

# Culture and the Question of Rights

## A Book Review

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### Summary

This book review of *Culture and the Question of Rights: Forests, Coasts, and Seas in Southeast Asia*, edited by Charles Zerner and published by Duke University Press in 2001, suggests that if the choice of whether and when to translate claims to water and land into other idioms shapes and is shaped by power relations, so too is the choice of how to translate them. The charges of “misunderstanding” and “misinterpretation” which ricochet around any conflict of interpretation are negotiating moves, not claims which are capable of being settled once and for all by fixing on a meaning which floats free of the context of discussion and struggle.

### Review

In bringing together stories about contemporary Southeast Asian environmental conflict, this book offers a fresh look at an ancient theme of politics everywhere. With vivid, concrete cases it re-illuminates an enduring truth: that how people speak, sing, write or calculate affects what they're able to lay claim to, and vice versa. Long ago Heinrich Wölfflin observed that not every kind of artistic expression is possible in every age. So too with every other kind of power: it can't be exercised through every vocabulary. Worse: embedded in each idiom are dichotomies, which, while common sense for "native speakers", become crippling double binds for others (Posey 1992, Lohmann 1995b). Translation can mean, and often has meant, want or plenty, profit or loss, life or death. Just as slicing up the Meratus mountains into "wild" and "settled" zones in accordance with state idioms tends to turn local Dayaks into "nomads" without political rights or land claims (Tsing p.5), so applying official legal categories is capable, in Nancy Peluso's phrase, of "capturing and criminalizing" customary practices limiting access to land. By the same token, painting the Makassar Strait in the primary colors of official Indonesian development discourse renders it a national space in which the privileging of capital and high technology is presented as "democratic" while local ideas about limiting fisheries access are transformed into an "impediment to economic development and democracy", a threat to civil peace and unity, and an assault on the idea that "all Indonesian citizens have rights" (Zerner p.35). Of course, translation can work in the poor's favor as well. Stephanie Fried shows how the way one Bentian Dayak author interpreted compensation paid

by a logging firm as fines for infractions of customary law rather than just "costs of doing business" reestablished a rhetorical claim to disputed land (p.26). Similarly, Charles Zerner records how Sulawesi fisherfolk extracted handouts of fish from a high-tech, externally-financed pole-and-line fishing boat they felt to be invasively equipped by "reading" it as an ordinary local boat which had got lucky and was obligated under customary norms of behavior to distribute its surplus (p.31).

It may seem that everybody would want to conduct all their conversations in familiar dialects "friendly" to their interests. But not many are able to do so. The handicap (if sometimes also the advantage) of the less powerful is that in describing and navigating their world they can seldom avoid the need to acquire, manipulate, and seek loopholes in a multitude of noninterchangeable languages and vocabularies which are more or less hostile to many of their accustomed ways of settling differences. Colonial and postcolonial bureaucrats in the Malay Peninsula may well have had the luxury of being able to turn a deaf ear to the Temiar songs which map, chronicle and communally claim their forest landscapes (Roseman, pp.11 ff.), sloughing them off into the category of "entertainment" while privileging their own charts and surveys; as Karl Deutsch once said, power is the "ability not to have to learn". But the fate of those situated, like the Temiar, on the precarious margins of expanding "invader" populations (p.26), or, like the literate Bentian Dayak of Fried's chapter, between "upriver" and urban societies, is often to be preternaturally attentive to a world of idioms they never made. "We Aren't against Development!" protests a Temiar compendium envisaging how national goals might be interwoven with local integrity (Roseman, p.24) and Bentian authors, too, make touchingly audacious attempts to translate *themselves* into officialese rather than waiting to *be* translated. Portraying themselves variously as "property-owning citizens" with the desire to "develop/awaken/build" and as farmers who have, "from the time of their ancestors", maintained Industrial Forest Plantations (HTI) (p.18), the Dayak authors whose work Fried examines suppress much of their people's own rich forest and agricultural vocabulary and customary legal rhetoric in favor of a dialect which "accepts the state as the final arbiter of law". By the same token, Karen people in Northern Thailand typically keep their own knowledge and use of fire in the landscape under wraps when talking with a pyrophobic bureaucracy and public, emphasizing only their efforts at fire control. In yet another variation on this theme, a Makassar Strait fisherman introduces Nabi Heder, the prophet of the upper reaches of the ocean's water column, to Charles Zerner as the "President of the Seas" and the promontory guardians under him as "District Officers".

