management agencies are within the authority of the national polity, there were two patterns in the emergence of these agencies. The first pattern dated to the postwar era and was dominated by more developed nations such as the United States, France, and Great Britain, while the second wave was started in the 1970s mostly in developing countries such as Peru, Nicaragua, Indonesia, and the Philippines. This phenomenon illustrates the mirroring of an idea from one country to another, especially through assistance from developed countries to developing countries. This means that as more countries tried to establish disaster management bodies, they learned and adopted the best practices from other nations. From this interrelated learning process, global standards of disaster management were created.

Within ASEAN, the group of experts on disaster management was established in 1971. This group, called the Experts Group on Disaster Management (AEGDM), is viewed as the pioneering body in the region and was behind the acknowledgement of disaster issues in the ASEAN Concord of 1976. This group is no longer active, but it acted as the norm emergence agent within the region. Until the first decade of the twenty-first century, its status did not noticeably improve. With the support of foreign actors such as the Directorate-General for European Civil Protection and Humanitarian Aid Operations (ECHO), formerly known as the European Community Humanitarian Aid Office, it successfully sustained the effort to mainstream the idea of institutionalizing regional disaster management (*ibid.*). During AEGDM's early period, its role was to establish a non-binding document that would later serve as the basis for regional cooperation.

There have been several attempts to elevate the status of disaster management cooperation in ASEAN. In the AEGDM's 11th meeting in Chiang Rai, there was a proposal to elevate its status to the ASEAN Committee or the Senior Officials Meetings with the obligation to report to the ASEAN Standing Committee or to the ASEAN Ministerial Meeting (Sawada and Zen 2014). However, ASEAN cooperation on disaster management did not really gain momentum until the successful operations for the Indian Ocean earthquake in 2004 and Myanmar's Cyclone Nargis in 2008, when ASEAN and the international community found a way to cooperate.

Since the 1990s, more developed countries have been involved in helping with Southeast Asian efforts to strengthen disaster management norms. Based on previous research, ASEAN donors and dialogue partners such as the European Union, United States Agency for International Development (USAID), Japan-ASEAN Integration Fund (JAIF), and NGOs such as Oxfam continuously encouraged Southeast Asian countries to introduce best practices for disaster management. As in the case of the MDG norms (Fukuda-Parr and Hulme 2011) and the anti-trafficking of women norms in the EU (Locher 2003), the motivations of actors in the first stage of norm emergence were varied. In the case of disaster management in ASEAN, there were two scopes of cooperation. The first aimed to develop better domestic disaster management institutions, and the second to establish country-to-country cooperation in disaster management. The development of domestic disaster management agencies is important, because without them it is less likely that Southeast Asian countries can engage in any international or regional cooperation. Listed by Bildan (2003), among the donors and dialogue partners who engaged with Southeast Asian countries were USAID, the Danish International Development Agency (DANIDA), and ECHO.

The main function of USAID is to achieve US foreign policy goals by providing economic, humanitarian, and development assistance for the people of developing countries. In the case of ASEAN disaster management, USAID founded the Asian Urban Disaster Mitigation Program in 1995. The program was responsible for the following: (1) engaging Cambodia by introducing community-based flood mitigation preparedness; (2) engaging Indonesia with an earthquake vulnerability reduction program; (3) engaging Lao PDR by establishing an urban fire and emergency management program; (4) engaging the Philippines by working on flood and typhoon mitigation; (5) cooperating with Thailand in risk assessment and mitigation planning; and (6) working with the Vietnamese by sharing disaster-resistant housing best practices. Through these programs, USAID engaged six Southeast Asian countries and socialized them to the idea of disaster management. Another important scheme carried out by USAID is the Extreme Climate Events Programme, as reported by Bildan (2003, 13). The program began in 1999 and

was funded by USAID's Office of U.S. Foreign Disaster Assistance. Through this program, the application of climate information toward disaster management in three countries—Indonesia, the Philippines, and Vietnam—is illustrated through training for capacity building and demonstration. Lastly, USAID funded the Program for Enhancement of Emergency Response in 1999. The program focused on building capacity in Indonesia and the Philippines, especially for urban search and rescue, medical response, and hospital preparedness for emergency response (Bildan 2003).

DANIDA started a program for less-developed countries in Southeast Asia in 2001. Through the Disaster Reduction Programme for Cambodia, Lao PDR, and Vietnam, DANIDA focused on the development of short- and medium-term frameworks for community public awareness programs in Cambodia and Vietnam and the development of disaster awareness teaching materials for elementary schools in Lao PDR (*ibid.*).

The European Union works closely with Southeast Asia through ECHO, a global collaboration that the EU initiated in 1996 via the Partnerships for Disaster Reduction—South East Asia, which aims to train disaster management practitioners in Cambodia, Indonesia, Lao PDR, the Philippines, and Vietnam and facilitate capacity building for community-based disaster management. ECHO also assisted the oldest disaster management expert group in the region, AEGDM. Acknowledging that AEGDM was the norm entrepreneur inside ASEAN, we can conclude that ECHO aimed to support ASEAN in building its own regional disaster management architecture.

Those initial programs played an important role in bringing norms of disaster management into Southeast Asia. Experienced dialogue partners introduced regional disaster management to ASEAN in two waves: the first wave of cooperation was to build state national disaster management offices. The second wave of cooperation was to build state-to-state disaster management cooperation in the region.

II-1-2 Organizational Platforms: UNISDR, International and Regional Organizations
According to Coppola, there are some milestones at the international level in the evolution of disaster management. One of the most important events was the United Nations General Assembly declaration of the 1990s as the International Decade for Natural Disaster Reduction (IDNDR). The action was aimed at promoting internationally coordinated efforts to reduce losses caused by natural disasters. The United Nations declared this campaign in 1987 and supported it through UN Resolution 44/236, which promoted better disaster management practices globally and encouraged national governments to improve their performance in disaster management (Coppola 2011, 6–7).

The second milestone was the Yokohama Strategy—Global Recognition of the Need for Disaster Management (*ibid.*, 7–9). The Yokohama Strategy was approved by the UN

member states in 1994 at the World Conference on Natural Disaster Reduction. This conference was held to evaluate the progress of the IDNDR. There are some important points of the Yokohama Strategy that we can use to understand the formulation of international disaster management, such as in articles 4 and 7.g, where it states that the world is increasingly interdependent and that regional and international cooperation will significantly enhance the ability to respond to disaster (HFA 2005).

These two points of importance are a call to promote further regional and international disaster management, as we recognize that we are living in an interdependent world and better coordination is needed to tackle disasters, which do not respect borders. To further sustain the efforts, IDNDR and the Yokohama Strategy were followed by the setting up of the United Nations Office for Disaster Risk Reduction (UNISDR). The main role of UNISDR is to guide the international community in disaster management (*ibid.*, 12).

Entering the twenty-first century, international organizations launched some programs in Southeast Asia in parallel with their efforts at the international level. Among the notable actors named by Bildan (2003) are the Asian Disaster Reduction Center (ADRC), the Asian Disaster Preparedness Center–Regional Consultative Committee on Disaster Management (ADPC-RCC), and the United Nations Economic and Social Commission for Asia and the Pacific (UN ESCAP) Typhoon Committee. Established in 1998, ADRC supports Southeast Asian countries mostly through socialization and information sharing on disaster reduction mechanisms. The ADPC-RCC, established in 2000, focuses on capacity building for national disaster management offices (NDMOs), including those in Southeast Asia. Meanwhile, since July 2001 the UN ESCAP Typhoon Committee has been assessing the technology required for mitigation and preparedness, serving as an information and education provider, and developing communication networks in Southeast Asia.

Complementing the efforts of international organizations are Southeast Asian regional bodies. One example is the ASEAN Regional Forum Inter-Sessional Meeting on Disaster Relief, which was established in 1993. Although this forum was not very active in the past, at its fourth meeting in May 2000 the body agreed on the idea of socialization and capacity building for better regional disaster management. As noted by Bildan (2003), there was agreement on the following: (1) information sharing of disaster data and early warning; (2) mutual assistance for disaster preparedness and relief; and (3) training in disaster management and promotion of greater awareness in disaster preparedness and relief. The key word for this program is socialization. At the subregional level, associated with Southeast Asian Indochinese countries, there is also the Mekong River Commission, which is working on flood management and mitigation strategy.

It should be noted that not all cases of regional cooperation are success stories—for

instance, ASEAN experienced a failed attempt to integrate haze pollution into disaster management. Although ASEAN regional cooperation in tackling transboundary haze pollution started in 1995, it ran into several political obstacles. Malaysia and Singapore protested against Indonesia for the haze pollution produced from forest fires in Borneo, particularly after the 1997 fires there. Until the first decade of the twenty-first century the tension rose, since there was no settlement agreed upon between the three countries.

In the beginning, Malaysia and Singapore benefited from the continuous bilateral pressure on Indonesia. Indonesia initially preferred to discuss the matter with Malaysia and Singapore at a subregional ministerial meeting in Riau instead of bringing the issue to be fully resolved under the ASEAN mechanism (Tan 2005). But due to political considerations, ASEAN established its own legal umbrella for transboundary haze pollution, which is the ASEAN Agreement on Transboundary Haze Pollution signed in 2002 (*ibid.*).

The issue of transboundary haze pollution deserves elaboration. It is true that the national interests of member states may clash with regional endeavors to regulate a particular conflict. However, this case shows the weakness of neorealism theory in predicting the trend of ASEAN regionalism. Neorealism believes that the international structure is anarchic (Waltz 1988, 618). Using the logic of neorealism, Singapore and Malaysia would prefer to use the variables of unequal state capacity (by which they would benefit) and defect from the regional architecture. However, as issues and negotiations develop, governments rely on the formation of regional normative tools to ensure the implementation of cooperation.

Formal regional attempts to tackle transboundary haze pollution began with the signing of the ASEAN Agreement on Transboundary Haze Pollution in 2002. This agreement requires ASEAN member states to actively monitor and prevent activities that may lead to forest fires. The agreement also endorses regional cooperation in the form of joint monitoring of such activities. Although the agreement was signed by ASEAN member governments in 2002, the ratification process was hindered by domestic politics, especially in Indonesia. Malaysia and Singapore were the first two nations to ratify the agreement, in December 2002 and January 2003 respectively, while the ratification process in the Indonesian parliament was impeded until 2007 (Haze Action Online 2015). This prolonged process of ratification worried Malaysia and Singapore because the haze produced from Indonesian forest fires frequently carried over into their territory.

The inability of the regional organization to mediate the negotiation and give satisfying closure would create distrust toward regionalism. It could have caused Malaysia and Singapore to voluntarily defect or withdraw. However, the conflicting parties were willing to give the regional mechanism a chance. Strategic sequential measures (or rather positive tit for tats) were launched by Indonesia, Malaysia, and Singapore. In the absence

of the implementation of the ASEAN Agreement on Transboundary Haze Pollution, the new Indonesian administration preferred a subregional negotiation. ASEAN then facilitated a subregional ministerial steering committee in 2006 as a forum to assist Indonesia. Malaysia and Singapore responded by joining in together with Brunei Darussalam and Thailand. To respond to the goodwill, the Indonesian government invited Malaysia and Singapore to assist Indonesian provinces that were prone to forest fires. Both countries responded well: Singapore signed a collaboration agreement with Jambi Province, which lasted from 2007 to 2011; and Malaysia signed a collaboration agreement with Riau Province in 2008 (National Environment Agency, Singapore 2016). The sequential give and take of political negotiations during this period was important to build trust within the regional framework despite the absence of an agreement.

The ASEAN subregional arrangement was continuously implemented through frequent subregional ministerial meetings. There were 16 subregional meetings from 2006 to 2014. The Indonesian parliament finally ratified the ASEAN Agreement on Transboundary Haze Pollution on October 14, 2014 (Aritonang 2014; Haze Action Online 2015). It took 12 years to build trust among these three neighboring countries. At the moment, the process of combating transboundary pollution is managed multilaterally under ASEAN regionalism. This finding opposes the argument that anarchic bilateral pressure works best. Using the constructivism framework allows for predictability in analyzing how the traveling of norms affects regionalism. The framework helps us understand when and how international norms influence regionalism in accordance with universal values. This method can be applied to analyze various cases in different regions. There is potential for supranational governability of transboundary pollution since the 10 member states agreed on the ASEAN haze monitoring system in October 2013. Hence, the predictability of the constructivist approach (i.e., international norm dynamics) is beneficial for analyzing the trend of regionalism.

II-1-3 The Tipping Point

The idea of international disaster management did not reach the tipping point until most of the world's countries recognized its importance. This paper argues that the most important event that could be defined as a tipping point was the HFA in 2005, which came about as a result of the World Conference on Disaster Reduction held in Kobe on January 18–22, 2005. The HFA is an international effort to encourage national governments to strengthen the institutional basis for implementation of disaster risk management and to integrate it into sustainable development policy. The HFA has directly influenced ASEAN to pursue its own regional disaster management cooperation. It should be noted that the HFA is referred to as an international strategy for disaster management and the

ASEAN legal framework acknowledges the importance of this framework as the basis of Southeast Asian regional cooperation on disaster management.

Coppola highlighted the magnitude of this conference by showing that there were more than 4,000 participants, with 168 governments represented out of about 195 countries in the world in 2005. A total of 78 specialized UN agencies participated, along with 562 journalists from 154 media corporations, and the conference attracted more than 40,000 visitors (Coppola 2011, 13). According to Finnemore and Sikkink, to reach the tipping point, no less than one-third of the world's state number (33.33 percent) needs to recognize the importance of newly established international norm (Finnemore and Sikkink 1998, 901). Based on the number of countries that participated in the conference, we can conclude that 86.15 percent of states recognized the necessity for international disaster management. This means the tipping point was reached globally. Regionally, the tipping point was reached with the signing of the AADMER on July 26, 2005 in Vientiane, Laos, only six months after the signing of the HFA. The AADMER was signed by all ASEAN member states, which consist of all Southeast Asian countries except for Timor Leste.

II-2 *Norm Cascade*

In the norm cascade, states try to persuade other states through socialization and demonstration. In this case, ASEAN states were influenced to adopt the norms and to build a feeling of belonging to the international community. In this stage, leaders who have already been convinced about the new disaster management norms try to influence other leaders. Three possible motives are: (1) to provide pressure for conformity by asking the member states to implement the agreement; (2) to gain international legitimacy; and (3) to pursue self-esteem.

This paper has pointed out several important actors that were influential in promoting ASEAN regional disaster management cooperation. Among the strong supporters of this regional mechanism was then-ASEAN Secretary General Dr. Surin Pitsuwan. He served as the secretary general from 2008 to 2012. During the early part of his term, Southeast Asia was hit by a major calamity in Myanmar. Assisted by William Sabandar, the then-special envoy of the ASEAN Secretary General for the post-Nargis recovery in Myanmar, and field officers led by Adelina Kamal, Pitsuwan succeeded not only in uniting ASEAN behind Myanmar to deal with Cyclone Nargis, but also through his dispatched assistance team he proved that the ASEAN-led mechanism worked in the field and technical operations.

As reported by Anik Yuniarti, Pitsuwan proudly claimed that AADMER was the fastest ASEAN agreement to be negotiated and accepted by all of the member states—

it took only four months (Yuniarti 2011, 25). Pitsuwan's optimistic tone is worth examining. The way the ASEAN secretary general proudly claimed the success of disaster management cooperation could be regarded as a way to gain esteem and reputation. We also understand that Pitsuwan proposed the idea of a more progressive ASEAN during his term as Thai foreign affairs minister. During his term, he proposed the ideas of flexible engagement in 1998 and forward engagement in 2003 to challenge the traditional conception of the ASEAN way (Katanyuu 2006). "Flexible engagement" was an idea proposed to make ASEAN more critical of unsavory practices in Myanmar under the military junta. This proposal was rejected by the other member states back in 1998. However, Pitsuwan in his capacity as Thai foreign affairs minister unilaterally launched the policy of forward engagement in 2003. This policy was designed to pressure Myanmar to proceed with the road map to democracy. This implies that Pitsuwan was among the progressive diplomats in the region.

Under his leadership, ASEAN also achieved consensus in signing the ASEAN Charter and establishing the ASEAN Intergovernmental Commission on Human Rights. From what we have learned about his background, Pitsuwan himself believed in a more progressive ASEAN. His perspective shaped his style of leadership to be more open toward the international community, endorsed open and frank discussion, and aimed to gain ASEAN more legitimacy. As for the involvement of ASEAN in Myanmar in 2008, he argued for responsibility to protect, as he stated in his speech at the Asia-Europe Summit in Beijing on October 24, 2008.

The other motive involves the state as an actor. For example, under its period of chairmanship in 2011, Indonesia built a facility for ASEAN disaster response on its own initiative, located in West Java. This was initiated by Susilo Bambang Yudhoyono during the session of the ASEAN-Japan Special Meeting in the ASEAN Secretariat on April 9, 2011 (Yuniarti 2011, 29). According to this author's interview with the AHA Centre representative, the Indonesian government also fully supported the establishment of the AHA Centre, which is located in Jakarta. This regional disaster management operating body was established in November 2011. The Indonesian government provides the facility for the AHA Centre, integrated into the infrastructure of the Badan Pengkajian dan Penerapan Teknologi (Agency for the Assessment and Application of Technology). The development of the AHA Centre was supervised by the coordinating minister for people's welfare, Agung Laksono, who routinely monitored the progress of the project.

These Indonesian attempts were informed by the country's motive of gaining legitimacy and esteem as one of the most influential ASEAN member states. This was in accordance with Indonesia's efforts to promote deeper ASEAN regionalism. Since its democratic transition in 1998, Indonesia—together with Thailand and the Philippines—

has become more vocal in supporting a democratic ASEAN. In the Bali Concord II of 2003, Indonesia for the first time introduced the terminology of democratization in an ASEAN document. It also launched the Bali Democracy Forum to further spread the idea of a more democratic regional sphere.

ASEAN's success in cascading the norms of regional disaster management cannot be separated from the successful mechanism of linking issues. Borrowing the terminology proposed by Fukuda-Parr and Hulme, as a "supernorm," disaster management cooperation is closely linked to global normative shifts such as the issues of human rights, political openness, and democratization. Deeper ASEAN regionalism has resulted in newly established bodies dealing with nontraditional issues, as exemplified by the establishment of the Disaster Management and Humanitarian Assistance Division, the AHA Centre, and the ASEAN Intergovernmental Commission on Human Rights. At the operational level, disaster management and humanitarian assistance cannot be separated from the issue of political openness. If ASEAN cannot make an agreement with all of the member states, any joint operation will not succeed. For example, if diplomatic trust among ASEAN member states is not high, it is less likely that the involvement of foreign military personnel will be welcomed. To help build trust regarding military involvement in regional disaster response, ASEAN has initiated the collaboration of civil-military actors in disaster management and humanitarian assistance operations since 2005. Through annual regional disaster response exercises, ASEAN member states gain a better understanding on how to coordinate joint civil-military operations in a regional operation. This could reduce suspicion among member states.

Involving the military in regional disaster management could also help ASEAN countries redefine the purpose of the armed forces. The challenge to proportionally reposition the function of the military is urgent in several countries, such as Thailand and Indonesia. In Thailand 19 military coups d'état have been launched to date, indicating that the military has constantly attempted to get involved in domestic politics. Reformed Indonesia also has had the same problem of military political involvement in the past. In the Reformation era, the repositioning of the military to make this institution more professional includes introducing international peace building and other nontraditional operations. With this new mechanism created by ASEAN, the governments have found a forum to exercise their interests. It can be said that cooperation on disaster management has led ASEAN to establish deeper mechanisms, such as the use of military assets in "joint operation[s] other than war" (*ibid.*, 16). The use of military assets and personnel to deal with disaster management was discussed by the defense ministers of ASEAN member states in Vietnam on October 7, 2010, followed by another meeting in Jakarta in 2011. Workshops for the representatives of all member states' military forces

on the use of ASEAN military assets and capacities in humanitarian assistance and disaster relief were held by the Ministry of Foreign Affairs of the Republic of Indonesia on October 7–8, 2010 (*ibid.*, 27). These workshops produced the standard operating procedure for ASEAN's disaster response, in which military personnel from ASEAN member states are allowed to contribute to disaster response—although there are some limitations, such as different administrative mechanisms to accept foreign military assets within other countries' borders and creating an extra budget to establish this mechanism. The most important thing to be highlighted is the willingness of member states to nurture healthier civil-military relations. The presence of foreign military personnel in cases of disaster relief should not be overreacted to, because their presence is for the sake of humanitarian operations (*ibid.*, 28). Responses from the Indonesian side collected by Yuniarti were also positive, and Lembaga Ilmu Pengetahuan Indonesia (Indonesian Institute of Science) claimed that the aid from foreign military forces for Aceh had gradually reduced ideological suspicions while Syiah Kuala University also noted that the mechanism to include the military was successful in Aceh (*ibid.*, 29). With the aid from foreign military forces for Aceh gradually reducing suspicions, the international community is no longer divided by ideology (*ibid.*).

II-3 *Internalization*

The final stage of new norm installation is the internalization process, when states in Southeast Asia have no further obstacles to implementing cooperation on disaster management. There are legally binding documents, and ASEAN member states willingly comply with the agreement. The AADMER and the ASEAN Standard Operating Procedure for Regional Standby Arrangements and Coordination of Joint Disaster Relief and Emergency Response Operations (SASOP) outline the actors responsible for regional disaster management within, associated with, and collaborating with ASEAN, such as NGOs and donors, since the establishment of AADMER. This means the internalization of regional disaster management in ASEAN can be examined in its implementation.

ASEAN regional disaster management cooperation is now supported politically. According to ASEAN Deputy Secretary General A. K. P. Mochtan, disaster management cooperation in ASEAN is considered an important tool to further nurture solidarity. According to this high-ranking ASEAN bureaucrat, cooperation is growing fast due to three important factors. First, cooperation is a less sensitive matter than issues such as democratization, corruption, and human rights. Second, the ASEAN members view disaster management as the necessity to act quickly at critical moments. Third, ASEAN needs a tangible result to showcase the progress of the Southeast Asian regional framework. Hence, the deployment of ASEAN missions into disaster-affected areas is important.

Table 2 List of NDMOs in ASEAN Countries

Member States	National Disaster Management Office	Ministerial Body
Brunei Darussalam	National Disaster Management Centre	Ministry of Home Affairs
Cambodia	National Committee for Disaster Management	Cabinet ministry led by the prime minister
Indonesia	Badan Nasional Penanggulangan Bencana (National Disaster Management Agency)	Coordinating Ministry for People's Welfare
Lao PDR	National Disaster Management Office	Ministry of Labour and Social Welfare
Malaysia	Majlis Keselamatan Negara (National Security Council)	Prime Minister's Department
Myanmar	Relief and Resettlement Department	Ministry of Social Welfare, Relief and Settlement
Philippines	National Disaster Risk Reduction and Management Council and Administrator	Department of National Defense
Singapore	Singapore Civil Defence Force	Ministry of Home Affairs
Thailand	Department of Disaster Prevention and Mitigation	Ministry of Interior
Vietnam	Department of Dyke Management, Flood and Storm Control Standing Office of Central Committee for Flood and Storm Control	Ministry of Agriculture and Rural Development

Source: Compiled by the author from various sources and interviews.

The internalization of ASEAN cooperation can be noted also in the exchange of projects in the NDMOs. NDMOs are the official bodies responsible for disaster management and risk reduction within member countries. They vary in terms of organizational structure, but under the AADMER they work together within the framework that has been set by ASEAN. Therefore, although they are primarily domestic actors, under the ASEAN mechanism they are also regional actors, since they send representatives to the ACDM and collaborate through the assistance of the AHA Centre in cases of field assistance deployment. Although they vary in form and legal framework (see Table 2), they have been working closely to build their networks since November 2011.

