

**Netherlands East Indies: Colonial State, Discursively Made
(Or how native scholars produced legal knowledge and ended up making the state)**

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The production of legal knowledge served as an important legitimating narrative in colonial state formation. Far from being unidirectional, the production of legal knowledge in the colony was a collaborative, mutually constitutive process where native subjects played as important roles as the colonizers in the state system. Yet most studies tend to present the native subjects and the colonial state system as diametrical opposites.

This paper interrogates the seemingly clear-cut boundary between the colonial state and its native subjects in the process of colonial state formation. To do so, I draw on the works of Indonesian scholars and judges on the subject of native land rights published in the influential Indies Journal of Law (*Indisch Tijdschrift van het Recht*) between 1928-1936. Here, I examine the role of these native intellectuals in creating legal knowledge in their own vision, paying close attention to the ways in which they extend particular forms of property relations while contesting others. Situating these academic texts within the socio-political context at the time, I highlight the more porous boundary between the colonial state system and the native subject in the process of state formation.

I suggest that these intellectuals, in their unique position of being natives yet trained in colonial law in the metropole, scholars yet part of the colonial judicial system, took singular parts in state-making. By way of their discursive intervention they at once extended and contested the force of the state system.

State propaganda, legitimacy and the making of a new Malaysian, 1957-1969

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This paper looks at how the Malaysian state, deeply rooted in its colonial past, sought a new post-colonial legitimacy in the first years of independence through a sustained campaign of political socialization. It examines principally the key work of the Department of Information in creating new citizens.

The leaders of the post-colonial Malayan government were conservative, establishment figures who had been anointed by the colonial state and gained independence in 1957 through slow negotiations. They struggled to establish their vision of a new nation against enduring and popular alternative national imaginings before and after *Merdeka*. The foot soldiers of this ideological struggle were the many Information Officers carrying out face-to-face propaganda exercises on an everyday basis especially in semi-urban and rural areas. This paper examines the governmentality of propaganda – the attitudes of these men and women officers on the ground; their techniques (public lectures, small group discussions, informal coffee shop conversations, cinema shows, organized tours to the capital, variety shows, etc); the department's bureaucratic ideologies and impulses; and the citizens' unpredictable and idiosyncratic reception to the message. It examines how their effectiveness was often compromised by contradictory practices and ideology. For instance, the propaganda machine had an enduring colonial, wartime past; a history that it simultaneously sought to escape from (as an exercise in establishing its legitimacy) and to build upon (as a means to improve its bureaucratic effectiveness).

These difficulties illustrate how the state's goal of post-colonial legitimacy ran up against persistent and contradictory historical currents, bureaucratic complexities, and an obdurate citizenry.

The Rural Littoral, the Shape of a Pocket, and Subject Formation at the Edges of Governance

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Sovereign power is perhaps never more unstable and less dependent on rules¹ than in times of civil war following anti-colonial revolutions for independence. Such moments between the colonial and the post-colonial can be particularly revealing both of how attempts at "rule" have been effected, and of the overlapping contexts for understanding how they make "sense."² This paper examines the micropolitics of coastal people during the 1950's Darul Islam rebellion in Southeast Sulawesi, Indonesia—a time when two would-be states each tried to exert their sway over people in the littoral. In these often threatening and unusually violent circumstances, coastal people employed procedures as well as forms of knowledge about them that enabled them to survive and manage these interactions. Such forms of knowledge and practices were particular to their location, not merely a geographic location on the edge of the sea, but, as I argue, a set of contingent social spaces on the edges of governance. While the edges of governance is a notion that can be theoretically generalized to an agonistic sort of relationship toward state-making practices, to reduce analysis to a catalogue of fighting, fleeing or submitting is arguably to miss the import of qualitative analysis.³ I emphasize instead how subject formation at the edges of governance takes place not only in relation to state-making practices and state effects⁴—often in their "shadows"⁵—but also, and inextricably, in relation to particular understandings, stakes, and histories, the threads of which do not always tie back to states.⁶

¹ Thomas Blom Hansen and Finn Stepputat, *Sovereign Bodies: Citizens, Migrants and States in the Postcolonial World* (Princeton University Press, 2005).