Such gambits are hardly confined to Southeast Asia or contemporary contests over salt water and forest thicket. Benedict Anderson contends that the idea that "languages are transparent to each other, interpenetrate each other, map each other's domains" (and thus, by implication, can be strategically selected to advance various interests) is "very new" (1998: 31). But the concept of diverse kinds of linguistic "playing field" is surely in some respects nearly as old as play itself. Most struggle and persuasion anywhere -- whether between husband and wife, lawyer and bureaucrat, or nation-state and nation-state -- involves conceptual shape-shifting, switching from idiom to inconsistent idiom, adopting or adapting the speech of others in deference, pastiche, or *reductio*. Often, too, as Zerner suggests, conflict means mining the past for fresh means of enabling, adjudicating or constraining debate -- Walter Benjamin's "seizing of memories as they flash up at a

moment of danger". In fact, it is only in an intercultural medium that anything provisionally identifiable as practices "friendly" to one group or another come to life and evolve in the first place: as Jane Atkinson reminds us, what passes as "local" customary law in many places in Indonesia and Malaysia is "itself the product of negotiation with earlier forms of authority, including colonial bureaucrats and regional elites" (p.6). The same could be said of the phrase "community forest", a term of art currently emerging in a number of Southeast Asian countries out of a need perceived by environmental activists and local allies to formulate for state audiences a pedigreed, generic category of local stewardship alternative to scientific state forestry. Zerner sums up the lesson by referring to what he learned among the Mandar people of southwestern Sulawesi: that their conceptions of power and nature could not be neatly divided into "an autochthonous version, a statist version, and a counter-state version" but rather "were often imbricated within one another, contradictory, and more kaleidoscopic than static", involving "active reworkings and deployments of a variety of available cultural materials" (p.36).

If the choice of *whether* and *when* to translate shapes and is shaped by power relations, so too is the choice of *how* to translate. Many actors in "dramas of translation" (to use Zerner's apt phrase, p.4) sense rightly that the charges of "misunderstanding" and "misinterpretation" which ricochet around any interpretive fray -- whether the issue is land rights or literature -- are negotiating moves, not claims capable of being settled once and for all by some determinate meaning-in-the-head (or meaning-in-the-community) which floats free of the context of discussion and struggle. Faced with the "problem of abstracting simultaneously the roles of belief and meaning from the pattern of sentences to which a speaker subscribes over time" (Davidson 1989: 238), interpreters are usually free to "play off awkward translations against ascriptions of quaint beliefs, and vice versa" (Rorty 1982: 6). Far from being prior to the rough and tumble of translation politics, what counts as "meaning" at any particular time is determined by it. The sentences yielded by one method of translation may even directly contradict those yielded by another, with no "neutral" criteria to choose between the two (Quine 1960, 1969; Rorty 1972, 1979; Davidson 1990; Wittgenstein 1953). Darrell Posey relates, for instance, how one of his Brazilian Kayapo informants once contested Posey's Portuguese-language claim that Kayapo "planted" certain forest trees and epiphytes. On further discussion, it emerged that the disagreement centered not on how the Kayapo behaved physically toward seeds, but was at another level. As the informant explained, "only plants that could not grow without the help of humans are planted; all other species are 'natural'". What had happened was that his first strategy for translating Posey's work -- pairing up the Portuguese words for "planted" or "domesticated" with the obvious Kayapo "dictionary" equivalents -- had compelled the informant to attribute odd beliefs to Posey. Alternatively, he could have started out by assuming Posey was right about Kayapo planting practices, but would then have been led to spin out implausibly long Kayapo glosses on what had seemed simple words. The dispute arrived at a further temporary resting point only after long intercultural discussion (Posey 1992: 22-24).