To help ASEAN member states implement effective cooperation, ASEAN established two operating arms: the DMHA Division (Disaster Management and Humanitarian Assistance Division) and the ASEAN Coordinating Centre for Humanitarian Assistance for disaster management (AHA Centre). The ASEAN Secretariat works to facilitate dialogue and serve as the bureaucracy for the implementation of AADMER. Before the AHA Centre was established, the DMHA Division also served as the operational body for field operations. Nowadays there are incremental transfers of roles, such as in mid-2013, when tasks related to disaster response, operations, and capacity building were

transferred to the AHA Centre. The DMHA Division also has transferred the administration of the ASEAN Disaster Risk Reduction Portal (DRR Portal) to the AHA Centre. Nevertheless, the division still functions as the custodian of disaster response funds and monitored the balance scorecard for the implementation of the 2010–15 work plans. Therefore, the DMHA Division acts as the bureaucratic arm with the task of monitoring conformity. The AHA Centre is the operating arm of ASEAN cooperation in disaster management and risk reduction. Since its establishment in 2011, the AHA Centre has been involved in major natural disasters such as the Thailand floods of 2011–12, Typhoon Bopha in the Philippines in December 2012, response preparation on the eve of Myanmar's Cyclone Mahasen in May 2013, the Aceh-Indonesia Bener Meuria earthquake in July 2013, and Typhoon Haiyan in the Philippines in November 2013.

The AHA Centre also operates a yearly regional exercise called the ASEAN Regional Disaster Emergency Simulation Exercise (ARDEX) as the platform for member states and different actors to collaborate in a simulation. ARDEX involves NDMOs, search and rescue teams, and the military personnel of member states. All of these mechanisms were developed by the AHA Centre to ensure the smoothness of regional cooperation by making it habitual and internalized.

An interesting finding is that help from donors and dialogue partners continues up to today. They support the fund under the larger framework of the ASEAN master plan for connectivity. I was informed by Mochtan that he was still helping ASEAN to maintain cooperation with JAIF. JAIF has been donating funds and material since its establishment, including the real-time early detection warning system for the AHA Centre. This information was previously confirmed by the communication officer of the AHA Centre, Asri Wijayanti.

In the wider area of regional cooperation, ASEAN also drives the ASEAN Regional Forum Exercises (ARF DiRex), which involve not only the 10 member states but also their dialogue partners²⁾ to ensure peaceful coexistence in the Pacific region. In 2015 alone, there were four meetings and agendas related to disaster management in the joint ASEAN Defence Ministers' Meeting and Defence Ministers of Dialogue Partners (ADMM-Plus).³⁾ Among them was the ARF DiRex in Kedah, Malaysia, in May 2015.

Another important aspect is the involvement of the population in ASEAN regionalism. To endorse a more people-centered approach, ASEAN established the AADMER

2) Their dialogue partners are Australia, Bangladesh, Canada, China, the European Union, India, Japan, North Korea, South Korea, Mongolia, New Zealand, Pakistan, Papua New Guinea, Russia, Sri Lanka, Timor Leste, and the United States.

3) The members were Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand, Vietnam, and the eight Plus countries: Australia, China, India, Japan, New Zealand, South Korea, the Russian Federation, and the United States.

Partnership Group (APG). The APG is a consortium of international NGOs collaborating with ASEAN for the people-centered implementation of AADMER. The NGOs involved in this endeavor are Child Fund International, Oxfam, Save the Children, Mercy Malaysia, and Plan. The funding comes from the European Union Humanitarian Aid and Civil Protection. This could help ASEAN promote activities for wider audiences in the region. According to my interview with ASEAN DMHA representative Neni Marlina in July 2013, the ASEAN Secretariat welcomes such progressive ideas. The motives range from socialization and education to the internalization of the idea of regional disaster management.

III Conclusion

Through the analysis in this paper, I have answered the question of why there is a trend of regional organizations establishing disaster management cooperation mechanisms: the reason is strong global advocacy. The move to establish the supernorms of international/regional disaster management has successfully traveled from the norm entrepreneur to the international stage through introduction, socialization, and persuasion mainly by international organizations. The dominant mechanism to introduce and persuade state leaders in the norm emergence stage is the top-down approach, using the UN as an organizational platform for entrepreneurs. Hence, the genealogy of an internalized idea can be traced back to UN resolutions as the basis for global cooperation. The roles of UN resolutions and UNSIDR were important in bringing the idea to the tipping point in 2005, followed by the Southeast Asian tipping point which also reached the ASEAN region in 2005. This means that advocacy during the norm emergence stage was diffused in parallel at the international and regional levels, as we can see in Table 3. We can also conclude that in terms of the regional/international disaster management idea, the function of international organizations is pivotal.

To sum up the findings, regional disaster management cooperation in ASEAN was successful only because there were certain facilitating factors: (1) continuous assistance from the international community; (2) the determined leadership of ASEAN; and (3) a proven regional mechanism as a result of the deepening of ASEAN regional cooperation.

First, most of the funding and initiative to introduce socialization and demonstration of disaster management in ASEAN was supported by foreign actors. Hence, there was strong international advocacy for spreading the global normative shift. Since the 1990s there has been continuous engagement by international organizations and dialogue partners in assisting Southeast Asian states to establish domestic national disaster man-

Table 3 International/ASEAN Regional Disaster Management Supernorm Life Cycle

Tipping Point in 2005 (HFA and AADMER)			
	Stage 1 Norm Emergence 1987–2005	Stage 2 Norm Cascade 2005–11	Stage 3 Internalization 2011–Present
Actors	<p><u>Norm Entrepreneurs with Organizational Platforms</u></p> <p>UN, UNSIDR</p> <p>ASEAN institutions/affiliation; AEGDM, ARF-ISMDR, and MRC</p> <p>Donors and dialogue partners; USAID, ECHO, DANIDA, ADPC-RCC, UN ESCAP, ADRC</p>	<p><u>States, International Organizations, Networks</u></p> <p>The initiative and strong leadership of Surin Pitsuwan as the then secretary general and William Sabandar as the special envoy</p> <p>The initiative of individual states to promote ASEAN regional disaster management</p>	<p><u>Law, Professions, Bureaucracy</u></p> <p>The ASEAN Agreement on Disaster Management and Emergency Response (AADMER) as the legally binding document</p> <p>ASEAN bureaucracies: ASEAN Committee on Disaster Management (ACDM); ASEAN Secretariat-DMHA Division; AHA Centre</p> <p>Civil Society-AADMER Partnership Group</p> <p>ASEAN donors and dialogue partners</p> <p>Civil-military collaboration by annual ARDEX simulation</p>
Motives	<p><u>Altruism, Empathy, Ideational Commitment</u></p> <p>The UN members acknowledge that the world is increasingly interdependent and natural disasters have no respect for borders; therefore, the idea is to nurture commitment to regional and international cooperation.</p>	<p><u>Legitimacy, Reputation, Esteem</u></p> <p>ASEAN desire to build a better mechanism for disaster management and show the world that regionalism complies with international norms and values</p>	<p><u>Conformity</u></p> <p>Monitoring of AADMER implementation; Balance Scorecard of Work Programme 2010–15; implementation of SASOP or technical procedure for humanitarian operations</p>
Dominant Mechanism	<p><u>Persuasion</u></p> <p>UN resolutions</p> <p>Declaration of International Decade for Natural Disaster Reduction in 1987 (Res. 42/169)</p> <p>Publication of the Yokohama Strategy in 1994</p> <p>International Strategy for Disaster Reduction (Res. 54/219)</p>	<p><u>Socialization, Institutionalization, Demonstration</u></p> <p>Hyogo Framework of Action 2005</p> <p>ASEAN AADMER 2005</p> <p>Most of the programs during this stage are related to capacity building, sharing best principles, efforts to establish ASEAN institutions, and the demonstration to donors—led by states—that this new regional mechanism can be implemented.</p>	<p><u>Habit, Institutionalization</u></p> <p>Operational routine of the AHA Centre</p> <p>Continuous support of donors such as USAID, EU, JAIF, and Oxfam</p> <p>Experiences of the AHA Centre in major natural disasters since 2011; ARDEX annual regional simulation</p> <p>Pacific Region ADMM-Plus meetings on disaster management and ARF DiRex</p> <p>ASEAN Partnership Group effort to introduce regional disaster management to a wider audience</p>

agement offices and improve regional disaster management cooperation. Donors have worked together with individual countries such as Cambodia, Indonesia, Vietnam, and the Philippines, as well as giving assistance to the ASEAN Expert Group on Disaster Management. The collaboration created better opportunities for the future regional disaster management architecture. Some donors are still working with ASEAN in this sector.

Second, there was strong leadership from both ASEAN bureaucrats and state leaders. As demonstrated in this paper, the role of then-Secretary General Surin Pitsuwan and the current director of the DMHA Division, Adelina Kamal, was pivotal in determining the success of ASEAN operations during Myanmar's Cyclone Nargis in 2008. State leaders such as Susilo Bambang Yudhoyono and Agung Laksono were also important in showcasing the political will to support the cause and indirectly convincing other ASEAN member states to join Indonesia in supporting regional disaster management cooperation.

Third, ASEAN has a proven regional cooperation mechanism. The importance of the momentum resulting from the Indian Ocean earthquake and tsunami of 2004 and Cyclone Nargis in 2008 cannot be ignored. The former had a great impact on both HFA and AADMER reaching the tipping point in 2005. ASEAN involvement in Aceh to assist in the reconstruction and reconciliation process was a successful demonstration that the regional organization was capable of conducting field operations. Moreover, the Indonesian government was open to accepting the assistance of the international community. This showed the other ASEAN member states that there was no reason for them to be suspicious of ASEAN's capability. Meanwhile, Cyclone Nargis in 2008 provided the motive for the AADMER to be put in force in 2009. ASEAN successfully deployed the humanitarian operation and facilitated the cooperation of the Myanmar government and international community. This success raised the confidence of ASEAN member states to further develop disaster management cooperation. Nevertheless, without the international dynamics of norms that illustrate the transfer of disaster management norms from entrepreneurs to the world and then to ASEAN, such a phenomenon cannot be clearly explained.

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Highland Chiefs and Regional Networks in Mainland Southeast Asia: Mien Perspectives

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This article is centered on the life story of a Mien upland leader in Laos and later in the kingdom of Nan that subsequently was made a province of Thailand. The story was recorded in 1972 but primarily describes events during 1870–1930. The aim of this article is to call attention to long-standing networks of highland-lowland relations where social life was unstable but always and persistently inclusive and multi-ethnic. The centrality of interethnic hill-valley networks in this Mien case has numerous parallels in studies of Rmeet, Phunoy, Karen, Khmu, Ta'ang, and others in mainland Southeast Asia and adjacent southern China. The implications of the Mien case support an analytical shift from ethnography to ethnology—from the study of singular ethnic groups that are viewed as somehow separate from one another and from lowland polities, and toward a study of patterns and variations in social networks that transcend ethnic labels and are of considerable historical and analytical importance. The shift toward ethnology brings questions regarding the state/non-state binary that was largely taken for granted in studies of tribal peoples as inherently stateless.

Keywords: Mien (Yao), history, chiefs, highland peoples, interethnic networks, Thailand, Laos

Introduction

In the studies of highland societies of mainland Southeast Asia, it is somewhat rare to get a glimpse of chiefs as a significant component of regional networks of relations. When anthropologists studied Thailand's hill tribes since the 1965 founding of the Tribal Research Center, their mandate was to examine the socio-economic characteristics of the six main tribes: Akha, Hmong, Karen, Lahu, Lisu, and Mien (Geddes 1967; 1983). The resulting works described for the most part egalitarian village societies that had no links to lowland national society (Walker 1975; McKinnon and Wanat 1983; McKinnon and Vienne 1989). It was primarily the research of Ronald D. Renard (1980; 1986; 2002)

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with the Karen, independent of the Tribal Research Center since he was a historian and they were all ethnographers, that has insisted on the importance of long-standing connections between upland and lowland regions, and on the positive role of chiefs.

But recent work on upland-lowland relations in Laos, Burma, and southern China flows in a similar direction to Renard's research and suggests that interethnic upland-lowland networks may have been historically the predominant form of political organization in this region (Badenoch and Tomita 2013; Bouté 2011; 2015; Chen 2015; Evrard 2006; 2007; Hayami 2004; 2011; Ikeda 2012; Jonsson 2005; 2014a; Kojima and Badenoch 2013; Sprenger 2006; 2010). Other recent work suggests that the attribution of statelessness to highland peoples may express recent dynamics of dispossession, rather than any intrinsic feature of highland societies over the last millennia (Scott 2009; Kataoka 2013). Both issues encourage a move away from the ethnographic focus on ethnic groups as distinct from one another and toward an ethnological focus on patterns and variations that transcend ethnic labels and leave questions with the state/non-state binary.

The main text of this article is a Mien history that was recorded in 1972 and centers on the life of a particular Mien chief (Le and Cushman 1972). His name was Tang Tsan Khwoen, and he later received the Thai title Phaya Khiri ("mountain chief") from the king of Nan, and the family name Srisombat which many of his descendants still carry. The story was told by Le Jiem Tsan to researcher Richard D. Cushman in the village of Khun Haeng, Ngao District of Lampang Province, on June 1, 1972. Most of Cushman's recordings with Le Jiem Tsan and others are in the Mien ritual language, but the chief's life-story and a few other recordings are in the everyday language. Le Jiem Tsan died before 1980 and Richard Cushman in 1991. Because I (HJ) was somewhat familiar with the individual chief from ethnographic research among his descendants (Jonsson 1999; 2001; 2005) I am able to check some of the information against other sources. The Mien story shows the ease and normalcy with which relations between hill peoples and lowland rulers were established, and I situate the story against the general trend in northern Thailand at the time of cutting relations with highland peoples and depriving them of rights to settlement and livelihood.

While the evidence for highland people's dispossession in the early twentieth century is published and has long been available, it seems that anthropologists of Thailand were not particularly curious about the separation of highlanders from their lowland neighbors, but instead expected ethnic divides to be important. Ethnographic traditions encouraged the search for ethnic groups as distinct and separate from others, and anthropological theory expected clear differences between state populations and stateless peoples. The peculiarity of twentieth century Thai history and of research traditions regarding highland peoples were perhaps less apparent because neighboring countries

were inaccessible for research due to wars and other political turbulence for a good part of the last century. The idea that tribal culture and social organization were endangered traditions from the past appears to have discouraged areal comparisons and critical historical scrutiny of highland people's isolation and dispossession in Thailand.

German anthropologist Hugo Adolf von Bernatzik did research in Thailand during 1936–37. In his book *Akha and Miao* (1970, German original 1947) he noted that many minority groups had migrated into northern Thailand in previous decades, had settled in the mountains and that their farming endangered forests and watersheds. He also noted that in 1915 the governor of Chiangrai Province had issued a ban on making fields in the mountains:

Duplicate decrees were published by the governors of all those provinces into which the mountain peoples had immigrated. Other decrees prohibited the cutting down of bamboo groves, which likewise are important water reservoirs. The punishments that were threatened, for example, for cutting down one of the larger trees, amount to more than a year's imprisonment. An attempt to get at the smuggling of opium was also made by means of a prohibition against the cultivation of poppies. The fields of a village whose inhabitants paid no attention to the prohibition were to be destroyed; the owners, if they could be caught, were punished with imprisonment. (Bernatzik 1970, 699)

Bernatzik mentioned that as a consequence, anyone who knew the law would go into hiding once there was word of a group of police approaching a highland village. Further, highland peoples were not adjusted to illnesses that pertain to lowland areas, and the punitive policies significantly enhanced distrust across the ethnic frontier:

In various villages of the Lahu, Akha, and Meau I have met natives who had been sentenced to short prison terms for trivial and even unsuspectingly committed offenses, such as the forbidden carrying of weapons, violating market regulations, and the like. Without exception all these people were wasting away from malaria, and many of them later died from it, so their relatives told me. Precisely such circumstances have also frequently given rise to the belief of the mountain peoples that the valley dwellers could bewitch and kill them. [As Bernatzik viewed the situation]; the annihilation or emigration of the mountain peoples from Thailand can only be a matter of time. (*ibid.*, 702–703)

Because the lack of positive engagements with highland peoples (that is, any alternatives to fines and imprisonment) was rather general across northern Thailand, it is important to point out that there were exceptions to this trend. By the late 1880s at least, the king of Nan had made a deal with the leader of Mien and Hmong highlanders that he could legally settle with his followers in the mountains of his domain, he would collect tax among the highlanders, serve as a back-up military force for Nan, and the leader was awarded a Phaya title (Jonsson 1999; 2001; 2005). Whether initially or later, the Mien

were also allowed to grow and sell opium within the folds of the Royal Opium Monopoly, and this arrangement lasted until 1958 when the ban on opium cultivation was finally enforced in Thailand.

The Mien population was not uniformly allowed to grow and trade opium. This only applied to big households in five villages under the Phaya, and it was declared illegal for all other highlanders to cultivate poppy; they were thus continually at risk of being fined and imprisoned. It is not clear if the highlanders generally were poppy growers before settling in northern Thailand. Rather, it is possible that the political isolation of highland peoples—a product of national integration—led to their symbiotic relationship with itinerant Chinese traders who encouraged the cultivation of poppy. Again, the work of Bernatzik is informative on this front:

[Chinese traders] regularly visit the mountain villages, pay the taxes for the natives or lend them money, and for all these services buy the opium for a small fraction of its value. Thus the mountain peoples receive only a small equivalent for the craved drug, but the traders operated with a profit of often thousands of percent for the turnover. The business proved to be so lucrative for the traders that they persuaded the inhabitants of whole villages, especially the Lisu but sometimes also the Akha to apply themselves exclusively to the cultivation of poppies and to exchange opium for food supplies from their neighbors. (Bernatzik 1970, 697–698)

Thus it seems that the social and political isolation of highland peoples resulted directly from policies against highland farming, and further that it played to the interests of the itinerant Chinese traders who had connections to the underground opium trade. The traders cultivated relations with the highland villagers, and this economic and social alternative—that made highland peoples independent of lowland Thai stores and traders—furthered highland people's isolation from Thai society. One part of this history is that for the most part, Thailand's national integration was a manifestation of the hegemony of Bangkok over the regions that were incorporated, many of which had been independent kingdoms each with their own regional society of multi-ethnic networks.

When these various kingdoms became national provinces of Thailand during the reign of kings Rama V and VI (Chulalongkorn and Vajiravudh; 1865–1910, 1910–25), the old elites were for the most part replaced by officials who came from Bangkok, assumed the superiority of Bangkok civilization and language, and generally made no attempts to cultivate local society or to learn local languages (Vella 1978; Moerman 1967; 1988, 70–86, 162–172). The kingdom and later province of Nan is an exception—there the king was not replaced but was allowed to stay in power though with reduced ability to rule. He could no longer demand tribute from lowland peasants, but was dependent on taxes that went through Bangkok. It is thus perhaps not surprising that he made a contract with a highland leader who enabled him to gain from highland taxation and from the legal

opium monopoly. I had learned of some of that history from the descendants of Tsan Khwoen, the Mien chief (Jonsson 2005, 74–85).

One unexpected example of inclusive and diverse identities in the Thai hinterland concerns the Mlabri, or Phi Tong Leuang, who were studied as an exotic, ancient, and isolated people by a team connected to the Siam Society, and reported on in a special volume in 1963 (Boeles 1963). Most of the reporting concerned the Mlabri as a separate race, thus blood samples, nostril comparisons, and head measurements were employed in order to arrive at a scientific sense of who the people were. The Thai and Western research team to the Mlabri in the early 1960s only had success in finding them because the Mlabri were in a labor and social relationship with some Hmong people; the Thai had no connection of their own.

The documentary film that was made of the expedition (Siam Society 1963) suggests instead that the Mlabri were a regional (Southeast Asian) people and not some isolated Stone Age holdover. That is, the film's narrative relates the Mlabri as isolated primitives, but the footage shows that many of the men had tattoos, in line with what was practiced among lowlanders. Further, the film shows that the Mlabri men did a variation on a sword dance to entertain the visitors—something which perhaps all peoples in the region knew how to do when needing to entertain some strangers.

Writing in the 1930s, Bernatzik reported the following about the Mlabri and their regional context without any additional comment:

In Nan a Buddhist priest told us that there was a document in his monastery in which it was recorded that the Phi Tong Leuang were subjects of the king of Nan, to whom they paid annual tribute in honey, rattan, and wax. At the time they appear to have been very numerous. (Bernatzik 2005, 43)

The Mien (Yao) people have a long history in southern China and in Southeast Asia of negotiations and entanglements in regional networks of continually shifting social lines where no one position is guaranteed or necessarily stable (Cushman 1970; Alberts 2006; 2016; Chen 2015; 2016). I suggest that this situation was common across the region and that it continually availed the possibility to negotiate identities, positions, relations, borders, and basic rights between particular partners (Renard 1987), such as that shown by the unexpected case of Mlabri and the kingdom of Nan. Borders and identities were not fixed or objective. These were always dependent on particular relations, but this flexibility and specificity has (mis-) led many modern scholars to assume that neither pre-twentieth century states nor the highlanders were territorial (see Thongchai 1994). For the most part such interethnic relations were not recorded and are not easily (if at all) found in the archives. I address potential reasons for this archival absence at the end of

the article, and now turn to the story of the interconnected lives of some Mien leaders in the late nineteenth and early twentieth centuries.

Le Jiem Tsan's Story of the Life of Phia Long Tang Tsan Khwoen Waa

Let me tell you the story of the Phia Long. In earlier times the Phia Long was very important among the people and all of us knelt down before him. The Phia Long, originally, lived in Laotian territory. He was a member of the Tang lineage, and his given name was Tsan Khwoen, or, as he was often called, Tsan Khwoen Lu-Phia. His descendants are among the people who now live in Phulangka Village, and one of them is the *kamnan* there.

Tsan Khwoen's father was Tsoi Waa and hence the Phia Long's full name was Tsan Khwoen Waa. His son was Wuen Lin Lu-Phia who later ruled as Lu-Phia at Phulangka. When Wuen Lin died, his son Fu-Tsan succeeded him and is now the *kamnan* at Phulangka. Fu-Tsan was the third son in the family, and the fourth son now lives in Chiangkham where he runs a store [this man was Tang Fu Jiem who later also established himself in Bangkok within Chinese society and took a second wife there. He had subsequently two homes and two lives, HJJ].

In those early times Tsan Khwoen was a courageous man; indeed, his whole family consisted of courageous men. They lived over in Luang Prabang territory. His father's younger brother held the title Phan Nya Djun. This title of Phan Nya Djun, or Phu Djun, was Laotian. The full title was Phan Nya Djun Lak Nii (พระยาจุลลิกหนี), which means "Duke Djun who thieved and fled."

After Tsoi Tso was appointed Phan Nya Djun Lak Nii, nothing he said was as wise as his nephew's counsels. All of the people preferred his nephew. When the Laotians learned of this situation, they went to that village of the people to appoint Tsan Khwoen to the rank of Lu-Phia in place of his uncle. Tsan Khwoen could not be prevailed upon, however, no matter what the Laotians said, since his uncle already held the position. When further persuasion proved useless the Laotians finally asserted that they would have to "weigh the fate" (*dziaang kau maeng*)¹⁾ of the two men to see who should be the *lu-phia*.

