

ISSN 2615-3718 (Online)
ISSN 2621-5675 (Print)

Asian Institute of Research
Journal of Social and Political Sciences
Vol. 5, No.3 September 2022



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Table of Contents	i
Journal of Social and Political Sciences Editorial Board	iii
Economic Protectionist State Policy: An Analysis of Its Enduring Practices in the Contemporary International Trade Relations Abdul Razaq Cangara, Darwis	1
Gold Mining Impacts and Corporate Social Responsibility: Corporate, Community and Government Reflection Taufik, Y., Arimbawa, P., Zani, M.	7
Road Accident in Bangladesh: Issues & Legal Study Naimul Razzaque	18
Stigmatization of Former Corruption Convicts in Indonesian Parliament Elections Manotar Tampubolon, Chontina Siahaan	22
The Factors Affect the Online Learning Behaviour of Students Nguyen Thi Van Anh, Hoang Thanh Tung, Tran Pham Chieu Uyen	31
The Influence of Islamic Art on the Development of Modern European Art Iswahyudi	46
China’s Responses towards The US Pivot to Asia: “The Dialectics of Hedging and Counter-Hedging” Abdul Razaq Cangara	55
Analyzing the What and How of United States Foreign Aid to Israel 2017-2020 Emilio Ramos, Rizky Hikmawan	62
Government Effectiveness, Economic Growth, Religion and the Socio-Political Role of the Middle Class in Bangladesh Md. Rubel Mia, Jill L. Tao, Chad Anderson	72
Polish – Jewish Relations: A Historical Perspective and Contemporary View Richard J. Hunter, Jr.	80
Analysis of Digital Influencer Characteristics in Building Digital Engagement Through @byu.id Instagram Account Raini Rahmi Fajriani, Ahmad Mulyana	100

Parasocial Interactions: JKT48 Fans in Forming Relations with Idols and Social Environment Siti Ntara Muthmainah Mulya, Ahmad Mulyana	108
Land Ownership of Families in Son La: A View from Cadastral Records in the Minh Menh's Year Phuong Tran Thi, Hang Thi Thu Trinh	116
City Branding Bangkok as Creative City of Design Prayudi, Kartika Ayu Ardhanariswari, Ninik Probosari	129
Overlapping Central Government Policy with Regional Governments: Study of Conflict Anchor Port Management in Kepulauan Riau Province 2017-2022 Bismar Arianto, Aditya Perdana, Maswadi Rauf	143
Southern Senegambia in the World System Dynamics: from Medieval to the Atlantic Era Ensa Touray	158

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Economic Protectionist State Policy: An Analysis of Its Enduring Practices in the Contemporary International Trade Relations

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Abstract

State protectionism in international trade relations has gained momentum and impacted global trade flows. The negative repercussion is inevitable as it contributes to the global economic downturn and slow global economic growth. The global economic rebound is expected to have occurred, still, it faces a magnificent impediment to being realized. Many major economies - including the US, China, Japan, and EU- which glorify the importance of free trade to raise global prosperity are even leading in exerting protectionist policy in their trade relations and thus influencing the increasing global trend of its practices. This article thus orients to investigate the root causes behind the increasing practices of state protectionism, which have negative consequences and endure slow global economic growth, by raising the issue of “why does protectionism still exist despite being criticized as suboptimal compared to free trade?”. In investigating this issue, this article employs the theoretical approach of state protectionism and instigate three main proposition based on it. This article argues that the enduring state protectionism is mainly caused by WTO's diminishing credibility in the world trade governance, the global financial crisis (GFC) 2008 occurrence, and the US rising anti-trade rhetoric that induced the domino effect of economic populism and protectionism. This article will proceed as follows. It will detail the background of contemporary state protectionism and briefly review the state protectionism theoretical approach. Eventually, it will analyze the fundamental causes behind the enduring state protectionist approach in contemporary international trade relations.