In its own interpretive actions, what James C. Scott (1999) calls the "simplifying state", has, at least in its higher reaches, a vested interest not only in positing shared "quotidian universals" (Anderson 1998: 33) wherever it goes, but also, more generally, in presuming equivalences between brief, common phrases in local dialects and brief, common phrases in economic jargon or its own

bureaucratise. Intolerant of ethnographic *longueurs* which might break up its tables and checklists, it prefers to build long translations only from short correspondences. If the result militates in favor of the view that its subject translatees are backward or crazy, that's a small price to pay for administrative convenience. Thus when confronted with the spectacle of neat rows of rubber trees replacing messy-looking rattan gardens in East Kalimantan, state functionaries may well think "development" and dismiss hostile reactions as ignorance or obstructionism. Activist inquirers who, by contrast, mold their translations not around any particular word-for-word correlations but rather the assumption that oppressed communities and middle-class publics share common concerns and sensibilities are freer to come to read the same rubber plantation, more complexly, as involving (for example) an "emptying, without permission or advance warning, [of] the bank accounts containing the life savings of the local rattan farmers" (Fried, pp.22-23). In a similar vein, engaged Thai academics have attempted to translate, for Bangkok audiences, forest commons as rural "supermarkets". Anthropologists and historians, of course, tend to be just as wary of word-for-word translations that lead to the attribution of bizarre beliefs. But their response to the problem is often slightly different again. Enjoying occupational incentives to indulge in leisurely explanations of seemingly straightforward yet deeply foreign concepts, both professions are prone to sidestep the dilemma of modeling their subjects either as cranks or as normal supermarket shoppers by diving into further digressions which are themselves so liberally studded with italicized alien words that they sometimes verge on leaving the English world behind altogether.

Which meanings then prevail? A lot depends on the usual accoutrements of power, but also, to an unpredictable extent, the interaction of storytelling skill with context, audience, purpose and sheer cussedness (Lohmann 1993). This volume's interpretations are likely to be utterly convincing to anyone already committed to postulating a community of common sense between themselves and various Dayak, Mandar and Temiar communities. But among those for whom such a commitment is secondary to the need to create and maintain a solidary community of shared practice among the expert networks who plan "replicable" development projects or produce globalized science, the tales within these covers may well only be opening salvos in long storytelling contests. Rare is the economist who won't construct counter-narratives showing that any resistance to translation of a community's values into the language of cost-benefit analysis is based on self-misinterpretation or "misunderstanding of economics". Rare is the wilderness preservation fanatic or deep ecologist who won't recast Anna Tsing's invitation to reflect on Meratus ecological imagery of travel, trade and marriage (p.7) as just another way of affirming that the usual wild/domesticated dichotomy applies to Meratus bees or forest trees. Rare too is the chief forester who won't claim that Nancy Peluso's meticulously-recounted story of forest creation, ramifying systems of community rights, and counter-appropriation of government land claims in West Kalimantan is merely an "exception" to the standard narrative featuring agricultural encroachment, disintegrating commons, and the need for a strengthened role for state forestry. And such claims aren't without evidence: as is familiar from countries throughout Southeast Asia, official prophecies of degradation at the hands of locals, when backed by measures to intensify state control, have a way of fulfilling themselves.