Now, Tsoi Tso had an enormous amount of hair on his head; Tsan Khwoen, in contrast, had only a tiny bit of very fine hair on the sides of his head, his pate being totally

1) "Fate" is only a rough translation of the complex Mien concept *maeng* which relates to a person's luck, fortune, or power as dictated by astrological influence. The concept is close, but not identical, to that of *rit* (ฤทธิ) in Thai.

bald. One of the Laotians took out a razor and shaved off a little of Tsan Khwoen's hair. From Tsoi Tso, on the other hand, quite a lot of hair was obtained. A pair of scales for weighing opium was then brought forth and assembled. A little of Tsan Khwoen's hair was put on one of the scales and a one-gram weight on the other. When the weight was put on the other scale, the scale with the hair immediately tipped downwards. The same thing happened when a second weight was added to the first. Well, let me tell you, nobody had seen anything like that before! When Tsoi Tso's hair was put on the scale it balanced out even with more weight, but it took three weights to balance Tsan Khwoen's hair in spite of the fact that there was 10 times of the uncle's hair being weighed as there was of the nephew's.

The Laotians were amazed by this demonstration and interpreted the results as indicating that Tsan Khwoen's power (*maeng hlo hai*) was much greater than his uncle's. So, again, the Laotians tried to appoint him Lu-Phia but he wouldn't accept regardless. The Laotians, however, kept up their persuasion and tried to make him Sien Long [lower ranking than Phia/Phaya] but he wouldn't accept that position either. Finally, when their entreaties had no effect, the Laotians had no other recourse than to force him to become Sien Long. In making the appointment they proclaimed that, in the future, if the Sien Long did anything wrong, the Lu-Phia was not empowered to fine him. Such transgressions were to be outside the Lu-Phia's jurisdiction to decide/settle. On the other hand, if the Lu-Phia committed a crime, the Sien Long was empowered to judge the case and fine him.

In a while thereafter, the Lu-Phia and the Sien-Long went on living in the same village, but finally a division was made with each residing in their own village. After the division had been carried out, Tsoi Tso, having turned into a good-for-nothing (*mwoen tsoeu hu*), conceived the desire to become king. When it was known that someone had shot a wild animal, that person had to give him a share of the meat to eat. Whoever shot a deer, a *diem dzei*, or anything else for that matter, was required to present him with a portion to eat.²⁾

At the time there were a lot of Hmong in the area and he ruled over both the Hmong and the Mien. Quite a few Mien grew displeased with him and getting together with the Hmong they hit on a plan to deceive/trick him. Several Mien went to him and told him; "One of the Hmong shot a deer but he hasn't given you any of the meat, has he?" He

2) [HJ] In 1992–94 I asked after this regarding Thao La, Phia Khiri's successor son. One answer I got from older people was that the chief expected this but that people often kept him uninformed of their occasional hunt. The issue was identified by Edmund Leach's (1954) study of Kachin chiefs and their prerogatives, and continued in Cornelia Kammerer's (2003) study of "thigh-eating chiefs" among the Akha of Thailand.

answered; "I haven't seen him, is it true?" They answered him it was true and so he called a number of Mien together to go with him to apprehend the Hmong. After discussing how they were to go about the matter of seizing the Hmong they set out for the Hmong village. Having been thus tricked, Tsoi Tso reached the Hmong's house, entered, and lay down on the guest platform.

The Hmong asked him his business. Tsoi Tso answered; "It is said that you've shot a deer. Now, you can't get away with not giving me my share, so I have come to fine you." The Hmong answered; "I'm afraid we've eaten the deer up. There isn't any left and I haven't been able to bag another one. The venison's just all gone." "How come you ate it all up without giving me my share?" "Well, there are an awful lot of people around, and if I had divided it up there wouldn't have been any left." "What do you mean? Giving me my share doesn't mean you have to give everybody else shares too!" The discussion continued in this vein for a bit until the Mien and the Hmong pounced on Tsoi Tso and tied him up so there was no way for him to escape.

Their plan was to take him down to be incarcerated in the capital (*mung long*). Tsoi Tso could see that there was no way for him to escape since it was true that he had previously treated his people harshly and they had, as a result, hardened their hearts (*ngong nin*) against him and would refuse to obey his orders. So, tied up as he was, he sent a letter to ask Tsan Khwoen Lu-Phia to release him. Tsan Khwoen Lu-Phia brought three men with him, each carrying an axe or two on his shoulder. He himself did not carry any weapon with him, but led a horse along (on a rope).

When they arrived (at the house where Tsoi Tso was being kept prisoner) Tsan Khwoen tied the horse up just outside the door. Entering the house he demanded; "Untie him! Why don't you untie him? What's he done wrong? Even if he is guilty he should be untied, and if he is not guilty he certainly should be untied. When he's been released we'll talk about the matter slowly according to the proper etiquette. Untie him!" Tsoi Tso, however, had harmed a great number of people and his captors, having managed this time to tie him up, were not about to let him go. "You won't untie him?" "No we won't." So Tsan Khwoen put down one of the axes he was carrying on the ground, placed the chain (binding Tsoi Tso) on it, and gave it a blow with the other ax. Then, walking over to Tsoi Tso and calling to him; "Get up, uncle!" he took hold of the ax and with one yank burst the chain asunder.

The chain, mind you, was as big around as one's thumb! Well! That terrified all those present. "How powerful is he," they wondered, "that he can break a chain with one jerk?" Again Tsan Khwoen called out; "Get up!" As soon as Tsoi Tso got up they ran out the door, lifted it back in place and Tsoi Tso got on the horse and rode off with Tsan Khwoen bringing up the rear. Everyone in the house snatched up their guns and

ran off in pursuit, but they called to each other, “Don’t do it, Don’t do it,” since they were all afraid to shoot. And so Tsan Khwoen got Tsoi Tso safely back home and then returned to his own village.

The conspirators, however, were not satisfied and decided to make another attempt. So the Hmong and Mien again got together and sent a file of soldiers to capture Tsoi Tso at his house. This time they did not manage to catch him although they did capture his younger brother. They then took the incense pot from Tsoi Tso’s ancestral altar and tried to smash it but were unsuccessful. Although they finally managed to break off the ears of the pot they were unable to find any way to destroy the main body. Even hurling it on the ground and beating on it had little effect. They next turned their attention to Tsoi Tso’s portraits of the gods. Taking the [spirit] pictures down from their storage basket hanging over the altar they spread the pictures out on the guest platform for the Hmong to lie on while they smoked opium. Afterwards, the Hmong who had done this went insane, of course, and didn’t recover until the ritual heads of their households killed a pig and held an atonement ritual.

The younger brother was taken and tied to the platform of the cattle shed and left there. He managed to escape by dragging the shed along with him. Just imagine how strong he must have been!

Tsoi Tso, meanwhile, had had time to think the situation over and had realized that he wasn’t going to be able to go on living there, so he fled to Tsan Khwoen’s village. Tsan Khwoen, unfortunately, lived quite close by and Tsoi Tso decided he should move up to the border area near China, where he had some relatives. Everyone knew, however, that he planned to flee and as he was then extremely rich they were very anxious to capture him. As he did not have any horses at the time he carried his money, amounting to 11 or 12 pack saddles of silver, away on oxen.³⁾ He himself, dressed in women’s clothing, put on large earrings (but since his ears weren’t pierced he just hung them over his ears), put on a woman’s turban and departed. His pursuers, meanwhile, had taken up positions along the trail where they could shoot him. But having taken up their positions they didn’t see any Phaya-Jun-Lak-Ni. All they caught a glimpse of was a bit of woman’s clothing further down on the trail. So they shifted over to the other trail out of the village, but again they saw no one although they could have shot him on sight.

3) A “pack saddle” (*taw*) measure is a wooden frame to each side of which baskets, boxes, or other containers may be strapped. The saddle is then lifted up by two men and placed on the back of an ox or horse and the only trick is to make sure that the two sides balance each other in weight. *Taw* is used here only as a very loose measure of silver. According to Bunchuai Srisawat (1954, 349), one ox can carry about 52 kilograms with a pack saddle, as compared to about 78 kilograms for a horse, but takes two or three times as long to cover the same distance as a horse does.

Meanwhile, Tsoi Tso's followers, who were to take the silver-laden oxen with them, brought out the ox-saddles and got them ready. They then obtained some hooks which, after being tied to ropes attached to the saddles, were hooked onto the saddle frame. The group then set out and when they reached the part of the trail where the pursuing Mien and Hmong were lying in wait, they stopped. Slipping the saddles loaded with silver off the oxen, they drove the hooks deep into the ground. By this time their armed attackers were almost upon them, and so they grabbed their guns and fled into the forest. The attacking Mien and Hmong tried to help each other carry off the silver loaded saddles, but, no matter how much muscle they put into the task, they couldn't budge the saddles because of the hooks embedded in the ground.

The oxen drivers, in the meantime, started firing on their attackers and killed one man. In a moment another man who was trying to lift a saddle and failing was hit and fell. Indeed, that day a lot of men were shot and killed. When the attackers finally realized that the saddles were so firmly embedded in the ground that they could not be moved they fled to a man. And that's how *Phraya-Jun-Lak-Ni* got his name which Mien bestowed on him in praise of this exploit whereby he stole his own belongings and fled.

In this way Tsoi Tso managed to flee the area but Tsan Khwoen didn't get to go along with him. Tsoi Tso eventually fled all the way up to China. Tsan Khwoen stayed on and when he moved to the territory of Dong Ngon⁴⁾ he was appointed Phraya. Later Tsan Khwoen fled to Phu Wae.⁵⁾ That is, he entered Thai territory and settled at Phu Wae in Nan Province where he was again later to receive a government appointment.

When Tsan Khwoen first came to Thailand the authorities adamantly refused to grant him and his fellow villagers permission to stay and they were not even allowed to cut down any part of the forest. He therefore got out his copy of the Charter for Crossing Mountains⁶⁾ and invited a Cantonese to translate it for the king of Nan and for the officials at the Nan court. Now, in the Charter it says that in ancient times the Emperor Pien Kou, who opened the heavens and established the earth, gave the charter to the Mien and therein ordered that, wherever the Mien went, no one was to deny them access to, or the right to live in, any part of the mountains. Nor was anyone allowed to collect tolls from them at fords or ferries, or charge them for riding on any kind of conveyance

4) Dong Ngon (Phu Dong Ngon) is the name of the western end of a mountainous area located within the angle formed by the Nam Beng and the Mekong River and, since it rises over a mile above sea level, contains one of the highest peaks in northwestern Laos.

5) Phu Wae is a mountainous region extending over the eastern through northwestern parts of Thung Chang District in northernmost Nan Province. Phu Wae is located in the eastern part of Pua District, in Bo-Kleua-Neua Township, just south of Thung Chang District.

6) [HJ] Cushman was going to include a study of the Charter for Crossing Mountains (which he photographed, transcribed, and translated) in a prospective book from his research.

vehicle. As for the collection of taxes in any area, such could be levied on all other peoples but not on the Mien, and this restriction was to apply equally to *corvée* labor, to surcharges on goods, and to all other kinds of taxes. After the Charter had been read to the King of Nan, he decided that he could not forbid the Mien to settle in his territory.

In this way Tsan Khwoen and his followers received permission to settle at Phu Wae, and Tsan Khwoen was further appointed Phaya Khiri. At the time Tsan Khwoen was made Phaya Khiri, Thai rule extended all the way up as far as Muang Singh. As soon as Tsan Khwoen had shaved his head, he was put in charge of all the hill peoples—Mien, Hmong, Lisu, Lahu, Akha, Kuei-Tsong, Tsan-tsei/Mun—in the Nan Kingdom and was empowered to collect taxes from everyone of them. His jurisdiction extended all the way up to the Chinese border and included the areas controlled by Nan in both Laos and Thailand. This place was a really bustling place then, as big as a province, and people had an awful lot of fun there. Although he, himself, collected the taxes from all the hill people therein, everyone looked up to him in the same way as, though obviously on a lesser scale than, people today love and respect the Thai King.

Tsan Khwoen ruled uneventfully until the business concerning a man of the Le surname group [Sae Lii], named Wuen Tso Lu-Phia, who lived at Doi Chang. The whole affair began with an incident which occurred at Doi Chang when a Thai tax collector went to extract money from the people and was shot to death. The whole village apprehended Wuen Tso and sent a message down to Tsan Khwoen Lu-Phia. Tsan Khwoen sent an escort up to bring him back safely out of the area and the Thai never did manage to apprehend him.

Phia Tso came from a very poor family belonging to the Le surname group. His father's name was Yao Ei so his name was Wuen Tso Ei. Phia Tso had two older brothers, Kao Ei and In Nai Ei, who, being so poor, became thieves. They were caught, tied up, and fined. To pay their fines, Yao Ei had to sell his son, Wuen Tso. After a few years, when he had grown up a bit, Wuen Tso began to think of his father. So he begged the people who had bought him to let him go home and raise the money to buy himself back. They agreed, but after three years had passed he still hadn't been able to save enough money and was forced to go back and live as son in the house of his foster parents. Later his father came to visit and said that he didn't have any rice to eat or clothes to wear.

About 20 kilometers from the village where Wuen Tso was living there was a very good place to grow opium. A lot of people had settled there and they frequently hired people to harvest their opium for them. So Wuen Tso went there at harvest time, to see if he could earn enough money to buy himself back. But everywhere he asked for work people refused him saying that his father, Yao Ei, was a clever thief and they were afraid that his son would likewise steal their opium. Over a week passed and he still couldn't

find anyone who would hire him. Finally he went to visit some of his relatives, his maternal grandfather's younger sister, whose husband had planted some opium in the area.

When he arrived, his relatives were clearing the undergrowth off for fields for early corn, but they needed someone to chop down the trees. "Well," his great aunt's husband said, "I thought you'd come to hire out as an opium harvester but I haven't seen you working at all. Aren't you going to look for work?" "I haven't been able to find any work," Wuen Tso answered, "because nobody will hire me." "If you can't find any work harvesting opium, why don't you work for me and cut down the trees in my fields. If you help me I'll pay you three *lung* of opium.⁷ How about it?" "Any work I can get," Wuen Tso answered, "I'll take." So he helped his mother's father's younger sister's husband cut down the trees in his corn fields and when the work was finished Wuen Tso received three *lung* of opium.

Wuen Tso took his three *lung* of opium back to his village, a day's journey away, and sold them, receiving banknotes in return. At the time one *lung* of opium was selling in the area of the opium fields for four banknotes. In his village, however, where opium wasn't being grown, one *tiu* of opium was selling for 2 banknotes, and one *lung* cost 20 banknotes. By selling his three *lung* of opium in his own village, Wuen Tso obtained 60 banknotes. He then went back to the fields where his money enabled him to purchase 15 *lung* of opium. Wuen Tso, himself, told me this story and how, by traveling and trading back and forth between the fields and his village for a year he was able to make a profit of 120 bars of silver.⁸ In addition, he was able to buy one large knife to carry on his shoulder, one thick blanket, one pot for cooking rice, and two bowls to eat out of, one for his father and one for himself.

With the 120 bars of silver, Wuen Tso was able to reimburse the people who had bought him and with what was left over he bought cotton and learned how to deseed it. In those days there wasn't anyone who knew how to deseed cotton, and cotton wool was very expensive. By buying unseeded cotton, deseeding it, and selling the cotton wool, he managed, over a number of years, to become a respected, responsible member of society, and ended up being appointed Lu-Phia.

Only after he had received the appointment of Lu-Phia did Wuen Tso look for a wife. But, having married, the couple did not have any children, so he left his wife with his father. He figured that the reason they couldn't have children was because he didn't have any merit.

7) Ten *tiu* equals one *lung*. [HJ] The ratio is comparable to what Douglas Miles reports from the Mien village of Phulangka in 1967, of 10 *saleung* amounting to one *tamleng*. About 24 *tamleng* weigh in at about a kilogram (Miles 1967, 20).

8) At 1972 exchange rates, 120 bars of silver equaled Thai *Baht* 60,000 and US\$ 3,000.

So he went looking for horned poultry, particularly roosters, and whenever he could find one with a long comb, he bought it up. Taking the roosters home he used their combs in preparing “mustard-green horns.” These are made by sealing a piece of the comb tightly inside an “old lady rice cake,” and tying the skin of a rat firmly around the cake and soaking the whole bundle in the blood of a freshly killed chicken, after which the bundle was put out to dry in the sun until it rustled in the wind. Wuen Tso took the “mustard-green horns” around to various places in Laos to sell for 80 Burmese rupees apiece. Since he had prepared about 15 he made over 1,000 Burmese rupees. And in those days money was really worth something! Anyone who accumulated money was considered really respectable. The remaining mustard-green horns, which he couldn’t sell, he threw away in a river—it was really only a glorified rice cake, after all!

After he returned home, Wuen Tso was afraid to go back to the places where he had sold the mustard green horns, so he bought some opium and set out in the fifth month to sell it in Mung Thswon, Mung Hiem, Mung Long, Mung Thsiaang, and other areas in Jau-tsei (today called Vietnam). He took along some servants and three of his paternal cousins, Wuen Fin, Wuen Yen, and Wuen Seng, to help him carry the opium. One day they discovered that they weren’t going to reach a Mien village before dark so they stopped to spend the night at a temple in a small village at the foot of some hills in which there was a Mien village.

Now, at the time they were carrying quite a lot of gunpowder stored, as was practice in those days, in water-buffalo horns and ox horns. That evening it started to rain and, fearing that the gunpowder was getting damp, they poured it out over paper on one side of the room so it would dry. Then they sat down to supper. When the meal was finished somebody lit a match to smoke and, without thinking, threw the match away right into the middle of the paper. The gunpowder instantly caught fire and exploded with a bang, knocking over everyone in the room. Two monks were very seriously hurt, their torsos and limbs being badly burned. Everyone else had also been scorched, but none so badly that they couldn’t get up and move around. The two monks, however, couldn’t even manage to feed themselves.

When everyone had sorted themselves out it was discovered that nobody present knew any curing spells—*none* of the Mien there even knew any! One of the Mien, I think it was Wuen Seng, did remember the name of his *gya-fin-tsio* [“the leader of his ancestors”]; Le Kwe Faam Long. Another fellow, Wuen Yen, was able to do one of the minor kinds of divination but he only asked a question after he got an answer. Well! There wasn’t much any of them could do since they did not know any curing spells. They managed to carry a pail of water up to the room where the two monks were and hold a sort of slapdash curing ceremony as best they could.

Taking up a knife, Wuen Seng invoked his *gya-fin-tsio*; “Oh, Lei Kwe Faam Long and all the ancestors. Whoever among you, when they were alive, could cool water, could make frost appear, could cause snow to fall, please descend. We are on a business trip and not in much shape to invoke your help properly. We’ve had an explosion and people are hurt, etcetera, etcetera.” And so Wuen Seng improvised a ceremony, and instead of putting proper spells on the water he just talked on in the same vein. When he finished the ceremony he took some water from the bucket and spewed it over each person in turn. In a moment everyone was shivering with cold.

As a result of the ceremony, those who weren’t so badly wounded didn’t even blister. The two monks, however, did break out in blisters. From the 20th day of the fifth month on they stayed at the temple and looked after the injured with what medicines they could get hold of. During this time they stored their opium there in the temple and only after almost a month had passed were they well enough to leave, reaching the nearby Mien village in time for the *jie-tsiep-fei* rites.

When Wuen Tso arrived at the village he found that his fame as a prosperous person had preceded him. And there he met the woman, Nai, who was to be his second wife and who was later mauled by a tiger. He engaged a go-between to arrange the marriage and an agreement was almost reached when Nai’s mother insisted that they drink the wine. “I won’t allow an itinerant trader to buy her and beat her,” she said. “If he is willing to stay and drink the wine, I’ll consent, but not otherwise.” Wuen Tso, not having any choice in the matter, settled down to prepare the wine and a house for the ceremony. His companions, however, he allowed to return home ahead of him.

Some of the local villagers helped him build a house and he settled in for a short while in whatever the area was called. Vietnam has a lot of Mung located there, Mung Long, Mung Thsiang, Mung Thswon, Mung Hiem, Mung Phon, Mung Mwon, Mung Maa, Mung Paw, Mung Thaeng, Mung U—but I think this all took place in Mung Hiem. When the winter months arrived, Wuen Tso bought pigs and other things needed and the full wedding ceremonies were carried out.

When he and his wife finally set out for his home village they found it lying deserted and abandoned. Every last person had moved away, including his first wife. Here he had returned home and the whole village was absolutely quiet; he hadn’t the slightest idea where everyone had gone. The weeds were already thick in his front yard. As the nearest village lay two nights away they had no choice but to sleep in his old, deserted house.

The next morning they set out for the nearest village to ask where all his villagers had moved to, and learned that they had gone across the river. They had gone up to Pha Mun on the Laotian side and some had settled there, whereas others had moved on down and across the [Mekong] river into the areas of Mung [Thoeng] and [Chiang] Khong.

Taking his bride with him he finally managed to track down his first wife on the Thai side of the river and there they all lived for a number of years. Later they moved into the Doi Chang area and there Wuen Tso Ei finally succeeded in establishing his reputation as an important person.

For a number of years Wuen Tso lived peacefully on Doi Chang and slowly built up a fortune based on the opium trade, while Tsan Khwoen ruled uneventfully at Phu Wae. The string of circumstances which were to bring these two men into competition did not begin until the incident over the shooting of a Thai tax collector. There was a Chinese of the Liow surname group also living in the Doi Chang area and he and Wuen Tso were close associates. In those days only the Thai tax collector could arrest Mien, not like today when the Thai are all confused. One day a tax collector went up with some men into the Doi Chang area, arrested Mr. Liow and a number of Mien, confiscated many saddles of opium, and started back down the mountain. Wuen Tso called on a Hmong named Ku Taa Nyouw, who was exceptionally skillful at hunting wild cattle, to waylay the Thai. Ku Taa Nyouw set up his ambush and shot the tax collector dead with one bullet through the heart. One of the ambushers, who had gone to sleep on a pile of wooden partitions, was shot in turn when the Thai saw the sun reflected off the silver on his gun. As a result of this affair Wuen Tso couldn't continue to live on Doi Chang and so he sent a message down to Tsan Khwoen Lu-Phia to request his help. Tsan Khwoen deputed an escort to bring him safely out of the area, and the Thai never did manage to apprehend him.

When Wuen Tso reached Tsan Khwoen's territory he discovered that it was a really bustling place, and that Tsan Khwoen, with an appointment as a high official, controlled people all over the place and collected taxes amounting into the thousands and ten thousands from them. When Wuen Tso learned how much money was being collected in taxes he grew jealous, and through jealousy began to covet Tsan Khwoen's position. So he went down to the Nan court to advise the king. After discussing a number of matters, he asked the king, "what arrangements did you make with Phaya Khiri when you gave him the right to collect taxes (from the hill peoples)?" "Let's see," the king answered, "once he really shaved his head, we only asked 500 *tsin* a year. Regardless of how much he collects in a year we only take 500."

"Well," exclaimed Wuen Tso, "then he is only giving you a hundredth part of what he collects! Isn't it stupid for a king to receive only a hundredth? Why not require that whenever a man wants to move to another village he first obtain a [four Baht] permit (a *baai si baat*, as they were called in those days) for which he would have to pay four *tsin*? Then, however many permits were issued times four would be quite something, wouldn't it? Furthermore, whenever a couple gets married a license could be issued at a charge

of four *tsin* per couple. If you don't do something like this, aren't you just letting Phaya Khiri keep all the money for himself? Why should you, as king, receive nothing and he keep it all?"