Keywords: State Protectionism, Free Trade, International Trade, Economic Growth, Developed and Developing Countries

1. Introduction

Many international political economy scholars and practitioners recognize that free trade is the primary source of economic growth and development since it can expand the market size, increase competition and efficiency and

diminish monopoly, which reduces production costs and product prices. Consequently, these will increase the industrial productivities and consumer's purchasing power, thus increasing aggregate industrial output and domestic consumption, which are substantial for economic growth. Besides that, freer trade would encourage more inbound foreign direct investment (FDI), which can become substantial sources of capital and technological innovation for national growth and development. These benefits are evident in China's unprecedented economic growth, making it the 2nd world's largest economy after free trade and economic opening in the 1980s. Nevertheless, despite such free trade's significance, no countries have eliminated their trade barriers, and they still adopt suboptimal trade policies of protectionism. Currently, state protectionism has been increasing. The EU, for instance, still subsidizes its farmers and bans the imports of cheap foreign agricultural products. China still maintains its undervalued currency to make its exports cheaper in the international market, and Japan still imposes substantial tariffs on imported goods. At these junctures, the WTO's recent report has even exposed that only G20 countries implement 1583 trade-restrictive measures from 2009 to 2016. Based on the background, this article thus raises a question regarding "why does protectionism still exist despite being criticized as suboptimal compared to free trade?" (WTO, 2016; Ferrini, 2012). In this respect, this article argues that there are three reasons behind the existence of protectionism till today, encompassing the failure of WTO in governing world trade, the occurrence of the global financial crisis (GFC) in 2008, and the rise of US anti-trade rhetoric under Trump administration. Thereby, this article will be then segmented into two major sections. First, it will explain the methodology used and further elaborates scopes, costs and reasons for state protectionism. Second, it will expose how those three reasons have caused protectionism to be still widely adopted (Jones, 2010, 1-3; Nanto, 2009, 18-19; Irwin, 2017, 45-56).

2. Method & Methodology

In this article, the research method employed was an argumentative qualitative research method. It reviewed the theory of state protectionism and analyzed state protectionist policies aiming to narrate and elaborates the root causes of continuity of protectionist approach imposition as trade policy despite its suboptimality as a trade policy in the contemporary international trade relations. With this aim, this article explores the analysis through literature reviews for data collection related to the issue raised. The data collected was mainly secondary by conducting library research on books, journals, reports, news, and other references related to the issue of the article. Intensive and extensive internet research was also employed to enrich data collection over the official website of the WTO, UNTAD, G20, World Bank, and other international and national institutions exposed to international trade relations. In giving a clear picture of the theorization of state protectionism, this segment explores it as below.

2.1. Framing State's Protectionism: The Scopes, Costs and Reasons of State's Protectionism

Before addressing the question of "why does protectionism still exist?", it is crucial to comprehend the scopes, costs, and reasons for state protectionism. Initially, protectionism is a foreign trade policy that deliberately limits imports and concurrently promotes exports through trade barriers imposition (Economics Online, 2017). It can also be defined as policies providing unfair advantages to domestic industries to resist international competition (Tziamalis, 2017). Accordingly, those policies can include any measures, including not just tariffs but also non-tariff barriers (NTBs) such as government regulations, countervailing and anti-dumping policies, import bans, exchange rate policies, government subsidies, fiscal stimulus packages, buying national campaigns/provisions, and et cetera (ECB, 2009, 16; Nanto, 2009, 18-20). Given these scopes of protectionism, its application then comes with many costs. For instance, it will cause low competition and monopoly, leading to industrial inefficiency. It will then increase the price of capital and consumption goods, diminishing the industrial productivity and society's purchasing powers. These will reduce the total output of industrial production and consumption within the society, thus further undermining economic growth. Besides that, limiting imports might also lessen export demand, thus decreasing the domestic revenue of protectionist countries. Lastly, protectionism could also undermine the innovation and progression of the domestic industries (Ferrini, 2012).

Despite the costs mentioned earlier of protectionism, it is still widely adopted by many states. Essentially, there are two main reasons behind state protectionism: mercantilism/economic nationalism and liberal perspectives. From mercantilist perspectives, states adopt protectionist measures to advance their national economic interests.

They are not only to increase gains from international trade but also to secure other interests such as protecting infant, sunset, and strategic industries from foreign competition, augmenting domestic production, deterring unfair trade competition, and saving jobs and the environment. Besides that, states also account for national security and sovereignty considerations (Economics Online, 2017). They also implement protectionist policies to address concerns on unequal playing fields related to wages and labour standards. Meanwhile, from the liberal perspective, state protectionism is viewed as the consequence of the interplay of actors in domestic political processes. Accordingly, the politician's interests and the lobbies of multiple domestic trading groups contribute to distorting the state's trade policies to opt for protectionism. Those two perspectives are not in conflict, but they are mutually reinforcing in analyzing the opportunities and constraints of the state's tendencies towards protectionism (Ferrini 2012).