This isn't to say that this book will have no appeal for Jane Atkinson's "thoughtful scientists, planners and policymakers" (p.6). But Atkinson is right to caution that it's unlikely by itself to have

a "transformative effect" on what they do. Experience teaches that many of the graduate students who read these essays with deep appreciation today will, in a few years' time, be writing reports and planning projects for government departments in Delhi or the District of Columbia which presuppose and reproduce the same dichotomies and stereotypes which Peluso, Tsing and the other authors of the volume critique. This won't be out of forgetfulness, inconsistency, or indifference to people or land, but just because it's almost as impossible culturally as it is physically for one person to be in two places at once. A little like minority communities situated on the margins, the young consultant or bureaucrat has to move among incommensurable systems of belief evolved among different interests, landscapes and histories, translating here, adopting practices wholesale there, depending on circumstance. So, too, to a degree, do bureaucracies themselves. *Pace* Tsing, there may no longer be all that many "powerful conservation organizations" who would swear in public that they "consider people who live in or near forests to be the main enemies of the wild" (p.5) -- and this shift may partly be due to books like this. But when going about their day-to-day business, such agencies continue to act *as if* they held this belief because of pressures to appeal to other institutions and a Western funding public in whose practices the human/wild nature dichotomy remains structurally embedded. For example, following the "discovery" of new large mammal species in Viet Nam in the 1990s, the World Wide Fund for Nature put out a press release about a "lost world seemingly untouched ... and possibly teeming with new species". Yet the organization was surely aware that, as Pamela McElwee (1999) points out, this "lost world" had previously been a timber enterprise, that 20,000 people lived there, that the heavily-bombed Ho Chi Minh trail ran through it -- and that at least one of the "new" species, the saola, thrived on secondary forest growth and cleared land. By themselves, in short, volumes like this one are unlikely to engage many of the institutional gears of the state, development institutions, large conservationist organizations, or corporations.

This should hardly be considered a drawback. Only those who hold onto the remnants of an intellectualist, planning view of social action, I think, could possibly *want* this book to perform such a function. These essays, after all, aren't just a set of travelogues or a warehouse of technical information to be fed into improved "development and environment" schemes. Rather, they question many of these schemes' premises. I see the book's main role differently: as stimulating strategic creativity among activists and researchers who remain largely independent of official agencies, as well as encouraging strategic cooperation between them and the groups they work with. Donald Brenneis (pp.10-12) takes one step in this direction by sketching two rough branches of strategy various forms of which, I've suggested, are already being used concurrently by many of the actors in this book in legitimizing their interests and futures. The first branch uses and extends dominant (and partly "unfriendly") practices -- and their built-in means of legitimation -- for new purposes. In this category can be found not only the "countermapping" mentioned by Brenneis (cf. Peluso 1995, Lohmann 1995a) and the colonization of dominant discourses treated by Fried and Zerner, but also the deployment of such discourses' resources against the more outrageous claims made by their own native adepts. In this connection Fried analyzes a document which reclaims official logic, rationality and civility for Bentian Dayak while denying them to the lawbreaking Indonesian government itself (pp.20-22). This tactic is also a staple of Thai rural grassroots groups,

who have frequently accused the bureaucracy of double standards in seizing village land "for the national good" only to turn it over to private corporations. A second branch of strategy builds on a "thoroughgoing understanding of specific local legitimacies" as a way of, for example, "going off the grid and away from visual representation" (p.10) or other dominant practices altogether. Brenneis cites soundscapes produced by Roseman (1995), Steven Feld (1991b), and North American composers, but there are many other ways of "going off the grid" as well. These range from some of the subtle tactics depicted by Fried, Zerner and Peluso to, at the most mundane level, simply laughing or changing the subject (Lohmann 1997, 1998). The taxonomy, of course, is a bit crude. For instance, it risks slighting the extent to which, in getting their tongues around dominant vocabularies, people change their structure. It also doesn't specify the ways in which "going off the grid" can induce outsiders to adopt non-dominant practices of adjudication. Here there is much to learn not only from the subtleties of the studies in this volume but also from, for example, Stacey Leigh Pigg's important work on the development and AIDS discourses in Nepal (Pigg 1992, 2000). An equally important step toward more creative and cooperative strategic thinking is perhaps to compare the conditions and outcomes of different intercultural approaches to rights. Fried has already begun to travel this path by suggesting how and why certain Bentian translation strategies changed over time, but the approach could be broadened immensely. What is the relationship between the political or historical circumstances in which various groups find themselves and their choice of whether and how to translate themselves and others? When do their efforts succeed and fail? What conditions favor "charitable" translations of minority depictions of land, water, and rights into dominant languages? What lessons, if any, might be shared between, on the one hand, communities fighting the cultural eclipse of their land and sea rights in so-called "out-of-the-way places" in Southeast Asia and, on the other, groups battling the cultural muting of minorities' or women's experience in the West, or movements seeking to "reshape the sciences by bringing the other Others in... through multiple conversations and complex alliances" (Rose 1996: 99)?