When Wuen Tso had finished talking the king had to admit that such a procedure would be quite profitable, and so the system of permits was instituted. Phaya Khiri was required to collect the fees for the permits but he himself did not get to enjoy any of the profits since all the money so collected had to be handed over to the king. Phaya Khiri, needless to say, was quite dissatisfied with this arrangement.

About the same time Wuen Tso had also promised to help the king of Nan feed his soldiers. In those days there weren't any paddy fields in the territory of Nan and the King of Nan kept a large army of soldiers. Since there wasn't anyone else to take care of them Wuen Tso had promised to collect upland rice from the hill tribes to give the king to feed his soldiers. A huge granary was built at the Nan capital to receive the rice sent down to supply the army. After Wuen Tso had carefully kept his promise for a number of years the king began to think very highly of him and appointed him Phaya Intha. The king simultaneously began to regard Phaya Khiri as a good-for-nothing and decided to bestow his position as ruler over the hill tribes on Phaya Intha.

When the king confided these thoughts to Phaya Intha, Phaya Intha stated that, if the king turned Phaya Khiri out of office and appointed Phaya Intha as ruler over all the tribes people, he would let the king decide how much of the yearly tax revenue was to go to the king and how much he could keep himself. The king, when he understood Phaya Intha's offer, then took counsel with him on how best to handle the situation, and then ordered Phaya Intha to return home while a command to appear at court was sent to Phaya Khiri.

When Phaya Khiri arrived at court, he and the king discussed the matter for quite a while but the king could not get the better of him. Finally the king, in exasperation, ordered him to go home without yet having deprived him of his position. And so Phaya Khiri went home. Phia Tso, meanwhile, waited in vain for word that the Thai had bestowed overlordship of the hill tribes to him. When he heard that Phaya Khiri had been to Nan and returned home already, he went back to court taking another saddle of silver with him. In those days Phia Tso was extremely rich and only became poor later because of all the problems he got into. When he got to Nan he presented the saddle of silver to the king and begged that the king, regardless of the difficulties, obtain the position for him. The king assured him that he would speak forcefully and not listen to Phaya Khiri's objections.

Again, Phaya Khiri was called to court for an audience and again the king couldn't get the better of him. So once more the king declared that he was impossible to deal with

and ordered him to go home, still without having obtained his resignation. Phia Tso waited and waited but didn't receive any news concerning his appointment as overlord. So once again he went to Nan and took more money to present to the king. During the audience he told the king, "You are the highest person in the kingdom. Even if he isn't willing to step down there is nothing he can do about it. Why should you, the king, listen to him? There are proper procedures for dealing with cases like this." The king stated, "All right! This time I won't listen to him. As soon as he gets here I'll remove him from office and I won't stand on ceremony to do it either."

Yet again Phaya Khiri was called to court for an audience. As soon as he arrived the king called out, "I am not going to let you be Lu-Phia any longer!" "That's all very well and good," answered Phaya Khiri, drawing forth his official letter of appointment, "but just what did you have in mind when you drew up this document? If you, in your capacity as an official, hadn't used a written proclamation to appoint me, you could then remove me like this. But as it is you do use writing for all kinds of documents—passes, permits, certificates, and the like—which have to be honored. Now, only, if you can take this official appointment of mine and return the paper to me in its original condition, without the ink used to write on it, will I step down."

The king could find no answer to this and so Phaya Khiri went home. When Phia Tso reappeared the king told him, "There just isn't any way to get the better of him. Besides, he's old and about ready to die, so wait and when he's dead I'll appoint you in his place."

Phia Tso, being left in the unenviable position of having to wait for Phia Khwoen to die before taking over his office, decided upon a plan to hasten his death. This plan, however, was not successful. What he did was to send some men to ambush him, one evening at the village bathing area. While Phia Khwoen was bathing they shot at him, but their gunpowder only sputtered and failed to explode. Phia Khwoen, hearing the noise, shouted out, "Has someone come to shoot me, or what?" and thereby frightened them into running away.

Now, Phia Khwoen had a very powerful riding horse. Everyone recognized this horse and knew that no one could get near it. Anyone who approached close enough to put a hand on it got bitten. Phia Khwoen himself was the only person who could touch it. So Phia Tso again sent some men to Phia Khwoen's village with the idea of releasing the animal and then shooting Phia Khwoen while he was looking for the horse in the woods. They managed to sneak up to the stable without being seen, open the gates and let the horse out. Phia Khwoen, however, suspected that this might be some kind of ploy to shoot him and so he, himself, did not go and look for the horse. The only problem was that no one knew just where the creature had gone.

After everyone had hustled about looking for the horse for some time without success, Phia Khwoen decided he would just have to go and search himself, plot or no plot. But as soon as he stepped out of the door he met the horse returning on its own accord. As his horse did not make a sound and as there wasn't any electricity or anything like that in those days, Phia Khwoen took the horse back to its stable, tied its rope firmly to a post, and firmly sealed up the stable door. The ambushers spent a fruitless night in the forest and Phia Khwoen was now convinced that someone was out to kill him.

Now the trail which led to the city of Nan had broad expanses lying on each side of it which were perfect for fields. Every year Phia Khwoen sent out an announcement to all groups in the area that they shouldn't start clearing these expanses before the 15th of the third month when he took the tax monies he had collected down to give the king. The reason for the announcement was that Phia Khwoen was afraid that, if the forest were cut down and people started burning off their fields, he wouldn't be able to deliver the taxes on time because the trail would be blocked by fire. When Phia Tso heard about the interdiction he called together a bunch of Mien and Hmong under him and took them off to cut down the trees along the both sides of the entire length of the trail. On the 15th of the third month he and his followers planned to set fire to the area and burn Phia Khwoen to death.

When Phia Khwoen had gotten about a third of the way down the trail the cut timber on both sides was fired. Seeing the flames, Phia Khwoen realized something was afoot and beat his horse into retreat. Fortunately, a wind blew up at that point and while the fire on one side caught quickly, the wind blew the fire on the other side the wrong way. Only after Phia Khwoen had managed to escape did the fire on the second side finally catch. Phia Khwoen was certainly a man of power. Not only did his hair vastly outweigh that of his uncle's, but he managed to escape the fire as well.

Matters proceeded in this fashion for some time, but no matter what Phia Tso resorted to, he couldn't do away with Phia Khwoen. The reason for the ambushes could not remain hidden forever and in the end, Phia Khwoen learned who was trying to do him in. Once he knew who was behind the attacks, Phia Khwoen sent for Phia Tso to come and give a personal accounting for his actions, or to come and be judged. On those days such judgements were arrived at in a general council. Phia Khwoen's council was very large, consisting of 40 or 50, maybe even 60 men, all of them were very sharp indeed.

These men filled a multitude of lower offices, as *kae ban*, *sien long*, and *tong kun* under Phia Khwoen.⁹ There were even some in the position of Phia or Lu-Phia, to be

9) [RDC/HJ] These titles pertain to the rulers of individual villages, while Phaya and Saen usually implied a chief who had power over a number of settlements.

distinguished from Phi-Nyaa, the highest rank any of them held and of which there was only one, Phi-Nya Khwoen himself. These councilors included Yaa-thsang Lu-Phia, Wuen Fou Syo Lu-Phia, and a great many others, all of whom had assembled to discuss the case of Phia Tso.

Now, Phia Khwoen's house consisted of two storeys, the upstairs being his official government offices and the downstairs forming his regular living quarters. The meeting was held downstairs and during it Wuen Lin Lu-Phia insisted that Phia Tso should be tied up. When Phia Tso heard about the meeting, he realized that this time he wouldn't be able to escape, that no matter what, they were determined to tie him up. Since he had no other recourse he got out his silver and put some in each of the side pockets of his coat; in these days men were wearing long coats with very large pockets which were bought from Chinese traders and were called *ko tu lui*.

An escort was sent to bring him to Phia Khwoen's village as everyone was afraid that he wouldn't come otherwise. The escort, whose name was Ta-Seng Wuen, was a highly respected person. When they reached their destination, Phia Tso was not allowed to enter Phia Khwoen's house or to sleep there. Instead, he stayed at Ta-Seng Wuen's home and the next morning was escorted to Phia Khwoen's place.

The night before Wuen Lin Lu-Phia and the other Mien officials had sat up late discussing the case and working a consensus on tying up Phia Tso. Because of the many guests who had to be fed during the proceedings, a huge cane basket to uncooked hulled rice had been placed upstairs. While the deliberations were still going on downstairs, the basket burst with a resounding "pop" and the rice came pouring down on the people seated below. "Hey! How come," someone said, "you didn't floor over this part of the upstairs? And now to have the basket burst like this!" Everyone's daring dissipated somewhat with this incident, and someone else said, "If we don't tie up Phia Tso then he won't have any opportunity to escape his bonds." And so it was agreed that they wouldn't tie him up.¹⁰

When Phia Tso reached Phia Khwoen's house the next morning, he went in and started up the stairs to see Phia Khwoen. At this moment Phia Khwoen, who had just gotten up, started downstairs and so the two encountered each other there on the middle of the stairway. Phia Tso quickly transferred the silver in his pockets to the pockets of Phia Khwoen. Phia Khwoen didn't know how much it was; all he knew was that his pockets were equally weighted down. They descended the stairs. Phia Khwoen invited

10) Note that Wuen Lin is Phia Khwoen's son who at the time did not yet have a title or an official position. Also note how small a role Phia Khwoen plays in the discussion. RDC had left himself a note to discuss the significance of the burst rice basket, but did not get to that task. It may remain a mystery.

his opponent to have a seat while he went into the family quarters to get some tea and tobacco and while he was there he took the silver out of his pockets and put it aside.

When Phia Khwoen returned, he and Phia Tso talked for some time. Finally Phia Khwoen said, "Well, I guess there isn't much more to be done. Everything that you have said here younger brother Phia has been very placating." Phia Tso, after all, was trying to get off with as little punishment as possible. "Yes, very placating. In these circumstances we think the best course is for all of us to share in a feast of reconciliation." So a special pavilion was erected and a cow was killed while the discussions continued at Phia Khwoen's house.

All the preparations for the meal were carried out in the pavilion and a great many Mien were invited to share the feast. As the discussions at Phia Khwoen's drew to a close, Yao Tsiang Lu-Phia got up to say a few instructive words. "Well, now, people say that 'the early litters are fat while the later ones are skinny'. It's been said here before and I'll say it again loudly, the only reason matters have reached this point is because of your actions, younger brother Phia Tso. If it hadn't been for your actions we wouldn't have had to do all this. So think about the saying 'the early litters are fat while the later ones are skinny!'" Yao Tsiang then sat back down.

That was just too much for Phia Tso. He rolled up his pants legs and then jumped up, shouting, "Damn it! What are you talking to me about 'the early litters are fat while the later ones are skinny' for? Whose wife have I dishonored?" On and on he ranted, his body poised in fighting stance with one leg raised to kick. Everyone sat stunned, their faces blotched, and nobody could get in a word in answer. When he had finally run down, Tsan Syo Lu-Phia spoke up, "We needn't say anything more about this, or we'll just get into another argument. There was plenty of justification for holding this meeting—we all know about it—and now we should all get together and settle the matter. We are going to eat a feast of reconciliation. Now, we of Phia Khwoen's group will eat more of the meat because there are more of us, but together we constitute only one of the parties to this case." Wuen Tso's group, though fewer in number, constitute the other party in this case. The ox for the feast, whatever its cost, should be paid for equally by each group. "Fine," said Phia Tso, "I know the proper custom here." And so each of the two parties paid for half of the feast ox and the case was formally closed.

Phia Khwoen's son, Wuen Lin Lu-Phia, however, was not satisfied with the feast of reconciliation. Being still very angry at Phia Tso, he ensorcelled him. During the sorcery ritual, Wuen Lin invited his masters to help him, collected together the heavenly forces, blocked off the protective spirits who might have rendered the sorcery ineffective, built a magic bridge, and sent his celestial soldiers across it to Phia Tso's body where his soldiers captured his life spirits. When the soldiers had returned across the bridge with

Phia Tso's life spirits, Wuen Lin put them on the back of a land crab and let the crab go down into a hole.

Well! Phia Tso got really sick and no matter what measures were taken he didn't get any better. A divination ceremony held for him revealed that his life spirits wouldn't return but had descended into the water world. A save-the-life ceremony (*tzo seng*), therefore, was held but was unsuccessful. Nothing worked! He went on being sick until he became prematurely senile. Sick for years, he didn't die. All the family's money was spent on unsuccessful cures and they ended up as nobodies, with neither rank nor face.

When I (Jiem Tsan) was born, Tsan Khwoen Lu-Phia had just completed a 60 year cycle. I met him once when I was quite young, my uncle having taken me to visit him. He was 60 in *ki-yo* 1909 and 70 in *loi-mei* 1919. He didn't live to 80, but only reached 75 or 76, while Phia Tso, the younger of the two, died later. After Phia Khwoen his son, Wuen Lin, was made Lu-Phia, but he was not the man his father was, nor were the times the same anymore.

On Chiefs and Interethnic Politics

The life story is not meant as a report that simply lists facts, but instead as a Mien performance that is entertaining and pleasant, and expresses the varied skills (memory, word-play, insight, social commentary, humor, etc.) of the storyteller. The story is quite unique and gives considerable insight into life in the old days while chiefs mediated relations between villagers and lowland kingdoms. Tsan Khwoen is a real person, his title from the king of Nan is right, he lived in a two storey house (unlike other Mien at the time), and he would purchase a cow from lowlanders for the occasional feast (Jonsson 1999). There is a photo of Tsan Khwoen flanked by family and perhaps associates in an old volume of the *Journal of the Siam Society*, that was taken in Nan town in about 1920. The photo caption only declares that the people are "a group of Yao" and calls attention to the silver jewelry (Rangsiyanan and Naowakarn 1925, 84).

I had never heard of Phaya Intha before reading the story in translation, but instead had been told that Phaya Khiri's full title had been Phaya Inthakhiri. This is curious, and it is possible that his son Wuen Lin (who had the title Thao La and later was made *kamnan* and was based in the village of Phulangka), who hexed Phaya Intha with lasting effect, had a hand in making his father's rival disappear in plain sight by having his official identity absorbed by that of his father. On this front I can only offer conjecture, but I find the matter intriguing.

Mien leaders in 1860–1930 were for the most part strongmen, analogous to the Thai

nak-laeng. Their power came in part from the ability to intimidate people, but how this was felt is another matter. The way Mien people have related this to me, both regarding chiefs in Thailand and Laos, is as follows: some say that the chief had complete command and that there was peace and the rule of law; others say the chiefs were cruel and heavy-handed and would arbitrarily punish or harm people; and a third segment of the population suggests that these men were not so important, that they basically sat in their house, never engaged in farming themselves, and mostly kept busy by drinking tea and receiving visitors (Jonsson 2005, 82; 2014a, 65).

Chiefs in highland areas were largely made to disappear in the social transformations that came with colonial rule and subsequent nation states. The basic difference concerns a shift from localized valley kingdoms that had many networks in lowland and highland areas, toward a single-capital nation-state whose officials owed primary loyalty to the capital and not to the local peoples where they ruled. Nan is somewhat exceptional in Thailand in that the royal house was not immediately dismantled but was allowed to exist for two more generations. The king of Nan lost a lot of power, however. His domain had covered what now are parts of northern Laos. Along with a shrunken land-mass, the king no longer could demand tribute in rice from the peasants.

Thus was the king's interest in striking a deal with Tsan Khwoen to collect tax from the highlanders, and his facilitation of legal poppy growing through the Royal Opium Monopoly. Poppy cultivation everywhere else was against the law. Both the Nan king and the Mien leader profited greatly from this legal farming and trade. Everywhere else, poppy cultivation basically profited only the agents of the illegal trade, and the highland farmers had no other options since they were formally excluded from Thai society. There is some indication that the account of Phaya Intha procuring rice for the soldiers stationed in Nan is to a large extent historically accurate. I at least found published accounts describing that Bangkok had stationed a number of soldiers in Nan by the border with Laos, and that because the Nan peasants had no rice surplus then this became an opportunity for the Mien to sell their rice (Jonsson 2005, 77).

Many elements of the story of Tsan Khwoen as Phaya Khiri correspond to things I had learned from local recollections in the early 1990s, as well as the occasional published source. Tsan Khwoen was engaged in a major status contestation with another Mien leader, Tzeo Wuen Tsoi Lin who became Phaya Kham Khoen Srisongfa in northern Laos during 1870–1930. They were both well connected to lowland authorities, had an analogous title, and are said to have been trying to outdo one another with a household of 100 people—something neither of them really achieved (Jonsson 2009; 2014a). Mien recollections to me were that the king of Nan had denied the group settlement in the domain but reversed the decision in exchange for a payment of silver and elephant tusks. After

that, Tsan Khwoen received his title and collected tax for the Nan king. Published works by explorers and missionaries affirm Tsan Khwoen's two-floor house, his considerable wealth, his many trips to the court in Nan, and declare that it was the Mien population that was providing rice to the Thai military posts in Nan that were placed near the border with French Laos/Indochina (Jonsson 1999; 2001; 2005, 73–93).

I had not previously heard of Phaya Intha, or that there had been a Mien settlement on Doi Chang in Chiangrai. The story brings out persistent rivalries between Mien contenders for leadership, such as in relation to the king of Nan. This suggests that conflict was less between state authorities and highlanders and more internal to either social order. The story suggests repeated assassination attempts and numerous conflicts among Mien and Hmong highlanders. The ritual desecration of spirit paintings suggests, somewhat like the story of the spell against Phaya Intha at the end, that ritual knowledge was commonly used for competitive and destructive purposes—this element is an important corrective to the ethnographic impulse to assemble a composite image of Mien religion as somehow a shared tradition. Equally, it is important to note that the storyteller insists on the effectiveness of certain spells and formulas and at the same time he mocks the group of Mien men who were lacking even the basics of calling on ancestor spirits and performing a curing spell.

The story reflects the esteem that Tsan Khwoen had among his followers, in such elements as the magical quality of his hair (compared to his uncle) and his unusual strength when he later broke the chains that held the same uncle. But he is also described as rather easily corruptible, such as in accepting the bribe from his rival Wuen Tso (Phaya Intha).

One thing I learned in the early 1990s is that in approximately 1945 the Thai police had come to Phulangka and had taken away a permit that was in the possession of Thao La (Tang Wuen Lin), Phaya Khiri Srisombat (Tang Tsan Khwoen)'s son. The permit was never returned and I don't know what it said. But I do know that for the following decades, the Mien population and their leaders stubbornly insisted on their membership in Thai society by annually going to pay respect and taxes at the District Center in Pong. The Mien villages each had a "village owner spirit." They would ask around who was the most powerful lowland leader in their area and then invite the spirit of that leader to become the guardian of the village (Jonsson 1999, 105, 115). These ritual relationships certainly indicate one aspect of inclusive identities, elements that the ethnographic emphasis on the Mien as bounded, unique, and distinct might make disappear.

When I first learned of Tsan Khwoen as Phaya Khiri I did not have the sense that such chiefly connections were common. But I later learned that many Mien leaders at the time were successfully making analogous connections in the adjacent areas of Viet-

nam, Laos, and Yunnan. Vanina Bouté (2007; 2011; 2015) shows how Phunoy came into titled leadership and registered villages in an area of northern Laos in the eighteenth century. The preserved record of titles and associated command is unusual; in most cases such relations were made verbally and practically without any archival trace (see Sprenger 2006; Evrard 2006; 2007; Badenoch and Tomita 2013 for some cases of non-recorded titles and networks; for a rare case of a documented contract and titles, see Kraisri 1965). This is the main reason Renard (1980; 1986; 2002) could find little archival trace of the Karen in Thai histories.

Dynamics of national integration contributed to the general disappearance of titled highland chiefs across mainland Southeast Asia in the late nineteenth and early twentieth centuries. The kingdoms which made such relations and granted the titles were demolished in the colonial-era making of large single-capital states. Kingdoms previously had mostly been much more locality-specific affairs of particular hill-valley settings that combined diplomacy, trade, and ritual that established relations and at the same time maintained ethnic and other differences. There is no indication that pre-twentieth-century states insisted on ethnic or other homogeneity, or that ethnic diversity marked the state's outside (as suggested by Scott 2009). Instead, the typical situation appears closer to the shifting and multi-ethnic networks described for northern Laos by Badenoch and Tomita (2013), Bouté (2011), Evrard (2006), and Sprenger (2006), where members of the same ethnic group were unevenly situated and differentially integrated into politics, but where a considerable number of ethnic identities was generally involved in any one state.

Given these indications of pluralism, one may ask why there is so little trace of it in the archives, and how come there is no trace of Karen and many other hinterland peoples in the common perceptions of the region's history (Renard 2002). I suggest that the pluralism that some scholars have pointed to is just one of several "structural poses" among the region's peoples. The term is from anthropologist Fred Gearing (1962), who suggested that any society takes shape in relation to particular orientations and activities; livelihood, feuds, ritual practice, and war each structured the same settlement differently and in terms of different units. For mainland Southeast Asia, if pluralism was a regular feature of social life then it was made largely invisible by an alternative structural pose that stressed boundaries and exclusivity. That is, I suggest that any society may harbor alternative models of itself that imply exclusive versus inclusive identities. In general, groups tend to promote an exclusive self-image while in practice its boundaries can be much more varied, negotiable, and/or elusive. Linguist N.J. Enfield (2005; 2011) makes one such case for social diversity in mainland Southeast Asia, that an insistence on ethnic boundaries went hand-in-hand with the cultivation of ethnic diversity.

The Nan Chronicle (Wyatt 1994) can serve as an example of how such diversity was

made to disappear from public view. Written by a certain Saenluang Ratchasomphan in about 1894, the chronicle is singularly focused on Tai royal genealogies and Buddhist virtue, and there is no trace of the Mlabri, Khmu, Lawa, Mien, or any other hinterland peoples who had more or less formal and more or less regular relations with the court. This issue of a public denial of internal diversity commonly arises in ethnographic research, such as in statements that members of a particular ethnic group will only marry members of the same group and not of others, when follow-up inquiries such as household surveys and the assembly of genealogies often reveal pervasive patterns of the incorporation of outsiders (Hanks and Hanks 2001). Such strategic essentialism, the insistence on an exclusive identity (in kinship, politics, or any other dimension of sociality), is a common feature of a society's self-image, while no society is ever singular or matches the ideal image of itself.

The complexity of social orders is not specific to states. Anthropologist Robert H. Lowie (1920; 1927) suggests that any social order can have at least three dimensions that are in part incompatible or at least irreducible to any single one. Organization along alternative lines such as kinship and territoriality (based on a village or a larger entity) tends to coincide, and Lowie further suggests that it is general to find also associations based on some third premise (gender, age, craft, trade, etc.). Any social group may come up with norms of behavior and ways of monitoring and enforcing them, while the three alternative and co-present bases for social organization may at times be at odds: "A trade union may oppose the central authority, successfully cope with its agents, and in so far forth nullify national unity" (1927, 111).

To some extent it was anthropologists' shift from ethnology to ethnography by about the 1930s (see Stocking 1992)—from comparisons to the expectation of bounded groups—that encouraged the disappearance of multi-ethnic networks from the anthropological horizon. Scholars tended to seek "pure" examples of hinterland peoples who showed little or no signs of "contact" (see Jonsson 2014a, 46–47). One example is the work of anthropologist Douglas Miles in 1967–68 (Miles 1967; 1990) with the direct descendants of Phaya Khiri, Tsan Khwoen Waa, in the village of Phulangka. In the introduction to his dissertation he acknowledges the link to the authorities and the considerable wealth that derived from the opium trade, but Miles proceeds to study and describe the Mien of Phulangka as an ethnic case that reveals particular patterns in the combination of agriculture, ancestor worship, and kinship.