3. Results & Discussion

Given the frames mentioned above of protectionism, the main question to address is, "why does protectionism still exist despite being criticized as suboptimal compared to free trade?" as argued in the introduction that three principal reasons have endured protectionism. They are 1) the failure of WTO in governing world trade; 2) the occurrence of GFC 2008; 3) the emergence of US anti-trade rhetoric under the Trump administration. Accordingly, they have encouraged the state's sentiment to maintain and even instigate new protectionist measures in international trade. Therefore, the analysis of this article will be mainly based on those three reasons.

3.1. *The failure of WTO in governing world trade*

The first reason behind the enduring existence of protectionism is the failure of WTO in governing world trade. It was created to govern world trade and extend trade liberalization multilaterally. These are to benefit its members from international trade activities. However, it has failed to realize those objectives since it has been surrounded by institutional impediments rooted in its trade negotiation process and dispute settlement mechanism. These have then led to the immense trade uncertainties among its members and thus caused them to maintain protectionist policies (Pakpahan, 2012; Hoekman, 2012, 4-13).

Specifically, the WTO has failed to generate an agreement that can entertain its member's interests toward a freer and open trade. It was proven through the impasse of the Doha Rounds. WTO failed to achieve substantial deals after 14 years of negotiations caused by the vast conflicts of interest between developed and developing countries where they halted each other from reaching a consensus about the liberalization of sensitive sectors such as agriculture, trade in services, and behind-the-border issues (Pakpahan, 2012). These dynamics have been actually preceded by the disappointment of developing countries towards GATT's Uruguay Round outcomes (the WTO's predecessor), where they did not meet their expectation to get huge benefits from clothing and textile trade liberalization in exchange for developed country's commitment of intellectual property (IP) and behind-the-border issues protections. Thereby, developing countries recognized that the benefits of the deals made in the Uruguay Round were always in favour towards developed countries. In it, the developed countries had more negotiation powers, and thus their interests were always dominantly represented by the deals. Consequently, these circumstances have induced distrust and trade uncertainties among WTO members, thus trapping it into stagnation and subsequently encouraging its members to use the Preferential Tariff Agreement (PTA)'s provision under WTO rules to advance their trade negotiations (Jones, 2010, 1-3).

Given the swiftness of PTA in generating and governing free trade deals that entertain WTO member's trade interests, its members have then actively negotiated PTA, thus causing a rapid increase in its use, achieving at least 300 PTAs since WTO's establishment (Bilaterals, 2017). Nevertheless, this has become a dilemma since PTA not only helps liberalize trade but also advances new distortions through trade preferences. Furthermore, it is inherently exclusive, discriminatory, and intertwined with protectionism. In its application, states will eliminate trade barriers toward their PTA members and sustain them against their non-PTA members. Such practices have so far created a discriminatory trade environment and induced retaliation of protectionist measures from the non-PTA members (McMahon, 2016). Accordingly, these practices have become a bedrock of widespread protectionism today. They have been proven that PTAs have contributed to a 10-30% increase in anti-dumping

practices against non-member countries. These have been reaffirmed by WTO data collection on anti-dumping practices since 1980, showing that there were 5,006 anti-dumping measures applied, and from them, only 201 were imposed by the countries which did not participate in any PTAs. Meanwhile, from the remaining 4,805 anti-dumping measures, only 745 were used against PTA members, and 4,060 were used against non-PTA members. These clearly show how the WTO's failures in governing world trade, followed by using its PTA provision as its alternative, have just maintained and even increased protectionism (Prusa & The, 2010).

Besides the problems mentioned above, the WTO also has a complicated dispute settlement mechanism that makes protectionism still exist. Correspondingly, it is about the rules allowing retaliation in settling member's trade disputes and violations of WTO trade rules should it fail to drive the members' trade practices into compliance with them. In detail, when a trade dispute between WTO members cannot be resolved through remedies, the offending countries can appeal for the rights of retaliation against the offender countries through WTO Dispute Settlement Body (DSB). Then, if authorized by DSB, the offending country's retaliation could include the imposition of countervailing duties against unjust subsidized imports and the application of anti-dumping policies against imports with predatory pricing (Nanto, 2009, 18). Accordingly, the fact shows that since the WTO's establishment in 1994 until 2013, there have been 36 appeals for retaliation against 28 disputes. Indeed, such retaliations are equal to the protectionist measures since they aim to protect their exports or domestic industries against unfair foreign competition. Hence, the more WTO members are authorized by DSB to retaliate, and the more protectionist measures will be in place. In this sense, the WTO has again contributed to the prevalence of protectionism (Bonomo, 2014).