² Analysis of the micropolitics of such moments therefore speaks directly to the task of the theory of the state, which, as Mitchell held, is not to clarify distinctions between the apparently material and ideological aspects of "the state" but to historicize them. Timothy Mitchell: "Society, Economy and the State Effect" in George Steinmetz editor, *State/Culture: State Formation after the Cultural Turn* (Cornell University Press, 1999): 77.

³ Compare James Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (Yale University Press, 2009).

⁴ Mitchell, "Society, Economy, and the State Effect," 76-97. Tsing (1993) and Li (2001) both eloquently speak to the ways "marginality" is created through relational histories, but "marginality" does not encompass what I wish to get at with the "edges of governance." Anna Lowenhaupt Tsing, *In the Realm of the Diamond Queen: Marginality in an Out-of-the-Way Place* (Princeton University Press, 1993); Tania Murray Li, "Relational Histories and the Production of Difference on Sulawesi's Upland Frontier" *Journal of Asian Studies* 60, 1 (2001): 41-66.

⁵ Ann L. Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton University Press, 2009).

⁶ My thinking here is influenced by (inter alia) Sanjay Subrahmanyam's "Connected Histories: Notes Towards a Reconfiguration of Early Modern Eurasia," *Modern Asian Studies* 31, 3 (Special Issue: The Eurasian Context of the Early Modern History of Mainland South East Asia, 1400-1800) (1997): 735-762.

Making states in the Cambodian-Lao borderlands

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The regulation of international borders offers a useful means to study the rather diffuse process of state-making. Daily practices in the borderlands can provide a localized solidity to states and their limits. This process of material and symbolic production is especially important when the same territory has belonged to different states. This paper explores such a case and looks at how the Cambodian and Lao states are mutually constituted through practices of legality and illegality along their shared boundary. I draw on ethnographic fieldwork with Khmer-Lao villagers living near the Lao border in Stung Treng Province, northeastern Cambodia, and visits to nearby areas of Attapeu Province, southern Laos. The Cambodian and Lao states make the international border into a physical reality through soldier and police checkpoints as well as through the organisation of development and administrative interventions. At the same time, a recent boom in cross-border illegal logging, and also amphetamine trafficking, entangles the aspirations of rural villagers with their experiences of past wars, the Khmer Rouge, extensive cross-border mobility, expansion of modern markets and the intricacies of post-conflict governments. Desires for prosperity and distrust of the government are key aspects shaping Khmer-Lao villagers' border engagements, and are thus critical for understanding ongoing experiences of political incorporation and state-making in these borderlands.

Everyday practices behind state-performance: the creation of reciprocal networks in civil service in Kupang, Eastern Indonesia

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The paper aims to address the paradox between an apparent deference for rules, regulations and procedures (formality) on the one hand, and rampant everyday informal practices on the other, as encountered during fieldwork conducted in government offices of Kupang, Eastern Indonesia. I will explain this paradox by arguing that all appearances of outwards order and internal structure that suggest an image of wholeness are in fact nothing but a *performance* of unity and coherence. When looking at 'actual practices' in everyday bureaucracy, it becomes clear that few things happen in line with elaborately formulated procedures. Through such informal everyday practices however, offices do form fertile grounds for the creation of social alliances. For some these new alliances are merely new friendships to be added to existing networks. For other however, such alliances will become important networks that can be depended on and used for professional, private and political gains. Reciprocal obligations as implied in networks are deeply entrenched in Kupang's local social fabric: getting anything done, whether it is marrying of a child, getting a job, seeking a promotion or having a successful political career is largely dependent on whom one is connected to, what one has to give and what one can hope to receive. Understanding the importance of reciprocal obligation underlying everyday activities of civil servants first of all forces one to look behind a performed image of coherence as a focus of analysis when studying 'the state'. Secondly, attention to the creation of reciprocal alliances in civil service facilitates understanding of why civil service is increasingly becoming more politicized. What bureaucracy thus *does* is not the putting into practice of performed rules and regulations. Rather it provides a social context for the creation of new reciprocal systems.