Karl Gustav Izikowitz did research in northern Laos in the 1930s. He mentions titled Lamet chiefs, but not as an important feature of local social life and regional connections. He states instead that; "the Lamet were deceived into buying titles of nobility from the [Tai Lue] in Tafa" (1951, 354). In my assessment, the Lamet interest in pur-

chasing titles must be understood in terms of how Lao, Lue, and other rulers of lowland kingdoms in what is now Laos had shifted their interest from Khmu, Lamet, Phunoy, and others and toward Mien, Hmong, and Mun leaders (Jonsson 2014a; Lee 2015; Badenoch and Tomita 2013).

Edmund Leach's (1954) work on Kachin and Kachin-Shan connections suggests that ambitious Kachin chiefs would emulate the Shan and call themselves *Saopha* (Shan, analogous to *chao fa*, "lord of the sky"). But his description does not show that any of the Shan lords or kings had a role in social life—50 years after the British colonial takeover of northern Burma, which separated Shan and Kachin in previously unprecedented ways—so it is unclear how telling the case is of things beyond the colonial setting.

In contrast, connections to valley lords and national authorities in Thailand and Laos in the 1930s had considerable impact in the everyday lives of Hmong, Mien, and others. The ethnographic consensus—the focus on ethnic groups as distinct from one another and as either tribal peoples in kinship-based societies or peasants in stratified and territorial societies—contributes to making unthinkable the long histories of multi-ethnic networks that shaped Southeast Asian societies. Neither Izikowitz (1951) nor Leach (1954) viewed highland chiefs as normal or important features of regional and local societies—the former thought the titles were fraudulent, while the latter thought they expressed a quest for power that drew on imitative desire of lowland king's glory and would lead to the emulation of stratified lowland society.

The Mien story of how Tang Tsan Khwoen became Phaya Khiri shows the mutual interest between the Nan king and the Mien leader in making and maintaining interethnic networks. The kingdom of Nan had a long but mostly-unrecorded history of making networks with a range of peoples, and recollections of Tsan Khwoen and other leaders suggest that they had been making such relations with lowland rulers in numerous places as they moved through southern China and into areas that now are northern Vietnam, Laos, and Thailand (see Jonsson 2005, 74–85). Elsewhere I have suggested that there are clear parallels in Mien attitudes toward the spirit world and what can be called the political world, of an interested search for contracts of some mutual benefit by establishing relations that are maintained as long as they are considered rewarding (*ibid.*, 78–91; Jonsson 2014a, 27–35).

Guido Sprenger's (2010) study of the relevance of lowland-derived titles among Rmeet/Lamet upland peoples suggests an important regional dimension to these dynamics: "Outside objects are introduced into the ritual reproduction of society, kin terms are expanded to foreigners, people boast of their knowledge of other languages. . . . The necessity of external influence for a social system crystallizes in values that emphasize interethnic communication as desirable and productive" (2010, 421). This perspective

spells out what I am calling inclusive identities which contrast sharply with the exclusive-identity focus on group distinctions and non-permeable boundaries.

When Le Jiem Tsan told his story to Richard Cushman in 1972 he remarked at one point: “In those days only the Thai tax collector could arrest Mien, not like today when the Thai are all confused.” He was talking during a time of civil war when there was considerable violence and discrimination against highland peoples, and Hmong in particular had become singled out as dangerous communist suspects (as *Meo Daeng*, “Red Hmong”). Le Jiem Tsan had lived in a region where the Mien had citizenship, legal residence, and license to farm. That area was unlike anywhere else in the northern mountains, where highland peoples and in some ways especially the Hmong regularly faced extortion and imprisonment.

The Mien population that was integrated into Thai administration, economy, and society since the late 1800s was always diverse and differentiated, and the Hmong who were under the Mien leader may never have received citizenship. The members of one Hmong community in that area joined with forces of the Communist Party of Thailand (CPT) in the late 1960s but later surrendered. As part of their surrender in the early 1970s they discussed how they came to join the CPT. In one testimony, a Hmong man says that they felt betrayed by the Mien leader, the *kamnan*, who annually collected taxes from the Hmong on the promise that this would get them citizenship. The Mien leader simply took their money every year, and never brought them any benefits in return (Somchai 1974, 250–274).

Perhaps because of the conditions of the interview—the surrender of former guerillas to government forces—the Hmong villagers do not air the possibility that decades of official (military and police) discrimination, extortion, or abuse had motivated them to join the insurgents. The Mien *kamnan* in question was the third-generation leader, Fu Tsan, who according to his daughter-in-law had a weakness for opium and who did no work at home or in the fields. Fu-Tsan’s son who succeeded him as *kamnan*, Tang Tsoi Fong (his Thai name was Phaisal Srisombat, and he passed away in 2011), was a farmer and a genial leader. He was instrumental in bringing some equality and recognition to the Hmong people in his sub-district during the 1980s and early 1990s, before he reached the age of mandated retirement. In my experience, Tsoi Fong never had any chiefly airs about him; he did not impose himself on people in the *nak-laeng* fashion of his grandfather and great-grandfather. The times were different, and each person is individual.

In a recent historical study that responds to the claim regarding highland “Zomian” statelessness (Scott 2009), Kataoka (2013) suggests that the Lahu in Yunnan and Southeast Asia had their own notions of kingship and states, and that it had only been as of the eighteenth century encroachment of Han Chinese on Lahu domains that they became

“stateless.” This claim is very much at odds with the ethnographic consensus that so-called tribal peoples are kinship-based and stateless societies. Kataoka’s case is compelling, but in many ways different from what I call attention to in this article regarding the Mien and various other groups having most likely for centuries been embedded in multi-ethnic political networks that connected hill and valley populations.

The case for Lahu statelessness as a recent matter of active dispossession is useful for critiquing the ethnographic consensus. In many ways the idea that some peoples are intrinsically stateless has been the rhetoric of dispossession, in the Americas, Africa, and across Asia. Ethnologist Robert Lowie (1920; 1927) argued strongly against the notion that state-ness was a feature exclusive to certain societies. He showed through comparisons that even the most apparently egalitarian peoples had state-like features and could produce mechanisms of coercive power. Lowie suggested further that even in simple societies one can find elements that are associated with sovereignty. He expressly rejected the validity of an evolutionary trajectory for human societies, and the distinction among societies on the binary of kinship versus territoriality (1927, 112–113).

This distinction was common among anthropologists as a way to distinguish state societies from tribal peoples as supposedly non-state societies (thus the distinction between kinship and territoriality). A. R. Radcliffe-Brown (1940) offers an angle somewhat similar to Lowie’s in the preface to the *African Political Systems*, a collection of essays by his peers and juniors. Radcliffe-Brown’s preface blatantly disagrees with the premise of the book, which was also the consensus in British social anthropology; the distinction between state societies (as organized territorially) and stateless societies (as organized through kinship) that later re-surfaced in Edmund Leach’s (1954) study of highland Burma:

Every human society has some sort of territorial structure [that] provides the framework, not only for political organization whatever it may be, but for other forms of social organization also, such as the economic, for example. The system of local aggregation and segregation, as such, has nothing specifically political about it; it is the basis of all social life. To try to distinguish, as Maine and Morgan did, between societies based in kinship (or, more strictly, on lineage) and societies based on occupation of a common territory or locality, and to regard the former as more “primitive” than the latter, leads only to confusion. (Radcliffe-Brown 1940, xiv)

States may look somehow singular from examinations of the ethnic frontier, if ethnicity implies a political unit. But with Lowie (1920; 1927) things may look different—the same society may harbor rival agendas or perspectives rooted in the different priorities of kinship, territoriality, and sodalities. Instead of any hard and fast ethnic and/or upland-lowland divides, Southeast Asia as a region may avail a very different story of complexity and the negotiation of diversity. The case of the Mien in Nan (later Chiangrai, Phayao,

Lampang, Kamphaeng Phet, and elsewhere) suggests that they are somewhat exceptional among highland peoples in northern Thailand in that they were not made stateless in the early twentieth century. Bernatzik ([1947] 1970) describes how most of the highlanders were defined as illegal settlers and illegal farmers. The consequence was a general highlander avoidance of Thai authorities and many other lowlanders, as they were perpetually at risk of arrest and fines. The tendency to avoid contact with lowland peoples is apparent in what Bernatzik reported about a stay in a Lahu village in 1937, when he had sat down with his notebook and was about to get answers to all his questions about them as a people:

Suddenly a Lahu man from a neighboring village appeared and whispered a few words. Without a word, all my informants and the spectators who had gathered seized their belongings and, to my astonishment, disappeared with kith and kin into the forest. I did not understand what was going on until, almost three hours later, several Thai gendarmes appeared, who, after a short rest, again left the village. They had scarcely disappeared [when] my Lahu with friendly smiles appeared again. (Bernatzik 1970, 702)

Such avoidance patterns correspond to the Zomian image of highland areas as those actively avoiding contact with lowland states (Scott 2009). It seems clear that this contrasts sharply with the manifest interest in interethnic hill-valley networks that shine through the Mien case of Phaya Khiri and the king of Nan. In that case there was little sign of conflict of interest between lowland kings and highland leaders, while there is much about rivalries among contenders for leadership within highland domains.

While the vagaries of life mean that the three co-authors are not in direct consultation about the contents of this article, it does seem appropriate to close on a somewhat enigmatic statement from Le Jiem Tsan that makes up the final entry in Richard Cushman's field diary, dated in March of 1972:

The other day Jiem Tsan told me [RDC] that before WWII the Yao fled to the forest whenever Thai came to their village. We were really stupid then, he said—now we are beginning to wise up and learn a little about the world.

This description certainly seems to contradict the ease of interaction between Mien leaders and the court in Nan, but it comes very close to describing how stateless highlanders lived in perpetual fear of arrests based on their (recent) dispossession. Among Thailand's Mien one can find evidence of successful integration and national recognition, as much as of dispossession and marginalization. The story of the life of Tang Tsan Khwoen Waa and his rivals is a clear indication of the kinds of histories that were never included in any histories that emphasized ethnic exclusiveness, either highland or low-

land—stories that express regional traditions of multiethnic negotiation that maintained a level of diversity and contestation that had no singular center.

Conclusions

The life story of the Mien leader Tang Tsan Khwoen Waa is telling of a historical setting that has been somewhat unthinkable in ethnography, of diverse and multi-ethnic networks as the basic units of politics and society. I situate the issues in relation to alternative models of exclusive and inclusive identities, in part to contextualize the invisibility of highland peoples in the historical record of Southeast Asia. Rather than aiming to offer an interpretation or explanation of every part of the life story of Tang Tsan Khwoen, I (HJ) wish to leave some things for the reader to discover, ponder, and perhaps enjoy. Instead of being exhaustive about the story I have tried to call some attention to regional and historical contexts that have made or unmade the patterns of social resilience and creativity that one finds in settings of inclusive diversity, within and beyond Thai society and the Thai national borders.

Some episodes of the life story evoke hilarity, such as the accidental explosion of gunpowder and the rice-container that burst. Hilarity may also pertain to the group of Mien men who knew not even the basics of curing spells and knew no details regarding their own ancestor spirits. Many elements of the story concern human decency, including when the traveling Mien men tended to the injured monks until they were healed. Various components bring up human trickery (“mustard-green horns,” Tsoi Tso disguising himself as a woman to escape assassins) and sometimes cruelty, and the very last bit is on the use of powerful magic spells that can destroy a person and ruin a family’s fortune. I don’t try to extract some timeless Mien culture from the story, but insist instead that a number of Mien perspectives and experiences come together in the complex and skilled performance of Le Jiem Tsan’s storytelling that Richard Cushman recorded and translated.

By 1910, the Bangkok government had largely replaced all valley kings with provincial governors whose primary allegiance was to Bangkok and they were not particularly interested in striking up relations of possible mutual benefit with local upland or lowland peoples. By 1915 the governor of Chiangrai officially declared a ban on opium cultivation and slash-and-burn farming, and for the next 20 years the highland peoples were being fined and arrested on both real and bogus charges by agents of the Thai police and military. The dynamic created much distrust across the upland-lowland divide, and appears to have given this divide a stronger force than was otherwise the case. This production

of mistrust between hills and valleys went on for the next 60 years in all the provinces across northern Thailand before things turned even worse during a civil war (Jonsson 2005).

In reaction to the general expectation that the hill tribes were traditional and isolated until the Thai state started to incorporate them by the 1960s, I suggest that the isolation of highlanders was a novel element that can be dated to 100 years ago. All of the scholars of highland society have presumably perused the books of Bernatzik, but none so far has been looking to explain highland people's isolation as recent and anomalous. The awareness of highland diversity helps clarify the situation: A small group of perhaps initially only 500 Mien people had official recognition from the king of Nan by the 1870s and their descendants have had official recognition since, including citizenship (*ibid.*, 73–147).

This group is an exception. All other ethnic minority highlanders and including many Mien peoples were *made stateless* and deprived of the ability to negotiate for any improvement of their lot. Many people in this particular state-included Mien group were legal growers of poppy from perhaps 1900 and until 1958. Everyone else in the highlands was continually at risk of arrest, eviction, and extortion. The leader of the legal Mien group had received a semi-royal title, *phaya*, from the king of Nan in perhaps 1880, and the group never lost these administrative connections because they stubbornly maintained them through friendly visits and annual tax-payments.

Outside the small area of legal poppy cultivation by certain Mien peoples under the king of Nan, the pervasive opium production in the northern Thai hills was the result of highlanders' societal isolation. They were made to grow the crop by agents of the illegal trade (this includes the Thai police force during the mid-twentieth century) who profited greatly, and the farmers had practically no other options because of their "accidental" isolation from Thai society. The (mostly "Chinese") traders would visit villages and sell consumer goods, often on credit. This process perpetuated the isolation of hill peoples from Thai society and their dependence on the clandestine opium traders. The majority of highlanders had no inroads in the Thai towns and most did not learn to speak Thai during this time of isolation.

Most of the ethnographic work on the highland peoples of northern Thailand was done through the Tribal Research Center in Chiangmai. This work was directed at discovering and describing "the six main tribes"; Akha, Hmong, Karen, Lahu, Lisu, and Mien as non-Thai peoples and as ethnic types. By design or not, the research accentuated ethnic distinctions and uniqueness, and generally focused on settlements that seemed untainted by too much contact with lowland society. Thus this research generally found nothing unusual about the isolation of highland peoples from lowland national society.

The resulting ethnographic image suggests that highlanders can be described in terms of their disconnection from regional society and hill-valley networks. Against that ethnographic grain, the story of the lives of Tsan Khwoen Waa and his rivals implies that Mien and other highland peoples have always situated themselves in networks with valley populations, and that they have only become stateless through deliberate policies of dispossession.

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Appendix: On Richard D. Cushman's Research

Richard D. Cushman had written a two-volume ethnohistorical study of Yao in southern China, based on archival materials accessible in the USA (Cushman 1970). His follow-up research in Thailand was focused on the ritual language and ritual traditions. Cushman wanted in his work to emphasize a “confrontation” of many cultural elements, and thereby to offer an alternative to the commonly expected story of the colonization of weaker or less advanced people by a stronger civilization (see for instance Wiens 1954). Inter-cultural borrowing, he proposed, may have played a much more creative role in the fashioning of new societies than commonly expected in scholarship and elsewhere. To show this, there needed to be research on Yao (Mien and some others) religious practices. Cushman conducted research with Mien in Thailand in 1970–71 under a Cornell China Program post-doctoral research grant. A Ford Foundation Southeast Asia Research Fellowship enabled continued data collection during 1971–72, and that is the archive of tape recordings, texts, and photographs that now is housed in the Cornell University Archives.

Cushman (1972) explained in a final report to the Anthropology Department at Cornell University: “My basic strategy of research consisted in working from text to performance. I discovered quite early in my research that even the simplest ceremonies were too complex in actual performance to allow me to take down adequate descriptive information—and this even if I had a knowledgeable priest free to explain what was happening! Moreover, because priests frequently had to move around during ceremonies, and because the background noise was usually excessive, tape recordings of what was being said proved to be both incomplete and often unintelligible. Furthermore, in several cases, because of the special sacredness of actual performance, I was requested not to record or do any photographing. The only reasonable solution was to have the texts for the various rites written out in Chinese characters. The texts could then be recorded and explicated, and detailed instructions for all activities linked in at the appropriate places. A crosscheck on the reliability of the results was maintained by my attendance at as many real performances as possible.”

Mien ritual traditions are voluminous and complex. “When I left the field in June [1972] my list of ceremonies totaled 280. These may, on the basis of form, be divided into three types: ‘ordinary’ rites each under five hours in performance (total 210 ceremonies); rites witnessed by the Jade Emperor (*heu lung*) which take between 5 and 10 hours (50 ceremonies), and ‘feast’ rites which run continuously for three or four days and nights (20 ceremonies). My chief informant managed to write out the texts for fifty of the ceremonies, a total of 2,300 pages. Of these fifty, I ‘finished’ thirty-five: i.e. we recorded the texts verbatim on tape, and then for each recorded detailed explication covering meaning and how-when-where-why-by-whom-for-whom performed. Although we could have finished the other fifteen ceremonies, I chose instead to spend the time taping a general overview of all the other ceremonies in order to have available a greater range of material while pursuing the comparative side of this research.”

In addition to the number of ceremonies and the length of their performance, Mien religious life is further complicated by the use of four or five distinctive linguistic idioms. Certain parts of most ceremonies are spoken in Everyday Mien language but they have an enormous ritual vocabulary which I refer to as “liturgical Mien” (*sip mien nye waa*). The conventions of story-telling are distinct enough from Everyday Mien to refer to this variant as “Narrative Mien” (*ko waa*). Yunnanese Mandarin (*khe waa*) is used for reciting many spells, for reading the official petitions addressed to the high gods, for consulting horoscope books, and for the complete text of one ceremony. Many myths and stories are written in a formal song-style. The Song Language (*ndzuung waa*) is related to Cantonese. Finally, the language used in most rituals is a second form on Cantonese; Liturgical Cantonese (*zie waa*).

Linguist Herbert Purnell was Cushman's graduate-school mate and in 2014 he gave me (HJ) a box with over 20 reel-to-reel tapes of Cushman's recordings that I then passed on to Cornell University. Then I learned that historian David K. Wyatt had deposited 18 boxes of Richard Cushman's research

materials to the Cornell Library and that there were over 70 tapes in the Cushman Papers that are in the Rare Manuscripts Collection. The Library channeled some funding to cover the cost of digitizing the recordings (myth, history, song, and primarily ritual matters) that ideally will have a guide to the contents in English, Thai, Romanized Mien, and in Chinese (I am still working on the details and the collaborators). The history involving Tang Tsan Khwoen Waa is on one of the tapes, and Cushman had written up an English draft translation of it but not pursued the matter further.

When Cushman got an academic job at Rice University (1974–81) he appears to have already abandoned the Mien research project (Wyatt 2000). So far I have not found any explanation for this shift. But it deserves mention that as of 1971, the world of US American anthropology was convinced that many or most of the anthropologists working among Thailand's hill tribes (and especially through the Tribal Research Center) had been complicit with counterinsurgency efforts and had been entangled with the agents of the US State Department in Thailand and that information garnered from the anthropologists had been essential to the Thai military's bombing of highland villages. While the claims or insinuations were based on scanty information and primarily on misinformation and panic, they appeared convincing to many in the USA who wanted to take a stand against the US war effort in Vietnam and Cambodia and needed somewhere to point an accusatory finger (Hinton 2002; Jonsson 2014b; for the more conventional view, see Wakin 1992; Price 2011).

The consensus in American anthropology at the time did make it difficult for Thai highland researchers to get published and they met persistent suspicion at conferences and the like. This is the most likely explanation for Cushman having abandoned the Mien project. Earlier, Cushman (1970) had written a PhD dissertation based on library research on the Yao in southern China, a work that Mien and Yao scholars consider top-notch and still of major importance. Subsequent to this, Cushman channeled his energies into a translation of the Ayutthya chronicles, work that David K. Wyatt helped finish (Cushman and Wyatt 2000) as Richard Cushman had passed away in 1991.

The story of the life of Tsan Khwoen Waa was a story which Richard Cushman's teacher, informant, and friend Le Jiem Tsan wanted to tell. The village of Khun Haeng had only been in existence for a little over a year when Cushman arrived there for his research project. Sometime in 1969 or 1970 the Suan Ya Luang people moved, fleeing increased fighting between units of the Communist Party of Thailand and the Thai military in the mountains of Chiangrai and Nan Provinces adjacent to Laos. By the late 1970s, many in Jiem Tsan's group had moved to the village of Jom Khwaen in Amphoe Muang of Kamphaeng Phet Province, where I met them in summer of 2015 and played them some of the digitized recordings. When they settled in Kamphaeng Phet they bought forested land in lowland areas that they gradually cleared. Initially the soil was fertile but over the years it has required more and more fertilizer to sustain yields, and for about the last 20 years the soil has only been good enough for growing tapioca, not rice or corn. But the ability to purchase land in the early 1970s is very telling of their somewhat unique history. Because of Tsan Khwoen's status as Phaya Khiri, and of his direct descendants' continued administrative service as *kamnan*, everyone in that group had citizenship and village registration already for a long time. This is very unlike the marginalization that was common among highlanders in the 1960s to 1980s (see Alting 1983; McKinnon and Vienne 1989), and which I suggest was the result of policy changes initiated in about 1910.



From Anatolia to Aceh: Ottomans, Turks, and Southeast Asia

A. C. S. PEACOCK and ANNABEL TEH GALLOP, eds.

Oxford: Oxford University Press, 2015, xvi+348p.

This edited volume in the Proceedings of the British Academy series is comprised of 14 chapters covering interactions between the two regions from the sixteenth through the twentieth centuries. Its various chapters were developed out of papers originally prepared for a workshop held at the International Centre for Aceh and Indian Ocean Studies (ICAIOS) in Banda Aceh in 2012 as part of a collaborative project between the British Institute of Archaeology at Ankara (BIAA) and the Association for South-East Asian Studies in the United Kingdom (ASEASUK) on “Islam, Trade, and Politics across the Indian Ocean.” The editors have done a remarkable job here in bringing together the work of historians and philologists to produce a volume of studies tightly focused along clearly defined axes of interaction between the two regions. Their efforts have produced a book that makes significant and meaningful contributions to our understandings of these trans-regional dynamics in the history of Southeast Asia. In this it both complements and substantially enriches a growing library of work focused on analogous vectors of the historical connections of Southeast Asia with the Arab Middle East, South Asia, and East Asia.¹⁾

The editors’ very fine introduction to the collection presents an engaging overview of the field, highlighting the ways in which the various chapters contribute to developing richer and more nuanced understandings of diverse modalities of connection between the two regions. It is followed by a chapter from Anthony Reid, whose pioneering work stimulated a growing body of research on this field since his first publication on connections between the Ottomans and Aceh in 1969. In his chapter for this volume, Reid has produced a new essay that provides rich contexts for understand-

1) These areas have each been the subject their own edited volumes appearing over the past decade: Eric Tagliacozzo (2009), R. Michael Feener and Terenjit Sevea (2009), and Geoff Wade (2007)—the last of these drawing in constructive ways on material published earlier elsewhere. These collections both reflect and have themselves stimulated broader developments in historical work on Southeast Asia from trans-regional perspectives, as seen in the proliferation of individual journal articles and monographs on the topic over recent years.

ing the findings of this more recent scholarship in a magisterial overview of ways in which understandings of both the historical and imagined relationships between the two regions have developed over more than four centuries.