3.2. The occurrence of GFC 2008

The second reason behind the remaining existence of protectionism is the occurrence of the GFC in 2008. The initial crisis was rooted in the US mortgage crisis in late 2007, which had fast-spreading effects across the border, hit the fundamental global market, and induced a sharp contraction in global trade. Consequently, the GFC was in place, causing global macroeconomic downturns and volatilities that led to the demolishing implications in many countries. These were particularly evident in the EU countries, which experienced a protracted crisis in their real economy, which had simultaneously generated bankruptcy on many banks and companies, massive public debts and unemployment, and extensive declines in their GDP. Besides that, the other countries were also impacted by the crisis to various degrees. At these points, they have adopted various protectionist measures to support their businesses and industries to resist the crisis's negative repercussions and save their national economies. In this regard, the WTO Director-General Pascal Lamy recognized those trends by reaffirming that WTO members were displaying an alarming propensity toward increased trade protectionism, resulting from the intensification of the global economic crisis. Accordingly, the WTO report exposed that of G20 countries, 17 of them introduced 67 protectionist measures in 2008 (ECB, 2009, 16-17). Furthermore, it had also identified the imposition of 85 protectionist policies by 23 WTO member countries from September 2008 to March 2009, directed to discrimination against foreign trade parties (Nanto, 2009, 18). As reported by the WTO, the countries that adopted those protectionist policies were India, China, Argentina, Indonesia, Russia, and the EU. Furthermore, even the US, the foremost proponent of free and open trade initiatives, extended the "Buy American" provision in its stimulus packages to help its domestic industries during the crisis (Nanto, 2009, 18-19; Durusoy, 2015, 57).

The occurrence of the GFC in 2008 provoked huge rises in protectionism during the period of the crisis. Still, instead of stopping in that period, those trends of protectionism have continued to rise till today since the global economy is still volatile after the crisis, indicated by a sluggish global economic recovery and growth and increasing unemployment in many countries. These have encouraged them to maintain and even continuously introduce new protectionist policies. A recent WTO report has identified those trends, that 145 new protectionist measures were applied by G20 countries from October 2015 to May 2016, implying that around 21 new measures were applied per month. It has demonstrated a substantial increase in contrast to the previous report, which accounted for 17 new monthly measures. Furthermore, this has become the highest monthly average record of new protectionist measures and thus has accounted for a 10% increase from their overall implementation since the WTO monitoring started in 2009. The WTO report has recorded that G20 countries have introduced 1583 protectionist measures since 2008, and only 387 have been eliminated by May 2016, thus leaving 1196 of them

still being implemented (WTO, 2016). Such resurgence of protectionism has been very massive and endured. It will indeed become a daunting challenge for many countries since it could result in a vicious cycle of protectionist measure retaliations, disrupting global trade flows, and further undermining the growth of the global economy in the long run. Overall, the GFC 2008 has primarily contributed to perpetuating protectionism worldwide (ECB, 2009, 17).

3.3. The emergence of US anti-trade rhetoric under the Trump administration

The last reason that has perpetuated protectionism is the emergence of US anti-trade rhetoric under the Trump administration. Being inaugurated as the new US President in 2016, Trump had pledged to emphasize economic nationalism as the backbone of his administration's trade policy. In this regard, he asserted an aggressive "America First" rhetoric, extending that the US government must get 'a better deal' from international trade, create more new jobs for Americans, and resolve trade deficit problems. For these sakes, he promoted the rules of buying American and hiring American, promised to impose considerable unilateral tariffs against countries practicing unfair trade with the US, and intimidated to apply a substantial tax towards US companies moving their production offshores. Furthermore, he had also planned to shift the focus of US trade negotiations away from the WTO toward bilateral trade negotiations. As initial manoeuvres, President Trump had disengaged the US from the Trans-Pacific Partnership (TPP), exposed his promise to renegotiate the North American Free Trade Agreement (NAFTA), and vowed to put forward US laws rather than the trade rules of WTO in doing trade. Moreover, He planned to even withdraw the US from it if it no longer gave benefits to the US (Irwin, 2017, 45).