Such questions about strategy, I suspect, wouldn't necessarily surprise the ordinary 20th century people whose livelihoods are the subject of this book any more than would its conclusions about rights, claims, and conflict. But the questions may well still seem novel to audiences inured to one-way translations into the dialects of science, law, economics, development and public relations. Among the educated they partly benefit, the state and corporate centralizations which enforce these translations select for metaphors which divert attention from the realities of intercultural negotiation. Visions of languages as transparent mediums and market institutions as neutral forums crowd out narratives displaying differences in power. Metaphors of essence and accident, of "culture" as a decoration draped over the "nonculture" of *Homo economicus*, of "history as bunk", of deletion of the superfluous and obstructive (an Indonesian District Court imagines itself "erasing" customary law, Zerner p.27), gain precedence over figures of palimpsest, bricolage, alternation, transition, and shifts of genre. Pictures of inclined planes leading up out of darkness push out conceptions of "crossovers, borrowed metaphors and turns of phrase, boundary crossings and appropriations" (Zerner, p.36). Stories about refinement of the raw material of the wild take precedence over the recurring figures of dialogue, respect, permissions, and interchange between human and nonhuman that permeate many of the essays of this book. Armed with such metaphors,

educated audiences are often enabled to pull off a trick the forest dwellers and fisherfolk in this book would find it hard to get away with: to "overgeneralize from familiar cultural values and then pretend these values don't exist" as Anna Tsing (p.3) puts it, thereby rendering "invisible and inaccessible to scrutiny" how a dominant cultural perspective works, "what it includes and excludes, and how that inclusion and exclusion is itself a cultural effect" (Franklin 1996: 162). It becomes possible to take it for granted that standard topographic maps, or forestry or fishery or soil science, constitute (to borrow Sharon Traweek's phrase) a "no culture" capable of replacing various "cultural" understandings without significant remainder. It becomes possible to assert that rural actualities are figments of the imagination while imaginary, office-based schemes are "realistic". Non-governmental organizations are enabled to join hands with bureaucrats in asserting that there is such a thing as a "modern" capable of erasing a polar and equal opposite called the "traditional" -- a delusion Richard O'Connor nicely dismisses as "modernity primping in the mirror" (O'Connor 1989, cf. Latour 1994). Hemmed in by such metaphors, even skeptical and careful scholars become capable of reproducing on occasion some of the official mythologies: that commodity-property claims really *do* succeed in "divorcing claimed objects from social context"; that discourse evolved in offices really *is* independent of "personal aura"; that what the state calls "public space" really *is* the same thing as the commons Ivan Illich (1982: 16-19) identifies as "neither wilderness nor home" but "that part of the environment for which customary law exacts specific forms of community respect".

That suggests another value of this book: that it may help, in its own small way, to unsettle among a wider public what Dean MacCannell (1993: 167) calls the "White Culture" idea that conversation and contention can or should be housed in a single forum or language. In addition to finding a place alongside other valuable work in political ecology, Southeast Asian studies, and law and anthropology, the book joins a much broader contemporary intellectual countertradition ranging from research in the social studies of science and feminist literary criticism all the way to 1984 and the *Philosophical Investigations*. In its pages, travellers come home to remind us English-speaking intellectuals once again that familiar webs of meaning and belief can bind us as tightly as those on whom we would impose them.

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