The remainder of the volume is comprised of a series of focused, in-depth case studies of particular examples of political, religious, economic, and literary connections between the two regions—including the presentation of new work on a wide range of archival sources. Jorge Santos Alves begins by introducing a previously little known dimension of sixteenth century Ottoman-Southeast Asian interactions in the role played by Jews of Portuguese origin (who had lost much to both the Inquisition and the *Estado da Índia*) that were active at Istanbul in supporting a stronger anti-Portuguese stance in the Indian Ocean. The economic focus is also central to Andrew Peacock's own chapter, which highlights the importance of looking beyond diplomatic connections to the particulars of both trade commodities and the careers of individual merchants to develop more fine-grained depictions of connections as embodied in the people and things that moved between the two regions.

Diplomatic and political relations return to center stage in several of the chapters that follow. Jeyamalar Kathirithamby-Wells takes as her focus the Hadrami diaspora in the Netherlands Indies with an examination of both their pragmatic collaboration and resistance in light of appeals to their rights as Ottoman citizens. Isaac Donoso's chapter presents us with yet another case in which colonial views of the ties binding Muslims in Southeast Asia to the Ottoman Empire and the heartlands of Islam factored into diverse political projects. The other chapter in this volume focusing on the Philippines, by Gervase Clarence-Smith, opens up a window onto new dynamics introduced under American colonial rule and the remarkable experiments of this new colonial power with engaging the Ottomans as part of policies designed for the management of their Muslim subjects in Southeast Asia.

The potential role of the Ottomans to influence the religious and political landscape of the region was, however, not purely the product of Western imaginations. One of the real highlights of the volume is the chapter by İsmail Hakkı Kadı, in which he provides a provocative critique of dominant scholarly understandings (based to a considerable degree on colonial notions) of the centrality of Abdülhamid II as the driver "Pan-Islamism." In contrast to a vision of trans-national Islamic ideology and activism centered on the Ottomans, Kadı argues that interest in Southeast Asia in Istanbul was "not inaugurated by the Ottomans, but was prompted by various initiatives from the region" (p. 152). Further evidence of Southeast Asian initiative in these developments is presented in İsmail Hakkı Göksoy's discussion of the visit of the Ottoman frigate *Ertuğul* to Singapore in 1890. In this chapter Göksoy continues his ongoing explorations of the Ottoman archives to present here new letters from the late nineteenth century documenting the interest in Aceh within "official circles" at Istanbul—as well as the ongoing attempts of Acehnese and those claiming to represent them to pursue Ottoman support.

The historical progression is followed through the twentieth century in the chapters that follow. Amrita Malhi's chapter opens a window onto previously under-appreciated dimensions of anti-British uprisings in early twentieth-century Malaya through her explorations of the "subterranean symbolic life" of the Ottoman Empire in Muslim Southeast Asia—and in particular in the ritual and political imaginations of Malay "secret societies." Chiara Formichi's contribution sheds some stimulating new light on yet another little recognized, but very different, sphere in which developments in Anatolia inspired anti-colonial visions in Southeast Asia. Here the focus is on the impact of late and post-Ottoman secularizing projects, and the way in which some Indonesian nationalists came to perceive Kemalism as a "middle way" facilitating "progress" at a critical juncture in the country's history.

The last three chapters of the volume shift gears from political and economic history to literary and religious connections. Vladimir Braginsky begins by taking up another thread from Reid's early work on Ottoman-Southeast Asian relations to explore literary imaginations of "Turks" in Malay literature. Drawing on his extensive work in this field, Braginsky provides us here with an illuminating overview and typology of a wide range of pre-modern texts across various stages of Malay literary history. Oman Fathurahman's chapter turns attention toward aspects of intellectual and religious history as evidenced in a selection of important Malay and Arabic texts in genres ranging from Qur'ānic exegesis to sermons. Here, he reminds us, the major center of gravity was not Istanbul, but rather the holy cities of Arabia where Kurdish and Sumatran Sufis and scholars came together around a shared textual corpus—as most perhaps most famously demonstrated by Anthony Johns in his 1978 portrait of Ibrāhīm al-Kurānī and Abd al-Rāūf Singkel as "Friends in Grace" (in Udin 1978). Another modality of religious connections between the two regions is the focus of the last chapter in the volume, in which Ali Akbar presents a very perceptive overview of the influence of Ottoman traditions of Qur'ānic calligraphy and codicology on the production of manuscript and early print Qur'āns in Southeast Asia. These examples provide a compelling case for the continuing importance of these religious and cultural connections that transcend the limits of direct political or economic relations between the two regions.

As with most edited collections, there is of course some variation in the quality of the individual chapters, but overall the work is of a very high standard. The editors and contributors are to be commended for producing a fine work that will serve to set the state of the field in studies of connections between these two regions, and should inspire further work on diverse dynamics of trans-regional history. If there is one shortcoming of this collection it would be one of omission. Of course, it is never possible to cover all that one may wish in any book. However, given the extensive coverage of Aceh across the volume, and the specific mention of this toponym in its alliterative title, it is something of a surprise that it did not include an essay on the re-invigoration of connections between Aceh and Turkey in the wake of the 2004 tsunami. Nevertheless, this fine volume will certainly serve as an important resource for work on this and other aspects of connec-

tion between the two regions in the future.

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A Sarong for Clio: Essays on the Intellectual and Cultural History of Thailand, Inspired by Craig J. Reynolds

MAURIZIO PELEGGI, ed.

Ithaca, NY: Cornell Southeast Asia Program Publications, 2015, 208p.

When a stellar cast gathers for the festschrift, the result is both a thoughtful reflection on the past oeuvre by Craig J. Reynolds, who inspired the essays, and a peek into the various issues and debates that will characterize the future of Thai studies.

If not directly mentioned, Reynolds' influence and carefully crafted concepts from his decades-long career in Thai and Southeast Asian Studies pervade the book. This can partly be attributed to the contributors' association with Reynolds as his students, colleagues, and friends. However, it would be wrong to assume that the volume represents a closed academic circuit. Reynolds' opuses span from the 1970s to the 2010s and counting. His seminal works illuminate important aspects of these often turbulent decades, such as the analyses of Buddhist and Marxist writings in Thailand and beyond, the charting of previously under-explored terrain of historiography in Southeast Asia, the clearing of the ground for intellectual and social histories in the area, the probing of the ideas of national identity and globalization, and the meditation on varied aspects of power, including its unorthodox linkage with magic and local knowledge. All the while, he widely borrows conceptual tools from, *inter alia*, semiotics, feminism, structuralism, and post-structuralism, but always subjects them to scrutiny and test in the Southeast Asian weather. The editor Maurizio Peleggi's introductory chapter well captures this across-the-board and seasoned nature of Reynolds' works and thoughts.

In the essays that follow, three Reynolds' leitmotifs emerge quite clearly, namely: (1) *power*

in its multifarious manifestations, (2) an emphasis on the *outcasts* of Thai history, and (3) *knowledge*, especially in its written forms of manual and historiography. All three permeate the chapters, although some bring each of these themes out more evidently than others.

One common ground of all authors is that power operates in many fields. It operates in art historiography, in artifact of museological practices, in Buddha statues, and in beauty. Rather than in the eye of the beholder, according to Peleggi in his own essay (Chapter 4), Thai art is a discursive field of power, an intense playground of national myth and colonial rule. Power also operates in the visual sense as art history (and arguably all histories) works “to make the past synoptically visible” (p.92), especially through classifying and inscribing meaning in objects. In Chapter 7, Yoshinori Nishizaki argues along the same line, though in a different context, that visibility is a matter of power. In his analysis, it is inscribed in a grandiose observation tower in the provincial city of Suphanburi, the public work that has become a symbol, a source of collective pride and social identity.

We can also approach power via semiotics and politics of translation, as Kasian Tejapira illustrates in Chapter 9 where he discusses the term “governance” in Thailand in the aftermath of the 1997 financial crisis and the “shock doctrine” of neoliberalism. Kasian skillfully traces the transformation of the IMF’s notion of “good governance” as part of its liberalization and privatization package imposed on crisis-ridden economies, to its Thai translation as *thammarat*, which was picked up and used by several groups with various intentions, be it liberal, communitarian, or even authoritarian.

The collection also demonstrates that power exists in all levels of a society: it is concentrated in the elites’ hands, but also practiced by the subalterns. When these forms of power clash, various mechanisms are called forth to resolve the tension, and they can be brute, hegemonic, discursive, or emotional. This formulation of power is encapsulated in a number of essays in the volume.

In Chapter 1, Chris Baker and Pasuk Phongpaichit weds the figure of an outcast with the complexities of knowledge/power through the story of Khun Phaen. Based on classic folk literature previously translated by the authors, the essay distills basic Thai modalities of power, arguing that it can mean many things for different people in different contexts. Even the most common conceptualization of power as *authority* can have varied meanings. When viewed from the apex of society, it can mean the delivery of order, stability, and protection. When viewed from below, however, formal authority, protective as it might be, often causes alarm since it can inflict distress, violence, and even sudden death on ordinary people. But Baker and Pasuk also characterize power in another mode for our hero in the story: *mastery*. Khun Phaen derives power through a mastery of skills, magic, spirits, forces of nature, and himself—in short, the mastery of knowledge, or lore, acquired through learning and practice, which stood in contrast to authority originated in birth and hierarchy. Mastery protects Khun Phaen and his loved ones against danger; it even enables him to defend his country for the king. These two bases of power—authority and mastery—eventually

collide in the climax of the tale. But the whole legend can also be read as having built upon the tension between them.

In light of Reynolds' previous study of Thai "how-to" manuals, the tale of *Khun Chang Khun Phaen* can also be seen as a manual that offers guidelines for living—how to understand the world, how to behave and deal with others, as well as how to approach power and politics. Diachronically, Villa Vilaithong's essay (Chapter 8) exemplifies the implications of manuals relating to the management of oneself. Here, Khun Phaen becomes a 1980s businessman who found himself in the dizzying world of globalized competition. Yet, he could find solace in *Khoo Khaeng* (Competitor) Magazine, through which he could learn the lore (e.g. marketing data and statistics), practice magic and charms (marketing and advertising techniques), protect himself against danger in war-like situations (as described by the magazine), and hope to win the battle (beating competitors). Of note is Villa's discussion of *Khoo Khaeng's* role in the making of the "corporate man," subjectivated through embellishment of consumer goods, "dress for success," and lifestyles that reflected "notions of refinement, self-discipline, and Westernization" and "transformed middle-class corporate men's appearance both at work and play" (pp. 177–178). The "beautiful apparition" in the tale of *Khun Phaen* meets its counterpart in *Khoo Khaeng*. Villa traces this manual from its inception until the expiry of its shelf life, ironically as a "victim," and not a corporate "last man," of the 1997 economic crisis.

The theme of the outcast in Thai society continues in four more essays, although each contains its own distinct flavor. The most seditious would be Patrick Jory's genealogy of republicanism in Thailand in Chapter 5. In a country usually considered monarchical and conservative, proudly brandishing its long tradition of royalism, Jory argues against the grain that republicanism has enjoyed an underground following for at least 130 years, can be traced in both liberal and communist camps, and found among such diverse groups as princes in the days of absolutism, commoners, literati, politicians, military officers, political parties, and mass movements.

In contrast, the other three outcasts are individuals who are less out-and-out rebellious than those in Jory's piece, yet no less anti-establishment and, as a result, they also suffered from various forms of punishment and discipline. One such individual is the audacious Cham Jamratnet, a member of parliament from southern Thailand, whose life experiences directly fluctuated with the ever-shifting political landscape in the wake of the 1932 revolution. Cham's politics is difficult to categorize in ideological terms, but his colorful actions both inside and outside of the parliament can be interpreted as siding with the poor and the voiceless. His daring performance as a "common-man MP" earned him five successful elections, coverage in national media, and an affectionate commemoration in his hometown. But it also landed him in prison and resulted in an investigation of his sanity. In Chapter 6, James Ockey aptly links the curious case of Cham with the rise of psychiatry in Thailand after the 1950s and contends that the scientific discourse was in itself a power that suppressed as it was listed to the side of authority to relegate those who dared chal-

lenging the norm.

Another paramount example is Prince Prisdang Chumsai, the “renegade royalist,” who was reluctantly rebellious to King Chulalongkorn when, in 1885, the prince led a group of royals and demanded a constitutional monarchy at the time when centralization process was only at its nascence. In a series of backlashes, Prisdang found himself ignored, shamed, marginalized in the new bureaucracy, exiled for 20 years, blacklisted and harassed after he returned to Siam towards the end of his life. Amidst all of these, he was ridiculed, rumored to be mad, and murdered historiographically, that is, assigned to oblivion. I consider Tamara Loos’s analysis of Prisdang (Chapter 3) most innovative in terms of approach. Loos draws attention to the hitherto little known place of emotion in Thai history, to the “regime of emotion” that sanctioned against individuals through rumors, gossip, discrediting, favoring and disfavoring (rather than through, say, law), and emotional suffering, the ambiguous angst one bears throughout one’s life. As such, Loos brings to light the abstruse interstices of power and expands its notion in the Thai context, beyond power as authority, knowledge, discourse, or simple disciplining.

In the same text, Loos examines the genre of autobiography, a new mode of writing in the time of Prisdang. Autobiography is not “an objective and disinterested pursuit but . . . a work of personal justification . . .” (p. 75), and for Prisdang, who was consigned to the disgraceful corner of history, it was particularly urgent to write back. Autobiography allowed him to engage in “a historically situated practice of self-representation,” in which he can perform and construct “his identity through the narration of his own life” (p. 76) and to negotiate his place in history. In this sense, history has been inimical to an awful lot of people. And it is arguably more so for commoners than members of the elite like Prisdang. The fourth outcast, KSR Kulap (1835–1922), is a literatus and probably the first commoner whom we can call a “historian” by trade (although the term did not exist in his time). Like Prisdang, he engaged in writing to counter the weight of history. But rather than writing *against* history, he wrote *another* history. Or, rather, a different historiography and method: as Thongchai Winichakul points out in Chapter 2, Kulap wrote at a time when the sense of historicity and its writing was being drastically rethought, and Kulap’s methodology represented an older mode of historiography. The price of being outmoded was high: he was charged several times by the royals, imprisoned, and his sanity was called into question. “Fabrication, stealth, and tainting of historical records” were the charges but all these were, according to Thongchai, based on modern criteria of historiography. Previous studies of Kulap, including Reynolds’, point to the exclusivity of historical writing in the aristocratic circle and Kulap’s transgression into it. Thongchai makes a larger claim: this was an epistemic clash between two modes of historiography, and Kulap was on the losing side.

The formal charges were accompanied by denigration and ridicule: for instance, the word *ku*, from Kulap, was associated by the royal elite with “inventing a fact” and exaggeration, and it still has the same connotation in today’s vocabulary. A chilling point that comes forward from these

essays is that formal authority is akin to fire: it can protect one against coldness, but it can also burn. And when it wants to burn, it summons instruments of suffering: brute force, legal charges, imprisonment, accusation of madness, forcing into oblivion, shaming, discrediting, harassment, rumors, and ridicule. The result can vary from death, despair, exile, voiding of subjectivity and meaning by being ignored, silenced, or emotionally tormented. Today's Thailand is, once again, turning towards authoritarianism and this pattern of suffering is all too eerily familiar.

The only thing I miss from reading this otherwise brilliant collection is its comparative aspect, which would have allowed it to live up to its title, a *sarong* for Clio. Hidden here and there in the articles, comparison with other areas could be brought out more forcefully, and its implications for the discipline of History, and not only Thai history, could be more engaged with and debated. Nonetheless, the essays are a pleasant read and a must for scholars working on Thailand and Southeast Asia. Above all, the authors in the book have composed a worthy tribute to Craig J. Reynolds by building upon his works and taking them further afield.

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Luzon at War: Contradictions in Philippine Society, 1898–1902
(with an introduction by Vicente L. Rafael)

MILAGROS CAMAYON GUERRERO

Quezon City: Anvil Publishing Inc., 2015, 295p.

Luzon at War has been long in coming. As a dissertation at the University of Michigan in 1977, it has eluded Filipino historians for years; that it is finally out as a book is a happy occasion. Prior to the writing of *Luzon at War*, its author—Milagros Guerrero—has co-written with the celebrated Filipino historian Teodoro Agoncillo the highly influential *History of the Filipino People*, and has also worked with renowned historian Renato Constantino in the edition of the five-volume compendium *The Philippine Insurgent Records*. As such, when she arrived in the United States for her graduate studies, wrote Vicente Rafael, she “was already known” as a scholar of the Philippines (p. 3). She has delved into the genre of “history from below” and studied the tumultuous period of the Philippine Revolution and the nascent republic from the perspective of the periphery and the marginalized. She has looked beyond the political developments in social and political centers of Malolos and Manila, examining the social realities of the Revolution among the masses in the provinces instead. Using declassified sources on the Filipino state, taxation, landownership, and popular movements in particular, *Luzon at War* illustrates the variegated discord in society from 1898 to 1902, as the Spanish colonizers exited and the republic fought for its existence by warding off the

onslaught of the American imperialists on the islands and its people.

Five chapters comprise the book. Guerrero painstakingly provides a “serious and realistic analysis of the mechanisms of political and social change outside Manila and Malolos” and introduces her readers to the difficulties of both the government and the governed during the birth of the Philippine nation state (p. 23). She claims that in 1898 the Tagalog provinces of Luzon welcomed the Revolutionary Government by Emilio Aguinaldo. Townsmen organized militias, which attacked Spanish outposts and welcomed state envoys and other insurgent troops. To underline the country’s independence and prove that Filipinos could govern, Aguinaldo called for a nationwide reorganization. In response Manila, still at a quandary from the occupation of American and Filipino forces and nearby provinces elected prominent members from the *cacique ilustrado* or *principalia* (landowning, educated or privileged) class. Conflict characterized the transfer of power—civilian appointees contended with military commanders, who were uneasy to share powers or refused to accept their subservience to civilians. Free from the constraints of the outgoing colonial regime, which they also served, and far from the central Aguinaldo government in Malolos, new provincial officials collected taxes and rents and maintained peace and internal security with impunity. Long-entrenched ruling families used their new position to demand personal services, extort old and new taxes, and embezzle public funds, earning the ire of the masses who expected real and lasting change following the Spanish colonizers.

In Luzon support for the revolution, according to Guerrero, rested on people’s opposition to the colonial taxation and friar control of political and social life and vast tracks of arable land. Correspondingly, upon its ascent to power, the Aguinaldo government abolished forced labor and took control of friar lands. To support itself and its ongoing war with the Americans, the Aguinaldo government enforced a war tax on every citizen, required those who could not pay to serve either in civil or military public works and demanded rent from the use of agricultural land. It disbanded militias and encouraged citizens to return to cultivation. The economy stagnated, nonetheless. From 1898 to 1902 typhoons, floods, and epidemics like malaria and rinderpest repeatedly hit Central Luzon, its people, and animal resources. Restrictions on commerce between Manila and the provinces paralyzed agriculture, shattering interdependency among provinces and steadily dwindling supply of food and staple commodities. Meanwhile, to administer land use and ownership, the government ordered tillers to register their plots. Illiterate peasants sought assistance from *escribanos* (writers), some of whom unscrupulously register the illiterate farmers’ lands as their own. Other peasants, fearing the imposition of land tax, ignored the new regulation and, hence, the opportunity to legally own their plots. Also the *kasama* (sharecropper) who tilled the land for the small *inquilino* (landowner) were neglected, leading to their further impoverishment and even displacement from the farming industry. Increasingly the *ilustrado* and *cacique* minority “emerged as the true victors in the Philippine revolution, politically, socially and economically” (p. 164).

Peasant leaders, narrates Guerrero, realized early that the Spanish colonial government would not impose the social change they longed for. Their brief hope upon allegiance with Andres Bonifacio's Katipunan¹⁾ was snuffed by Aguinaldo's government which, like the colonial regime it replaced, also imposed burdensome taxes administered by corrupt officials. Widespread indignation exemplified in social revolts Panasacula, Santa Iglesia, Guardia de Honor, and the Colorums erupted, underscoring cleavages in the Revolution. In the provinces, *ilustrado* and military leaders undermined peasant leaders like Teodoro Panasacula and Felipe Salvador and refused to recognize their groups as parts of the revolutionary force. Similar to the country's colonizers, the elite equated peasant movements with troublemakers, savagery, banditry, and fanaticism, forcing them to flee to the mountains where they waged guerrilla warfare. Heavily influenced by religion, the guerrillas assassinated and raided towns and/or large farmlands, whose leadership, frustrated from the Aguinaldo government's inaction, turned to American colonizers for protection. The arrest and execution of peasant leaders and the disbandment of their societies suppressed the movement; and the newly established American regime alleviated some farmers' plight, but failed to resolve the "the age-old problem of social inequality in Philippine society" (p. 265). Years after independence peasant demands continued, because the social regeneration promised to them in the Revolution remained unfulfilled.

The discernible fissures in Filipino society and the persistent poverty and want among their peasants could indeed be traced back to the birth of the nation state. And *Luzon at War* could have delved deeper in unpacking these complex and multi-faceted contradictions. For instance it could have unraveled the idea of the educated and landed elite as a monolithic class and illustrated the cleavages brought about by politics and self-interest among their rank. It could have been enriched with further inquiry into the world of the underprivileged members of social movements—it could have amply established their particular relationship with Bonifacio's Katipunan, their culture, their philosophy, and their enduring popularity. Also the allegiance between some members of the elite and the Americans could have been better elucidated. Lastly it could have been aptly reworked as a book—that it is a dissertation in print might be charming, but updating it would certainly not have hurt. Still it should be stressed that Guerrero's *Luzon at War* provides a good overview of the social realities behind the conflicts among Filipinos during the turbulent birth of the nation state. It is an important contribution in Philippine history and a revelation of the historiography of its time; scholars of the Philippines and Southeast Asia must read it.

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1) Shorthand for the secret anti-colonial society Kataastaasang, Kagalang-galangang Katipunan ng mga Anak ng Bayan (Greatest, Most Venerable Union of the Children of the Nation), which fought wars of independence against the Spaniards and the Americans.

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Magic and Divination in Malay Illustrated Manuscripts

FAROUK YAHYA

Leiden and Boston: Brill, 2015, xxvii+349p., 308 illus., 2 maps

A fully developed scholarly source for illustrated manuscripts dealing with humans, life, the future, beliefs, death, and so on, is much needed by arts, religious, cultural, and ethnical studies scholars. Globally speaking, studies on the history of divination, talismans, and amulets suggest that there is a connection between magic and medicine notes in the eastern and western parts of the world. However, access to a comprehensive collection of Eastern illustrated manuscripts including magic, divination, medicine, and sorcery notes is implausible. There is also a dearth of studies related to such collections in Arab countries and particularly in Persia.

Farouk Yahya considered about 96 published and non-published manuscripts in the Malay-Indonesian world chiefly since the late eighteenth century in an attempt to fill a part of this blank space. Yahya's book thus encourages other Asian scholars to produce similar works about their cultural heritage. He draws our attention to the fictional characters, popular customs, and local knowledge of magic, divination, and medicine of a region where people used to have great respect for magic and magicians. This book is divided into two parts and eight chapters.