Indeed, such US moves towards more protectionist trade policies just perpetuate protectionism worldwide since they undermine the WTO as an institution it has patronized since World War II to constrain protectionist behaviours of 163 countries. Furthermore, by disregarding the WTO trade rules and abandoning its leadership, those countries have more liberty to extend trade discrimination against the US. In other words, such US protectionism provokes protectionism abroad and thus could induce a greater spiral of protectionism globally. It is probable given the rise of nationalist sentiment worldwide, displayed by the above facts about the increasing G20 country's protectionism after the GFC 2008, where the number of new protectionist measures imposition surpassed the old protectionist measures removal. This scenario, however, has past precedence when the US Congress authorized the Smoot-Hawley Tariff Act in 1930, imposing US tariff rise towards 20.000 imported goods, and other countries subsequently extended retaliatory tariffs against it, leading to the great depression in 1930. Therefore, if the US government continues to realize its protectionist trade policies, this will result in unwavering trade barriers accumulation in the US and other countries. These will then threaten many countries' political-economic interests, undermine free and open trade systems, and thus eventually impair not just the US but also the global economy (Irwin, 2017, 45-56; Patrick, 2017, 55-56).

4. Conclusion

In conclusion, in today's contemporary international trade relations, protectionism still exists and even gains momentum for years ahead. Three fundamental reasons have caused this: 1) the WTO has lost its credibility to govern world trade. It has shifted its member's trade negotiation focuses toward PTAs that are innately exclusive, discriminatory, and intertwined with protectionism. Moreover, its dispute settlement mechanism, which permits states to use protectionist retaliatory measures against other state's protectionism, has just promoted the spiral and steady accumulation of protectionist practices; 2) the incident of GFC in 2008 has caused global economic downturns and volatilities, thus inducing crisis and economic hardship in many countries. These have resulted in increasing protectionism worldwide during times of crisis. Nevertheless, it has been steadily continued, given the slow global economic recovery and growth; and 3) the rise of US anti-trade rhetoric has magnified protectionism worldwide since it undermines the open and free trade systems promoted by the WTO and further provokes the other countries to disregard the WTO trade rules concurrently. These will consequently lead to the increasing accumulation of protectionist practices worldwide. For all these reasons, the existence and resurrection of protectionism are apparent.

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Gold Mining Impacts and Corporate Social Responsibility: Corporate, Community and Government Reflection

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Abstract

The implementation of Corporate Social Responsibility (CSR) programmes in Indonesia still largely involves charity to the community or efforts to earn a good name in the wider sphere. This is most especially the case in gold mining, where both large companies and community mining use hazardous materials such as mercury which cause various types of environmental damage. This study aims to look at a series of CSR activities that have been carried out by the company, whether these activities have successfully completed the impacts caused by mining activities. In-depth interviews with informants from all groups were conducted. The results showed that various CSR activities carried out by the company have not been designed to improve the impact caused by gold mining activities, nor CSR programme has not yet had an impact on increasing the capacity of the community; most CSR activities were still charity or inducements to the community or elite groups. Some facts also show the demonstrable result of the use of mercury which has had an impact on public health as well as disruption to people's livelihoods, due to damage to the previously clean water sources.

Keywords: CSR, Charity, Capacity Building, Community, Environmental

1. Introduction

The European Commission defined Corporate Social Responsibility (CSR) as "a concept in which companies integrate social and environmental issues in their business operations and in their voluntary interactions with their stakeholders" (Zapata, 2011). Companies should use CSR as evidence of the acknowledgement of their impact of its activities on society. A company is responsible for integrating social, environmental, ethical, consumer and human rights issues into their business strategies and operations in accordance with applicable law (Hamann, 2003; Barrena et al, 2016).

This study aimed to evaluate the CSR programmes conducted by gold mining companies in Bombana regency of Southeast Sulawesi, Indonesia. The evaluation considered whether the CSR program undertaken has answered

various problems arising from gold mining activities and implementing the principles of community development, or is it still charity and apparently philanthropic. (Melé, 2009) stated that the CSR approach must integrate four dimensions, namely (i) Profits where the company is seen only as an instrument for wealth creation. (ii) Integrative theories, in which the corporation is focused on the satisfaction of social demands, (iii) Political performance, relating to corporate power in society and the use of this power responsibly in the political arena, (iv) Social demands and ethical values, based on corporate ethical responsibility to the community. Based on these definitions, the CSR program should be able to combine the interests of gaining profits by the company with various efforts designed to increase community development.

Many of gold mining companies (hereinafter GMCs) have been carrying out gold mining activities in Bombana Regency since 2008. GMCs claimed to have carried out CSR activities for the community, but the surrounding community felt dissatisfied. Petrova & Marinova (2013) emphasized that in implementing a CSR programme companies need to carry out a study to achieve better understanding of the complex nature of the communities in which they operate in order that suitably tailored strategies can be developed.