The first part comprises an Introduction and Background, whereby the author simultaneously considers three approaches in his study, including (a) a general survey of the manuscripts, (b) an analysis of a particular illustration and note on magic/divination, and (c) an assessment of a specific manuscript. Some Malay manuscripts are unknown and sometimes undated. Apart from the destructive influence of Southeast Asian climates in wrecking the colophons, I recollect a discus-

sion I had with colleagues in Malaysia a couple of years ago regarding many local manuscripts, particularly dealing with Islamic teachings, rituals, and customs, which are anonymous because they were written for the sake of God and not for fame. The first datable (and illustrated) manuscript considered by Farouk Yahya is from 1775 and the latest is from 1933, although there are a few sixteenth and early seventeenth-century manuscripts in European collections (refer to chapter three of the book).

The author promptly highlights the importance of his study to art studies. He also provides readers with hints of whether pre-Islamic and ancient paintings are manifested in the Archipelago. To offer some insight into the application of divinatory and magic notes occasionally written incompletely in the manuscripts, Yahya also conducted interviews with four male practitioners. It is certain that through the use of various methodologies this study addresses different scientific disciplines.

The next section of part one starts with “the Malay spirit world” that helps readers comprehend how various foreign fictional and supernatural elements have entered Malay magic and divination works. This section sheds light on the thought that as long as the language of a community is filled with loaned terms, its cultural heritage is to some/large extent impressed.

Subsequently, Yahya provides additional information about the tools applied by a Malay magician, which are divided into four groups: (a) oral tradition written in manuscripts, such as supplications and incantations; (b) particular objects such as the *keris* (dagger) and magic-medical bowl (*mangkuk penawar*); (c) goods and materials including water, candles, lime, eggs, betel leaves, toasted rice, etc.; and (d) effigies of humans and animals. Although magicians in other Asian and Muslim communities apply many of these tools, it seems there is no comprehensive prescription of the ingredients in materials. For instance, I observed a religious quasi-Sufi Persian practitioner who wrote some Arabic and Persian notes using liquid saffron, a plant growing extensively in Iran, inside a bowl. He put the bowl in the kitchen to bestow blessings and wealth upon the people of the house (*ahl-i khāna/manzil*). However, as far as I know saffron was/is not used by Malay magicians or fortune-tellers because it was/is not cultivated there. This implies that geographical context does influence the reception of foreign elements.

Likewise, Yahya displays the parallel role that both magicians and mosque Imams had for some time, to physically or metaphysically guide *orang Melayu*. Logically speaking, the authority of Imams reinforced or increased with the start of another Islamization wave in Southeast Asia, with particular emphasis on orthodox Islam in the *very* beginning of the twentieth century which led to diminishing the importance of magic culture among Malays; the opposite is expected in other societies, with the more contact that Muslims had/have with widespread so-called unorthodox teachings, the more familiar with magic treatments they will be.¹⁾ Later on, the Malay-Indonesians’

1) Many Shī‘ī and Sufī produced their own magic and divination notes by employing Islamic, local, and cultural elements. Likewise, they had a significant influence on Malays before the twentieth century.

links with Middle Eastern oil kings, the re-emergence of a devoted Shī'ī authority in Iran in 1979, and the scrambling Arab governments to *re*-capture the Muslim world's economic-political power, and so forth have all significantly affected the slow (and occasionally secret, non-official) handing down of Malay magical heritage to next generations.

The second part of the book deals with *Manuscripts*, where Yahya explains there are European manuscript collections, but only a small share of Portuguese collections include Malay manuscripts:

In fact, apart from a couple of letters that were sent to them by local rulers, Malay manuscripts are rarely found in the Portuguese collections. This could probably be explained by the antagonistic views held of non-Catholic cultures, especially that of Islam. Additionally, the lack of Malay manuscripts in Portuguese archives is also partly due to the survivability of the evidence, as many records were lost when the Casa da India in Lisbon was destroyed by earthquake and fire in 1755. (p. 42)

The author also describes the physical features, materials, formats, and colors used in the manuscripts. As there is vague understanding of some manuscript images, in chapter five Yahya draws the readers' attention to the connection between text and images. Yahya's attempt to find different samples of divination manuscripts is obvious. He introduces *Ketika Burung* and *Burung Malaikat*, both of which are based on depicting a bird, something that is rarely studied by contemporary scholars. Tables, diagrams, and some hints to help discern between Arabic, Jawi, and Pegon letters are presented as well. *Fāl al-Qur'ān*, or divination by the Qur'ān, are originally from the Middle East and (more or less) South Asian regions but are often found in the Malay world as well. Some *Fāl al-Qur'ān* that are ascribed to an important Shī'ī and Sufi figure, Ja'far al-Šādiq have been analyzed and a connection is pointed out between the structure and procedure of Persian, Ottoman and Malay *Fāl al-Qur'ān*.

Other techniques of expressing the human state and seeing the future are augury and physiognomy. According to Yahya, the first deals with interpreting signs in nature, which can be done by referring to earthquakes, eclipses, lightening, dreams, human limb movements, and so on. The latter (physiognomy) is also known as *firasat* and it is "to decode the inner character by developing a grammar of observable bodily features" (p. 151) and it covers humans, animals, and objects. The iconography part of the book essentially motivates readers to decode the secrets of signs and paintings that are extensively used in manuscripts. The relation between Chinese motifs and the Malay magic and divination culture is evident, as Yahya highlighted "A Chinese porcelain saucer with a 4 × 4 magic square in the bottom [produced at the] Jingdezhen, Jianxi province [of] China."

Chapter seven is also interesting as it refers to magicians and gender. In the section "Female Magicians," readers discover the importance of introducing Muḥammad's household (e.g. Fāṭima, al-Ḥasan and al-Ḥusayn) into talismans. It should be noted that the importance of the four Rightly-guided caliphs of Islam (Abū Bakr, 'Umar, 'Uthmān, and 'Alī) are displayed in other Malay manuscripts by placing them far from each other (in the corners of the page) often in separate polygons,

flowers, circles and ovals (see Fig. 47, p. 71; Fig. 254, p. 218; Fig. 285, p. 246). It recalls the ottoman rulers such as Bayezid II (r. 1481–1512) and his son Selim I (r. 1512–1520) who ignored Persian-Shī‘ī Safavid officials’ cursing the first three caliphs by adding their names (Abū Bakr, ‘Umar, and ‘Uthmān) and symbols to their banners (See Yürekli 2015). Also, I understood that the “calligraphic lion on scroll of Mehmet II” (1458 AD) preserved in the Topkapi Serai Library resembles—in terms of designation only—the “calligraphic lion on the standard of Sultan Muhammad IV of Kelantan” (r. 1899–1920) appeared on page 192 of Yahya’s book (See Shani 2011, 123). It signifies that Middle Eastern Islamic traditions and religious-political movements had impact on Malay folk prose as well as Malay notes on magic. Yahya indicates that *selusuh Fatimah*, which served to facilitate childbirth, belonged to (possibly) after the mid-nineteenth century; it coincides with the (re-) writing of several Malay *hikayat dan buku* that include Islamic (Sunni, Shī‘ī and Sufi) elements (See also: Wieringa 1996, 93–111). However, Yahya claims that:

The manuscripts are therefore not only an important resource for a study of Malay visual art and magical and divinatory practices, but also for an understanding of the production and consumption of Malay manuscripts in general. The private and personal nature of their contents means that the manuscripts are different to Malay manuscripts of other textual genres such as poetry, literary and devotional works, which are often recited aloud in public. (p. 296)

The process and printing of magical and divination notes after the twentieth century along with their current status, for example in Malaysia today, form the last part of this book. To finalize his discussion, Yahya concludes that rather than manuscripts written and owned by magicians, the most illuminating manuscripts usually belonged to the religious and royalty classes of society, and more beautiful and high quality manuscripts “were commissioned by European patrons.”

This comprehensive book resembles a well-written encyclopaedia in targeting every aspect of Southeast Asian notes on divination and magic, and can be supplemented with the detailed manuscript catalogues written by Wieringa (1998), Iskandar (1999), and also Skeat (1900). Yahya’s effort suggests that the descriptive works on Malay culture are no longer effective. He also reminds enthusiastic scholars that now is the time to use his book in order to select a type of note on magic and divination and trace its development, and following Winstedt’s analytical view, attempt to answer what for/how these magical notions entered and connected with the Middle East, South Asian and the Malay-Indonesian world.

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Mother Figured: Marian Apparitions & the Making of a Filipino Universal

DEIRDRE DE LA CRUZ

Chicago: The University of Chicago Press, 2015, 320p.

In March 1989, a transgender woman named Judiel Nieva reported that the Virgin Mary appeared to her atop a guava tree in the town of Agoo in the Philippine province of La Union. After much initial fanfare, a theological commission of the Roman Catholic Church declared the apparition as *Constat de Non Supernaturalitate*, or “clearly evident to be not supernatural.” In the 20 years since then, however, Filipino devotees to the Virgin Mary have continued to flourish, with some even making pilgrimages in different Marian shrines in and outside the country. Based on the *Catholic Directory of the Philippines*, more than 800 parishes nationwide are dedicated to the Virgin Mary as its titular patron. It is perhaps too simplistic say that the Marian devotion in the Philippines has persisted simply because of the intensity of Filipinos’ religious faith. What underlies the continued devotion to the Virgin Mary in the largest Roman Catholic nation in Asia?

Deirdre de la Cruz’s *Mother Figured: Marian Apparitions & the Making of a Filipino Universal* is a meticulous historical and ethnographic examination of the devotion to the Virgin Mary. It is published at a time in which the Catholic Church in the Philippines is embarking upon a 9-year spiritual journey that will culminate in the commemoration of the 500 years of Catholicism in the Philippines (Palma 2012). The book’s publication also finds resonance amidst Pope Francis’s radical new evangelization, which places great emphasis on the vibrancy of religious life among Catholic communities in the Global South.

This book has many important and significant key points which are approached from a number of angles using close textual analysis of church records and other historical documents. One important theme is the interaction between religion, the mass media, and lay actors in shaping

Marian devotion in the Philippines. This discussion unfolds throughout the book's three main parts, which are framed under the headings "images," "visions," and "mass movements." From the outset, De la Cruz offers a very clear explanation of how the chapters are organized. And with her extensive fieldwork, she shows how passionately she is involved in her research, which involved her traveling widely to various churches, convents, libraries, and archives around the Philippines, Spain, and the United States.

Aside from a very useful introduction that outlines the framework and structure of book, the first two chapters recount the historical episodes and contemporary relevance of Marian apparitions and the devotion to the Virgin Mary. Chapter 1 examines the triple meaning of the word "image" through a discussion of the physical appearance of religious imagery and its resemblance to published apparition stories and miracle narratives during the nineteenth century. The "appearance," "disappearance," and "(re)discovery" allegories are parts of the complexity of many apparition stories like in the case of Our Lady of Caysasay or the story of Our Lady of Manaoag, both of which have similarities and differences to actual images. This chapter also examines the role of missionaries and mestizo assistants called *ladinos* on the production of hagiographies, sermons, prayer books, popular romances, and spiritual manuals (p. 27), particularly during the period of expanding print culture in that century.

Chapter 2 emplaces the apparition stories in their historical context, looking back at the rich Catholic history of the post-revolutionary Philippines. It traces how double translation takes place through the quasi-divine figure of the Virgin Mary and through the globally circulating concept of the nation, Inang Bayan (Mother Country or Motherland). With anti-Spanish forces growing in strength, Gregorio Aglipay, a former Catholic priest and the supreme bishop of the Philippine Independent Church, propagated the tale of Inang Bayan as the localized version of the Virgin Mary. The story of Inang Bayan first appeared in Aglipay's *Novenario de la Patria* (Novena of the Motherland) published in 1926, a prayer text that pays homage to the origins of the Philippine nation. The tale and the novena lay out the conditions for understanding the transformation of Marian devotion in the context of late colonial modernity (p. 60), which resonates with Vicente Rafael's (1988) work on how unique forms of Filipino ideas and practices emerged through the reinterpretation of symbols and signs.

Chapter 3 is about the apparition of the Virgin Mary in a Carmelite monastery in Lipa. The chapter narrates how the apparitions and miracles happened through the story of Teresita Castillo, a former Carmelite novice in a monastery of nuns in the province of Lipa. It also reveals some disturbing historical narratives in the history of the Lipa monastery site, including the account of how 500 male civilians were bayoneted and their bodies dumped into the brook near the newly built seminary during the 1945 Japanese Occupation. The seminary was subsequently burned to the ground and on that burned plot of land now stands the Carmelite monastery built in 1946. The massacre was linked to why some people did not believe Teresita's account of it was the Virgin

Mary that appeared before her. According to De la Cruz's interview: "All those that were killed by the Japanese there behind Lipa monastery, their spirits, maybe that's what appeared to Teresita" (p. 90).

The cover image of the book is a photograph of the 1948 miracle rose petal from Lipa, bearing the image of Mary and the infant Jesus. Transformed into a public event, chapter 4 examines the story behind the showering of petals and the 15 consecutive days of Mary's apparitions including coverage of its worldwide reception. There are claims that several petals yielded holy images and its wondrous potency is believed to cure illness by applying petals directly to the body or administering petal-infused water and petal-infused *estampitas* (p. 50). Like other sacred objects, whether mass-produced as souvenirs or as objects of veneration, the petals portray the accessibility of spiritual energy inherent in religious material culture (Bautista 2010). According to De la Cruz, "the petals were not ephemeral rumors or stories that would circulate by word of mouth. They are proofs of a most material sort, witnessed and possessed by not just one but by many. They were artifacts that appeared mysteriously in different conditions, that posed the greatest treat to the church effort's to contain what was rapidly becoming a mass phenomenon, making the showering of petals were made the focal point of the verdict" (p. 151).

Chapter 5 is about the Family Rosary Crusade (FRC), a church apostolate that became a source of a new form of appearance of Mary in the Philippines. "Please pray the rosary" is a public service announcement on national television networks in the Philippines produced by the FRC. Perhaps one of the longest running Catholic-theme television programs in the Philippines, the history of FRC is a history of localization in the age of the mass media, according to De la Cruz. Founded by Patrick Peyton, an Irish-American priest and miraculously cured by the Virgin Mary of his tuberculosis, FRC had grown into a full-fledged media Catholic ministry in the United States and in 1951 in the Philippines. Made accessible to millions of Filipinos, FRC used mass rallies, television, radio, public advertising, and films to propagate the devotion to the Virgin Mary through rosary prayer, transforming the mediascape of the Philippines. During the 1980s some Catholic charismatic movements used the same format of extensive reaching to followers, combining the unique interplay of mass media and community (Wiegele 2005).

The final chapter examines how and why Filipino Marian devotees have "gone global." This chapter clearly illustrates the importance of lay actors in the growth of the devotion to Mary, particularly after the 1986 People Power revolution. Some of the most important personalities and their Marian-related initiatives are discussed, including the likes of Maria Luisa Fatima Nebrida, founder of the Mary's Army to Save Souls (MASS) and also the organizer of the fluvial procession of Marian images in Pasig River that served as the model to the World Marian Regatta in New York City. There was also Lydia Sison, the founder of Rosary Theater, the world's first animated diorama on the life of Jesus, and June Keithley Castro, a Filipina journalist documentary film maker who produced a full-length feature on the apparitions of Mary in Lipa. Although many Filipinos continue

to advocate for Mary as a universal figure and less in her specific and local manifestations, De la Cruz argues that this universalism is distinctly Filipino. And with the increasing popularity of the devotion to Mary in Lipa, the Philippines could play an active role in propagating the fifth Catholic dogma to the Virgin Mary under the title Mary: Coredeptrix, Mediatrix, Advocate.

This book could reshape or revision the investigation into Marian apparitions in the Philippines, particularly in the more than 60 years since the Virgin Mary was said to appear to Teresita Castillo. The book offers much needed context to the recent four-page document by Filipino Archbishop Ramon C. Arguelles which officially confirmed the apparitions to have a “supernatural character” and “worthy of belief.” Significantly, this was the first approval by the local church of the apparition after the official statement delivered in 1951 by the church commission, stating that the evidences and testimonies exclude any supernatural intervention in the reported extraordinary happenings—including the shower of petals—of the Carmel of Lipa (p. 151). When Arguelles was appointed archbishop of Batangas, one of his immediate actions was to lift the ban on the devotion to the Virgin Mary under the title Mediatrix of All Grace. Based on the Council of Trent (1545–63), the local diocese is the primary authority to judge and declare the authenticity of apparitions of the Virgin Mary, on which the Vatican may later release an official declaration.

Overall, this is an excellent book for researchers and anyone interested in various investigations on the apparitions and miracles of the Virgin Mary in the Philippines. This book not only recounts the basics of each apparition but also puts them in their historical and ethnographic context. *Mother Figured* is a very important contribution to the study of Marianism in the Philippines and to the worldwide devotion to the Virgin Mary more generally.

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Tamils and the Haunting of Justice: History and Recognition in Malaysia's Plantations

ANDREW C. WILLFORD

Singapore: NUS Press, 2015, 336p.

In *Tamils and the Haunting of Justice*, Andrew Willford explores the questions of justice and retribution confronting Malaysian Tamils as they face eviction from their homes and the demolition of their community structures in the former plantation districts in Kuala Lumpur by real estate developers.

With urban development becoming hugely more profitable than rubber plantations in Malaysia's inner city districts, owners sold their plantation lands to lucrative housing developments. But these were lands in which thousands of Tamil residents have lived since the late nineteenth century, and where the British companies in colonial Malaya built their community-based model of rubber plantation production. Even as the Malay government razes the community structures of the Tamils—the schools, temples, churches, and community halls—it also views them as merely ex-laborers to be classified as “squatters” and evicted. Tamils feel compensation for their lands is insufficient and desire recognition for their longtime presence as important for achieving justice.

Willford's study of Tamil plantation workers shows them resisting resettlement before negotiating compensation with notions of compensatory justice grounded in a desire for recognition. In attempts to prevent demolition of their temples and community buildings and “the erasure of their associated memories,” “historiographic recognition” becomes a kind of compensatory justice (p. 5).

A key argument of the book is that the transformation of land usage in Malaysia cannot be separated from its inextricable links to religious-ethnic politics in nation-building, and the deliberately measured politicizing of Islam and Malay rights. The book makes substantive and lengthy use of the French philosopher Derrida's work to show that as a sense of victimization takes hold of an aggrieved minority, the Malaysian Tamils, the “force of law” that “marks and sustains such dissonance becomes more visible, indeed deconstructible” (p. 8). For Derrida, the logic of “haunting” is an important way of understanding justice (O'Riley 2007, 18). The spectral or haunting presence of past events, in this case the demolition of Tamil ancestral lands and religious structures, disrupts and brings into question present history and events.

Willford's extensive citing of Derrida's work forms the essential strands of the book's critique of Malaysian ethnic nationalism, the racialized landscape within which these events unfold, and how the seeking of justice by Tamils goes outside and beyond the juristic or civil order, and even exceeds reason or logic to cross over into the divine or sublime.

The Tamil Sense of Cultural Historicity and Justice

Based on 17 months of ethnographic fieldwork in plantation areas between 2003 and 2009, Willford shows how ideas of race and ethnicity are produced, imagined, and negated within a political, material, legal, and discursive field. As they struggle for compensation and ultimately justice, the book portrays the sense of hurt and betrayal felt by the Tamils as they are labeled as “squatters” despite their long community presence in the area.

The Tamil sense of justice goes beyond the law. The strength of the study is showing how the notions of justice as imagined by the marginalized and betrayed Tamils complicate legal demarcations of ethnic differences in post-colonial states (p. 6).

The book provides a critique of the development ideology of the state, with its quite implicit cultural, nationalist, ethnic, and religious face. Malaysia’s development politics have forced dramatic shifts in the ethnic composition of Malaysia’s industrial heartland, which as Willford notes “was the intended goal all along” (p. 34). As Willford says: “To develop the nation’s core identity, politically constructed around Malay ethnicity and Islam, the two being increasingly synonymous, Malays, it was argued, had to be united and strong—particularly at the center” (p. 35).

The book’s long-term value is that it does not stop at exploring economic or ethnic interests but dives into the complexities of the historiography of “victimhood within a matrix of power” (p. 10). The Tamils’ growing sense of historicity and their growing sense of resentment and anger grow from their knowledge that although the labor of the plantation communities contributed to the growth of the cities of Kuala Lumpur and Klang (along with Chinese tin mining and business), now they are facing resettlement and evictions from the twin pressures of urban development and ethnic policies (and politics).

There was no unified, homogenous Malay culture or polity across the peninsula in the nineteenth century, and what was self-identified as “Malay” were in fact a plurality of groups and the *peranakan* or mixed origins. The “Malay” ethnic category was constructed and reinforced by both Malay language and Islam.

Census figures show that Indians were a bigger population than Malays in many parts of the peninsula in the 1900s. For example, in 1911 in Selangor, a former plantation heartland and the industrial center of Malaysia today, Indians numbered 74,067, while Malays and Chinese were 65,062 and 150,908 respectively (p. 34). Demographic evidence also shows that a large percentage of “Malays” are recent immigrants from Indonesia or have married into the community.

The study argues that this growing Tamil historicity takes on a “victim’s narrative” (p. 34) among the Tamil poor and working class in its search for justice. The Tamils’ emergent sense of justice and compensation is grounded in an equally emergent historicity of cultural recognition, defined against the politics of ethnic exclusivity.

Archive Fever, Seeking Justice

Using Derrida, the book delves into the “fever for the archive” (pp. 12–13) among the Tamil communities. An archive fever, according to Derrida, materializes a hope for an authorized knowledge and truth claim. The Tamils succumb to this archive fever as they try to provide the documentary evidence to protect their lands against the developers. Once when the author visits a Tamil temple, he is shocked to find an entire community waiting for him, thinking he was a journalist and hoping he can help them in documenting the historical presence of their temples and schools. But as Willford notes in semi-despair, the hope they were investing in this documentary form of evidence “outweighed its legal fecundity in the Malaysian context” (p. 57). Willford says his study is inspired by the works of Derrida to probe into “archive” and “archive fever” to understand the production of knowledge that both authorizes the Law and those subject to it.

Justice as expressed in Tamil Hindu terms, says Willford, “is possessive, perhaps punitive, and at the edge of reason and order” (p. 58). As the book shows, it is the defilement of the Tamil goddess within her sacred landscape of the temple that produces the haunting call for justice. Derrida’s notion of justice is its function of both melancholy and mourning, a haunting that leads to a striving for some practical and redistributive justice (O’Riley 2007, 17–19).

The book narrates how this haunting is the compelling force for the Tamils as they seek justice for their dispossession, struggling against all odds to fend off the violence of the development state and its overtly Malay ethnic agenda.

The book needs some wading into and grappling with terms like archive fever in its initial chapters. It certainly helps if the reader has some knowledge of the French philosopher and of continental literary and psychoanalytic theory. The frequent and lengthy citations of Derrida’s works and words may add literary heft to the book’s foundations, but more often become an impediment to the reading of this compelling story of the Tamil plantation communities in Malaysia. In fact, some editorial intervention to move some of the philosophical references and musings to footnotes would have made for a smoother read.

The author shows how the Tamils employ a variety of strategies and collaborate with many advisors and nongovernmental groups to understand and fight Malaysia’s legal system and its racialized landscape. Often enough, these strategies spill over beyond the law as religious symbols and symbolism as well as Tamil Hindu rituals become part of their weapons for seeking justice and recognition. It would have been interesting to also know how the other religions among the Tamils (Catholic/Christian, Muslim) deal with these challenges, since the book focuses solely on the Tamil Hindus.

Conclusion: Pinned against a Landscape of Ethnic and Religious Tension

The developments and evictions in the former plantation areas take place in a landscape of Malay-Islamic cultural nationalism and the Tamil-Hindu community faces cultural and existential barriers to political recognition even as their difficulties are compounded within a legal system where they do not have permanent land titles to plantation areas or community and residential structures.

In the eyes of Malaysian law, former land use is not a significant rights-based claim, and despite their ancestral presence in the lands as lifelong contract laborers, the Tamils have no legal claim to their home, land, or community structures and even 100-year old temples and schools, and are viewed as merely (ex-) laborers. Willford's study situated in the early 2000s provides an inner look at how Malaysia's development "of the prime industrial and subsequent residential heartlands . . . have taken on an ethnonationalistic urgency, given the politics of identity in the nation" (pp. 11, 123–124, 235).

Given Islamic identity's structured dominance, the most visible aspect of marginalization of the Tamils is in their struggles to protect the sacredness of their own religious spaces. The author narrates the case of a 100-year old plantation temple in the Bukit Jalil Estate, a temple that was the focal point of the community identity—that the Tamils feared would be razed down, and the community tells that it is keen to document the temple's historical presence.

Malaysia's nation building was deliberately structured with separateness and differences in rights and privileges accorded to Malays, Chinese, Indians, and others. Even though the citizenship rights of all Malaysians regardless of ethnic origin is given recognition, the law has enshrined special provisions protecting ethnic Malay political supremacy as "identities were created and rendered through the law and supplemented through archival measurements of race and culture" (p. 266). Willford writes that: "Malaysian nationalism was built out of negative and dissonant discourses of the other that had to be held—indeed reinforced—by legal means and supplemented by a racialized political and cultural landscape" (p. 8).

The combined effects of postindustrialism, postmodernism, and globalization are generating a "crisis of integration" in contemporary societies (Richmond 2003, 90–92). In polyethnic Malaysia, we can add post-colonialism to the mix.

By looking at ethnicity as social construct, we can regard it for what it is: essentially a work in progress that is not yet done, and so focus on the processes of the production especially the cultural content of ethnicity in particular where it joins religion.

The book offers important insights into the production and emergence of ethnic politics and the heightening of ethnic and religious tensions in Malaysia. The book is of critical relevance in our present time as growing resentment and dissatisfaction against the anti-democratic nature of economic development is manifesting in rising currents of ethnic and religious tensions and conflicts.

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Beyond Oligarchy: Wealth, Power and Contemporary Indonesian Politics

MICHELE FORD and THOMAS B. PEPINSKY, eds.

Ithaca: Cornell Southeast Asia Program Publications, 2014, x+178p.

The end of the Suharto regime in 1998 liberated Indonesia's population in a variety of ways: it opened the door to democratic governance and the development of a critical and outspoken civil society, and saw a new government retract the strong grip the state held on numerous aspects of civil, political, and economic life. The regime's end also "liberated" a small group of extremely rich and well-connected individuals. These individuals, risen to wealth and influence under Suharto's protection but not having gone down with him, applied their capital to setting themselves up in the leaderships of the nations' new political parties, to expanding their grasp on resources and industries, and to building a public image sustaining these activities through the television channels and newspapers they owned. The rise of these oligarchs in democratic post-Suharto Indonesia has been worrying and intriguing observers, particularly regarding their influence on democracy, rule of law, and the protection of Indonesia's market to foreign competition. It also raises numerous questions regarding their strategies and *modus operandi*. Should we understand them as a mutually-supportive class with shared interests, or as individual actors with shared characteristics? How are they placed *vis-à-vis* other power holders, how do they obtain popular support?

While research and publications on the role and influence of oligarchy in Indonesia has been undertaken, most notably the works of Robison and Hadiz (2004) and Winters (2011), the number of publications remains limited and contains but little debate. *Beyond Oligarchy* is making an important difference here. The contributors seek to start a discussion between proponents of the "oligarchy framework" (see below) and scholars drawing on other theoretical traditions, exchanging views on starting points and emphases in understanding and explaining the role of oligarchs in Indonesian politics. This discussion has strengthened the debate and avoided the specter of a "collection of inward-looking scholarly camps" (p. x) with a weak collective capacity for understand-

ing Indonesian politics. Furthermore, they aspire to take this debate beyond Indonesia and combine their own expertise with broader scholarship in order to refine theories and concepts and generate new insights.

The discussion element has come out very well indeed. The authors read each other's chapters and address their colleagues' criticisms and theories in relation to their own ideas. To this reviewer, this is already a very valuable contribution to the debate because it makes the book stand out among so many other edited volumes that do not get beyond a collection of thematically-similar papers. This great result is likely due to the fact that the contributions are based on conversations taking place between the authors during two meetings in 2012 and 2013, thus allowing for reflection and reconsideration.

The book consists of nine chapters which, after the introduction by Michele Ford and Thomas Pepinsky, can be seen as falling into three parts. First are two chapters by, respectively, Winters, and Hadiz and Robison in which they outline their theses of the role of oligarchy in post-Suharto Indonesia. Both chapters, albeit differing in various other aspects, place oligarchs in a position of having captured Indonesia's political institutions for the accumulation of private wealth and social power and as a strategy of wealth defense. These chapters constitute what is referred to as the "oligarchy framework" of analysis (given the differences in analyses it might perhaps be more illuminating to speak of "oligarchy frameworks"). The second part of the book consists of chapters by Liddle, Pepinsky, and Mietzner who argue for a study of Indonesian politics that uses broader approaches than the oligarchy frameworks do, and include a greater variety of power resources, interests, and actors. The third and last part consists of the chapters by Aspinall, Caraway and Ford, and Buehler, that are united by their emphasis on contestation through mobilization and social agency.

The central subject of the chapters is the variety within the conceptual understanding of oligarchy and its relation to contemporary Indonesian politics, as given through the authors' approaches. All the contributors after Winters' and Hadiz and Robinson' chapters, furthermore, present their take on the insights and theories put forward by these three authors, who do, however, perhaps differ as much from each other as that they share views. The richness of these first two chapters is that the authors do not simply repeat their earlier work but explain their arguments in the context of the other chapters as well. Briefly put (as per Hadiz and Robison, p.37), the oligarchy thesis concerns a "system of power relations that enables the concentration of wealth and authority and its collective defense." To Hadiz and Robison oligarchy should be understood in the context of capitalist development, the formation and maintenance of a collective interest of oligarchs, and considered from a larger theoretical framework of structural political economy. For Winters, oligarchs' politics, place and relation vis-à-vis each other and other elites is the point of departure. Class interests and joint actions are a possible but not necessary outcome. The authors accept that electoral democracy and oligarchic rule can coexist and that democracy can impact

oligarchic rule, but do not consider competitive elections to automatically diminish the power of oligarchs.

The contributions that follow all add to and critique Winters, and Hadiz and Robison. Liddle finds the focus on great material wealth too limited, and proposes a theory of political change focusing on the actions of key individuals. Pepinsky likewise seeks to expand the explanatory capacity of the frameworks outlined by Winters, and Hadiz and Robison. He argues that pluralism, studied through distributional politics, offers an approach that can explain variation in policy outcomes beyond the direct interests of oligarchs. Mietzner presents an analysis of oligarchs in which he distinguishes five subgroups by motivations and interests, and finds that the difference between oligarchs is an important, but overlooked factor in understanding their role in Indonesian politics. Aspinall, looking at a potentially reforming left, electoral populism, and the rise of an Indonesian welfare state critiques the absence of popular forces and the emphasis on material wealth. He argues that subordinate groups and their organization must be included in the analysis of Indonesian politics.

The next chapter by Caraway and Ford connects nicely to this theme as it deals with the labor movement's capacity to mobilize socially—for minimum wages—and politically in local elections. The authors question whether the oligarchy theories are sufficiently robust to deal with the implications of local differences and nuances. In the final chapter, Buehler looks at the adoption of Sharia law in South Sulawesi to argue that the new political situation in Indonesia has made elites susceptible to the demands of societal groups and, in doing so, finds that vested interests are not those of oligarchs, but of elites. Opportunities for change arise through the changing relations between elites, but elites maintained their dominant positions in society.

The different authors do not seek to arrive at a shared conclusion, but highlight their individual thoughts and theories in relation to those of their colleagues. This presents the reader with an interesting overview of ideas, and leaves us to agree, critique, or question. The book clearly is a much welcomed addition to the field of study of Indonesian politics, but, to this reviewer, also has two weak points. First is the broad scale of statements and conclusions, which rarely (Caraway and Ford, and Buehler are exceptions) go beyond the national level at any depth. The strategies, effects and power relations in regional politics differ markedly in, say, Aceh, Jakarta, Bali, or East Kalimantan. While the importance of such variety is mentioned by several of the authors, it is poorly visible in the discussion and poses the risk of theories coming across as intended to have national, uniform validity. As a related point, the study of oligarchy can benefit from the inclusion of researchers from disciplines beyond political sciences. Social economy, history, anthropology, and other fields have members working on Indonesian politics, bringing in their insights could contribute to an even more complete understanding (or more complexity) of the subject.

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The Khmer Lands of Vietnam: Environment, Cosmology and Sovereignty

PHILIP TAYLOR

Singapore: NUS Press, 2014, 350p.

The Khmer minority of Vietnam, which is indigenous to the Mekong Delta, has long been a bone of contention between the Vietnamese and Cambodian states. From the perspective of the Vietnamese, the delta region was a wilderness which was only tamed when they began to colonize the area and build a productive economy—something which has benefited everyone, including the local Khmers. On the other hand, this historically Khmer-speaking territory, now firmly in the possession of Vietnam, is, for many Cambodians, a historical injustice in need of redress, as well as an ominous reminder of just how weak the Cambodian state is compared to its neighbors. Academic, journalistic, and polemical writings on this issue typically address issues of human rights in Vietnam or political relations between the two countries, but Philip Taylor's book looks at the situation from a different angle, neither from the point of view of Hanoi or Phnom Penh, but rather from the perspective of the Khmer Krom people themselves without subordinating their voices to those of state-level actors.

Taylor's presentation of the Khmer Krom understanding of history, engagement with the economy, and orientation toward the future negate the notion that the Khmers of southern Vietnam are merely an extension of the Cambodian body politic whose interests might lie in a reunification with it. At the same time, Taylor effectively undermines the official Vietnamese narrative that the Khmer inhabitants have failed to develop the region prior to the arrival of the Vietnamese because of their indolence and backwardness, by showing how the Khmers have in fact been very successful in adapting themselves to an inhospitable environment. The book itself is organized into seven chapters describing in detail the ways in which Khmers conduct their social, economic, and religious lives in each of the ecological regions in which Khmers live. These are the coastal dune belt, coastal river-dune complex, freshwater rivers, saltwater rivers, flooded mountains, ocean-side mountains, and the northeast uplands.

Far from being backwards, the Khmer Krom are resourceful engineers who have succeeded in building communities in a land vulnerable to seawater incursions and where groundwater is often undrinkable. The reader truly appreciates the exquisite nature of these adaptations to each different type of hydrological environment in the delta, and the degree to which the contemporary land and economy, which the Vietnamese narrative attributes to the modern and forward-thinking

character of the government, has only been possible through the introduction of machinery and technology that would first have arrived in the French colonial period. The transformations of the eco-scape with a view to intensifying production continued into the post-independence period and into the late 1990s, and displaced large numbers of Khmers, making their traditional livelihoods more precarious or ending them completely. In each chapter, we see the diverse strategies by which Khmers alter their lifeways to meet the challenges and opportunities that present themselves in each region.

Taylor presents the Khmer Buddhist moral cosmology as the lens through which Khmer Krom construct history and make sense of these present-day circumstances. In this vision of the world, decay and degeneration are relentless forces and it is incumbent upon each Buddhist to preserve himself against them by rejecting the primacy of political life and remembering the signs of moral history inscribed in the landscape. Kampuchea Krom is a land where Buddha statues miraculously float upriver to a new temple, retracing the path of Khmer refugees who abandoned their homes in the Indochina wars. Magic boats sink beneath the waters and hide themselves along with their treasures while their spirits enforce proper standards of morality on people traveling in the area. A Khmer queen flees Cambodia only to drown on her way to the sea where her dying body gives form and life to the multitudes of plants and animals found in the region today.

These conceptions of the past are productive in engaging with the current political realities and in crafting community and personal identities in response to the environmental, social, and political exigencies that Khmer Krom face. The Khmer Krom understand themselves to be the cradle of modern Khmer culture. Speaking and writing Khmer and practicing Theravada Buddhism, they have married this culture to modernity in a way that has not quite happened in Cambodia. The success of this openness to the modern is manifest in the considerable influence that Khmer Krom such as Son Ngoc Thành, who founded the first Khmer-language newspaper in 1936, have had on the culture of Cambodia in the past century in the fields of government, religion, and the arts.

Yet even this commitment to making Khmer culture live in a modern context varies from region to region and is naturally subject to variation at the personal level. While Khmer Krom maintain an attachment to their language and religion, they are of different minds when it comes to their embrace of the cosmopolitan quality of life in the delta with its mix of Vietnamese, Khmer, Cham Muslim, and Chinese populations. The Buddhist wat (temple) which has long served as the locus of Khmer learning is still important to developing a local Khmer intellectual life in areas like Preah Trapeang, but the large number of Khmer students residing in the wats of Ho Chi Minh City belies the fact that the majority of these young people are actually there to avail themselves of the opportunities for study available in the metropolis, which are exclusively Vietnamese.

Khmer Lands is an important book on the problem of Kampuchea Krom because it places local agency and creativity in the foreground of events. Its treatment of the interaction between peoples and institutions mediated by geography and economy, and resulting in an ethnic Khmer identity

that is resilient but flexible in the face of changing circumstances makes this work indispensable to anyone interested in understanding Khmer-Vietnamese social relations, and an important contribution to the literature on state minorities in the Southeast Asia region.

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Frontier Livelihoods: Hmong in the Sino-Vietnamese Borderlands

SARAH TURNER, CHRISTINE BONNIN, and JEAN MICHAUD

Seattle and London: University of Washington Press, 2015, 223p.

By choosing to work on the livelihoods of one ethnic group, the Hmong, on both sides of the international Sino-Vietnamese border, this study focuses on how these people make and negotiate livelihood decisions in their complicated geographic, socioeconomic, and political contexts. The study provides a vivid description of a myriad of activities in the everyday lives of Hmong on the fringes as they make their living in the sectors of agriculture, livestock transactions, locally distilled alcohol, cardamom, and the textile trade. These livelihoods have been shaped by various integrations and negotiations between their own background of environment, culture, local knowledge, and identities, and agents and institutions of the state.

In the first two chapters, “Upland Alternative: An Introduction” and “Frontier Dynamics: Borders and the Hmong,” the authors clarify the borderlands as a “third space” and suggest a theoretical framework to approach and facilitate a more comprehensive insight into how the Hmong people are “making a living and trying to maintain their cultures and identity” (p. 15). This “third space” is the area on both sides of the Sino-Vietnamese border, Yunnan in China and upland northern Vietnam, which has been attracting a range of development schemes and policies issued on both sides in the name of speeding up the economic development of this undeveloped region. Tracing other associated political reasons, the authors view these state efforts as part of an “internal colonization scheme” (p. 27) that has an effect, direct or indirect, on Hmong livelihood decision making. On the other hand, using a bottom-up approach, the authors offer a “locally adapted, nuanced analysis of livelihoods” (p. 7) with the Hmong people passively acting as a local agency to “navigate, rework, contest and appropriate specific facets of identity, modernity, market integration, and nation-state building as they go about creating resilient life-worlds and everyday livelihood” (p. 7).

Chapter 3, “Borderland Livelihoods: Everyday Decisions and Agrarian Change,” focuses on the most important livelihood activity of Hmong on both sides of the Sino-Vietnamese border, the agricultural sector. This sector has changed a lot under the effect of state development schemes,

especially through sedentarization programs that aim to reduce the use of “slash and burn” methods—a traditional agricultural practice among the Hmong—in favor of intensification agriculture, even though this agrarian change significantly affects Hmong lives and livelihoods. Hybrid seeds were introduced and quickly adopted in this area thanks to their heterosis as well as the pressure on limited land and concerns over food security. This unavoidable situation placed Hmong people in a vulnerable financial situation: due to the additional costs of buying new seeds every planting season, fertilizers, pesticides, and investing in more stable irrigation, they are more dependent on the government’s subsidies and development programs. However, local people still maintain their old practice of swidden agriculture in some places where governments cannot exercise control; they persist in planting traditional rice on available land and try to avoid over-reliance on the state by buying seed from private traders rather than waiting for subsidized bureaus. These active responses on the part of Hmong people are “the best, most resilient tactic” (p. 58) and “forms of everyday covert resistance and small acts of reinterpretation that take place in the context of a marginalized group” (p. 11).

The next four chapters provide interesting insights on non-agricultural livelihood activities of Hmong people in the borderlands: “Livestock Transactions: Buffalo Traversing the Borderlands,” “Locally Distilled Alcohol: Commodifying an Upland Tradition,” “Farming under the Trees: Old Skills and New Markets,” “Weaving Livelihoods: Local and Global Hmong Textile Trades.” The authors show that these sectors are not totally new consequences of the need for cash in the context of new market expansion but are shaped by combining the existence of small-scale barter and trade when and where needed for generations of Hmong people with new constraints of cash income and economic opportunities. Putting Hmong into the center of analysis and treating them as key actors, these chapters clearly show how they use their economic, social, and cultural capital to gain benefits from the marketplace and actively make their own decisions over when and where to engage or disengage from the market economy. On the other hand, the authors also show how in some cases Hmong people have to deal with challenges and vulnerability, for instance, “distillers in Vietnam appear to reap the least economic benefit relative to other actors in these commodity chains” (p. 103).

The position of Hmong people in this matrix of livelihood activities is discussed further in the last chapter, “The Challenge: Making a Living on the Margins.” However, according to the authors, going beyond all their struggles and difficulties in making a living in the marketplace, Hmong people use their agency as best they can and “do things their own way” (p. 153), as their habitus, to maintain their own identity. From the authors’ point of view, even though Hmong people adopt hybrids, they prefer to cultivate traditional Hmong varieties because they dislike the taste of hybrids and find the taste of traditional rice superior. They continue planting indigenous varieties to keep them alive, to let cultivation knowledge survive, and to maintain their culture (pp. 53, 154). For cash-earning activities, Hmong people are alert to outside opportunities but “with a careful

eye on the household labor available and the risks entailed vis-à-vis agricultural needs and responsibilities” (p. 164). In that way, Hmong people can create their own “life project” and “make livelihood decisions that are entirely rational while rooted in their cultural context” (p. 170).

Despite a slight imbalance in research between the two sides of the border, with a greater focus on the Vietnamese side than the Chinese, this study remains an academic achievement and makes a significant contribution to anthropological studies on the livelihoods of people on the frontiers of the Southeast Asian Massif. The research embraces an actor-oriented livelihood approach and strongly confirms the active agency of Hmong people in dealing with and making the best of an adverse situation. This is a representative case of “indigenization of modernity” (Sahlins 1999). The study also raises several research ideas, such as questions on ethnic minority: “The mere fact that the Hmong in Asia number roughly the same as the whole population of Laos should prompt critical thinking on the very notions of nation and minority” (p. 16). Tourism and hiking in Lao Cai, on the Vietnamese side—emerging livelihood activities that have an influence on Hmong society—need to be further investigated.

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Keeping Cool in Southeast Asia: Energy Consumption and Urban Air-Conditioning

MARLYNE SAHAKIAN

New York: Palgrave Macmillan, 2015, x–xviii + 229p.

This book offers insights into some critical areas of social and environmental aspects of the sustainable development paradigm. While being focused on south-east Asia (SEA), and in particular on the Philippines, the book has relevance to other areas of the world where growing urbanization, economic development, and the current and potentially-exacerbated effects of climate change are likely to have cumulative non-linear effects on energy consumption (the impact of which will not be equivalent to the sum of the individual components of change).

The book is largely based on interviews with a variety of general and institutional stakeholders, which lends a personal touch to the case studies. Quantitative statistics and evaluation are not widely used. There are sections including good precis of historical developments leading to

the current situation, although brief. As a book that seeks to engage the reader in understanding a variety of social contexts and influences in the usage of air-conditioners and other cooling devices in the Philippines, the book succeeds. However, in building a quantitative and cross-country comparison, it has some shortcomings. The following paragraphs review the book chapter-by-chapter in brief, highlighting particular points of strength or weakness.

The introduction of the energy situation in Chapter two, the author tries to contextualize the energy consumption in the region, and the importance of some specific climatic and socio-economic and political factors. While nominally discussing “consumption,” the chapter in fact focuses to a large extent on the production or generation side, mainly examining electricity. The quantitative drivers for consumption are not well-examined, as there is little discussion of the split between sectoral demand. While this is not the focus of the book *per se*, it leaves some of the correlation between increased cooling load, energy consumption, and environmental impacts on a weaker footing. While discussing some of the major drivers in the residential sector, acknowledgment of commercial and industrial demand would have been welcomed. Moreover, the limiting factor of resource potential—for both conventional and renewable resources—would have been a useful point to consider in the comparison of various SEA nations.

Chapter three provides a good, if brief and perhaps a little outdated (given the publication date, much of the literature cited is from the 1980s–90s, while developments in the 2000s are minimally-addressed) overview of the historical introduction of air-conditioning, the socio-economic disparities in its utilization, and cultural variations in usage. The importance of built-environment and passive cooling is somewhat understated, although the technological lock-in associated is an important concept raised in this context.

The fourth chapter is one of the most useful of the book, with an overview of some of the main reasons for people (in the Philippines) utilizing air conditioning. Briefly, these are summarized as: sleeping better at night, health and safety, preparing and caring for a child, personal cleanliness, as a status symbol, enabling or driven by apparel fashion, air-conditioning at work, and the use in public spaces. Most surprising, perhaps, is the use for health and cleanliness—by the purification of polluted-air, particularly in urban environments. While this is somewhat decoupled from energy (in the sense that the pollution is largely from transportation), it is an interesting consideration for other contexts where there may be more of a feedback loop between increasing demand from air-conditioning leading to greater pollution from power generation.

The fifth chapter addresses the highly important issue of buildings—from the history of the influences on Philippine architecture to the preferences of consumers and the competing forces in the endeavor to develop sustainable, green buildings. Two particular points are clear from this discussion—firstly, that there has been a strong westernizing tendency in Filipino architecture, which has perhaps led to poorly-adapted building stock constructed based on inspiration from temperate western countries that perform inadequately in tropical environments. Secondly, that

globalization has reinforced this tendency, with these western-style buildings having a fashion status value attached—as opposed to the native styles. In effect, this has contributed significantly to the locked-in need for air-conditioning.

The last two chapters discuss some of the “opportunities for change through social learning.” This describes some of the broader landscape of political, cultural, economic, and specifically educational requirements and current constraints on environmentally-oriented social-behavioral change. Despite some contextually-specific elements (for example the influence of the Catholic church and a focus on one of the domestic energy companies), much of these sections is very general. As a positive, this means that the concepts discussed are likely to be widely applicable. To take a negative stance however, this leaves a gap—what is the specific and contextually essential component of social learning in SEA, particularly the Philippines?

From the overall perspective, it is hard to say that this book lives up to its title. There are a few immediate reasons for this. Firstly, while the book title includes Southeast Asia, the majority of the content focuses on the Philippines. More could have been done to extend the contextual correlation with other SEA nations. Secondly, by the final two chapters, the focus on urban air-conditioning and energy consumption also becomes highly diluted and diminished. What is the overall relevance and applicability of the social learning to energy usage and air-conditioning? What is and will be the overall potential impact? These types of questions remain unsatisfactorily unanswered, at least for this reader.

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