This dissatisfaction of the community indicated that the CSR program carried out by GMCs was neither appropriate nor sufficient to support a better prosperity for the community. Moreover, people felt that they had never been involved in the preparation of CSR programme plans. Local newspaper stated that there had been mercury pollution in the river flowing into the waters of Bombana Regency. In addition to the problem of mercury pollution, the problem of drought was a factor causing the decline in agricultural productivity. Mining activities have caused lands in agricultural areas to suffer from drought because water circulation in watersheds has been monopolized by mining companies, a problem which has been compounded by deforestation. Mining activities have had a wide negative impact on the community in Bombana regency. The mining management conducted by GMCs is considered not to have touched and prioritized the principle of sustainable development; to make matters worse, there is little equity because the CSR has benefitted only certain parties.

Suharto (2007) stated that in terms of motivation there are four dimensions or approaches to CSR, namely: First, corporate giving that is motivated by charity. Second, is corporate philanthropy which is motivated by humanity. Third, corporate community relations that breathe charm. Fourth, community development is more empowered. Specifically, in the context of managing CSR programs, a community development approach can be a guideline for companies not to get caught up in programs whose motives are merely charitable, humanitarian or philanthropic, promotion or imaging whose impacts will only cause community dependency on the companies and does not have a sustainable impact.

2. Theoretical Framework

In fact, in the last few decades, several company practices have been found that are not in line with CSR concepts, such as: (i) more and more corporate fiscal violations and opportunistic strategies in finance and valuation; (ii) the increase of social inequalities reflected in poverty, hunger or discrimination among countries; (iii) the great power held by multinationals (Barrena Martínez et al, 2016).

Separating CSR policies into a variety of different initiatives such as training, social and professional skills development has a positive effect on customer satisfaction, environmental related initiatives also have a positive impact on customer satisfaction (Rivera, Bigne, & Curras-Perez, 2016). Corporate social responsibility is determined by ethics and morals in corporate decision making. Socially responsible CSR activities can not only increase stakeholder satisfaction, but also have a positive effect on the company's reputation (Gras-Gil, Palacios Manzano, & Hernández Fernández, 2016).

Implementation of sustainable development means the integration of activities in three main areas, including; (i) technical and economic activities that guarantee economic growth, (ii) ensure the protection of natural resources and the social environment, (iii) concern for employees in the workplace and community development in the mining environment means corporate social responsibility (Gras-Gil et al, 2016). The practice of CSR is

contingent on both the firm's macro-environment and micro-environment. Understanding these potential barriers can help companies avoid or overcome them and improve chances of successfully implementing CSR strategies (Yuen & Lim, 2016).

All social policies increase financial resources, and vice versa, that improving financial performance leads to greater social benefits. Investment in financial resources needs to be done to develop policies that encourage the level of components of social behavior to contribute globally to the improvement of society (Esteves, 2008). The lack of resources, lack of strategic vision, lack of measurement system, high regulatory standards, and low willingness to pay for CSR are significant barriers to implementing CSR.

3. Methodology

This study used a qualitative approach, in which the researcher acted as the main instrument and was involved in the implementation process. The researcher also might explain various forms of CSR programs and the development of farming communities.

The study was conducted in the North Rarowatu sub-district of Bombana Regency, precisely in Wumbubangka Village, which is the main area for gold mining conducted by GMC. In addition, the village of North Rarowatu was chosen with consideration, this area is an agricultural area that has experienced a decline in agricultural production, especially lowland rice since the mining company.

The unit of analysis of this research is (1) the directors or the head of division of CSR in several GMCs (2) 20 farm households and (3) government agencies, namely sub-district heads, village heads, and related agencies. The research lasted for 9 (nine) months, which began with exploratory research locations and initial observations (pre-study).

Data were collected by in-depth interviews with each unit of analysis to determine the impact of gold mining. In addition, participatory observation was carried out to find out firsthand and details about how the practice of implementing CSR programs by the companies.

4. Result and Discussion

4.1. The Impact of Gold Mining

Gold in Bombana Regency was discovered by the local community in 2008. The discovery of gold, has driven the flow of human migration towards the River Tahi Ite and Langkowala. The migrants came from communities around the Bombana District as well as from various regions in Indonesia. Only a few months after the discovery, the area around the two rivers became a sea of people. The increase in the number of people triggered an increase in the price of basic needs. The price of rice which originally only ranged between IDR 6,000-7,000 per liter, increased to become IDR 11,000 - 13,000 per liter, the price of instant noodles which was originally only IDR 2,000 increased to IDR 5,000 - 6,000 per pack. The average price of basic needs increases between 200-300%. Such fast-changing conditions have an impact on the decreasing purchasing power of local people, so that some of them then leave their agricultural land to also seek their fortune from gold mining.

The camps of the gold seekers are scattered along the River Tahi Ite (Figure 1), for about 15 km. At its peak it was estimated that around 60,000 gold panners obtained local government permission. One of the recurrent features of new gold discoveries, both globally and over the course of human history, is the phenomenon of the booming gold rush where increasing numbers of people are attracted to gold fields in search of fast money and easy fortunes. At this early stage, relatively abundant amounts of gold can be extracted from river beds and gold-bearing deposits, which attracts even larger numbers of prospective miners (Beavis & McWilliam, 2018).



Figure 1: Miners' Tents

The massive migration of miners has caused considerable environmental damage to villages in mining areas along the Tahi Ite and Langkowala Rivers. The increasing number of temporary settlements at mining sites has triggered the growth of local economic activity in response to increasing population. Lodging and restaurants are scattered, sales of tents, tarpaulins, ropes, building equipment, generators, pumps, lamps, beds, pans, cutlery, cosmetics and toiletries have increased, as have sales of all kinds of vegetables and ready-to-eat foods such as rice and instant noodles, meatballs, chicken porridge and more. The lack of availability of clean water facilities has also made the sale of clean water a profitable business; even the sales of cellular phones and hairdressing salons, mechanical workshops and mini pharmacies are growing rapidly.

Now, the Tahi Ite River is dry, because the water is used for panning needs. Another impact that is very influential on the decline in public health, arises from the use of mercury. The results of the Bali Fokus research conducted in 2014 showed that gold mining in Bombana uses around 80 tons of mercury each year. Measurement results using Lumex RA 915+, results vary from place to place. The lowest mercury is 28.07 ng / m³ in one of the homes of children suspected of mercury poisoning, and 41,000.00 ng / m³ in a gold shop.

The most common cases of mercury poisoning are diseases related to neurological disorders, if they occur in women, they can cause birth defects in the child they are carrying, and cause birth defects. If the child is exposed at the time after birth, can cause neurological defects in children later in life (Table 1). This defect will arise gradually and increase with increasing age of the child (Balifokus, 2015).

Table 1: Several Cases, the Impacts of using mercury in gold mining in Bombana Regency

Description	Picture
Name : Agung Address: Boepinang,Poleang, Bombana Case: Problems with the superior limb, <i>Os.Humerus</i> both short arms, skin eruptions throughout the body, congenital cataracts, undescended testes or cryptorchidism	
Name : Fauzan Address: SP2, Bombana Case: Anokuli, high Miopa	

Name : Amir
Address: Watu-Watu, Bombana
Case : Inferior limb defects



Source : Bali Fokus Indonesia, 2015

There are still some more cases such as partial paralysis, muscle weakness in the neck, medical conditions with permanent shortening of muscles or joints, as well as several other cases.



Figure 2: Tahi Ite River has become dry

Before the discovery of gold, the area of Bombana Regency was well-known as one of the food suppliers, especially rice, which supplied the needs of the Southeast Sulawesi province, but since the discovery of gold, rice production from this district has declined dramatically, planting paddy rice, which previously could be done twice now can only be undertaken once a year; agricultural land experiencing drought due to lack of water sources (Figure 2) due to dammed mining companies. Furthermore, research conducted by Charles Darwin University in collaboration with Haluoleo and Nusa Cendana University shows that there has been pollution of several heavy metals in several major rivers in Bombana Regency. The study concludes that

(1) the status of river water quality in the category of Bombana Regency is lightly polluted, where the concentration of Total Suspended Solid (TSS), Biological Oxygen Demand (BOD) in the water exceeded the quality standards based on existing regulations, and

(2) Status of water quality in the sea waters in the category of lightly polluted districts, where Total Suspended Solid (TSS), Nitrite (as NO₂) and Mercury (Hg) have exceeded water quality standards based on regulations' (Ido, 2019).

Based on statistical data from the district of Bombana in figures for 2010 and Southeast Sulawesi the figures for 2009, the area of harvest of rice fields in the district of Bombana has dropped dramatically. It was noted that in 2009 the production of lowland rice only reached 17,252.3 tons with a harvest area of 4,172 ha; this yield was far lower than the previous production which reached 51,378 tons with a harvested area of 12,423 ha. The significant decrease in production was due to a drastic reduction in the area of which was able to be used for rice cultivation.

4.2. Corporate Social Responsibility (CSR) Programme

The company's social and environmental responsibility towards the environment and surrounding communities has been stipulated in Law Number 40 of 2007, specifically in Articles 74 paragraphs 1 - 4. This law was followed by Government Regulation Number 47 of 2012.

CSR programs carried out by GMCs are categorized into three parts namely; social action activities, infrastructure development and public facilities and community development programs. The social action program is dominated by health assistance in the form of mass circumcision, dental examinations and general health examinations. In addition, sacrificial meat assistance, cash assistance to the poor, holiday gifts, study completion assistance, and several other activities were proposed by the community to carry out activities that are incidental. Infrastructure assistance includes the construction of clean water facilities, repair of houses, construction of telecommunications facilities, procurement of ambulances and repair of roads and bridges. The community development program can be carried out in the form of providing computer assistance, training of local football clubs, fostering the reading and writing of the Qur'an. In detail, the activities claimed by the company as CSR activities are presented in the following Table.

Table 2: CSR activities in Bombana in Period 2009-2015

No.	Activities	Recipient	Time
A. Social Action			
1.	Purchase of the Koran, <i>iqra</i> package, study desk facilities and teacher fees	Darul Ullun Islamic boarding school, North Rarowatu sub-district	Quarter III 2009
2.	Provision of nine staples	Quran recitation place Al Ikhlas Qoulul mufid Darul Ullun Islamic boarding school, North Rarowatu sub-district Hidatullah Islamic boarding school / orphanage Muslimorphange Muhammadiyahorphange, Rumbia sub-district Nursing Home Supported by Social Affairs in Kendari City	Quarter I 2013 Quarter IV 2009 Quarter I-III 2010 Quarter III 2010 Quarter IV 2013 Quarter I 2014 Quarter II 2014 Quarter III 2012 Quarter II 2012 Quarter II 2010
3.	Eid al-Fitr and Eid al-Adha gift packages	The Dhuafa, Al-Qautsar Mosque in Kendari Earthquake Victims in Mentawai Jogjakarta Wumbubangka Village Community, North Rarowatu sub-district	Quarter IV 2010 Quarter I 2011 Every Eid al-Fitr and Eid al-Adha
4.	Distribution of Qurban meat	Poor people in Bombana Regency	Every Eid al-Fitr and Eid al-Adha
5.	Direct Cash Assistance	The poor, widows and elderly parents	- Quarter I 2012 - Quarter II 2012 - Quarter III 2012 - Quarter I 2013
6.	Health services (teeth inspection, mass circumcision and general health inspection)	Communities in: - Wumbubangka village, North rarowatu sub-district - Taubonto village, Rarowatu sub-district - Kasipute village, Rumbia sub-district	- Quarter I 2010 - Quarter III 2011 - Quarter IV 2011 - Quarter III 2012 - Quarter I 2015
7.	Medical Aid Fund	The village priest's wife in Wumbubangka village, North Rarowatu sub-district People name H. Arief Djaya Pimpie, Kasipute village, Rumbia sub-district People name Edain Wumbubangka village North Rarowatu sub-district People name Dewi, Wumbubangka village, North Rarowatu sub-district Baby name Suci, in Kendari	- Quarter I 2012 - Quarter III 2012 - Quarter IV 2012 - Quarter I 2013 - Quarter III 2010

8.	Assistance in education fees	People name Nunung Ermayanti, Wumbubangka village, North Rarowatu sub-district A few college student from Bombana	- Quarter II 2012 - Quarter IV 2012 - Quarter II 2013
B. Infrastructure Development Program and Public Facilities			
1.	Clean water pipeline	Hidayatullah Islamic Boarding School, Lameroro village, Rumbia sub-district Wumbubangka village, North Rarowatu sub-district	- Quarter III 2009 - Quarter III 2009 - Quarter II 2013 - Quarter III 2013
2.	Mosque Renovation	Wumbubangka village, North Rarowatu sub-district Tembe village, North Rarowatu sub-district Ta'juncu village, Mataoleo sub-district Aneka Marga village, North Rarowatu sub-district Kendaricity	- Quarter III 2009 - Quarter IV 2013 - Quarter III 2010 - Quarter IV 2010 - Quarter II 2012 - Quarter IV 2010 - Quarter I 2013 - Quarter II 2013
3.	Road construction and Bridges (access headed to Wumbubangka village)	Hukaea village, North Rarowatu sub-district Wumbubangka village, North Rarowatu sub-district	- Quarter III 2013 - Quarter IV 2009 - Quarter I-IV 2010 - Quarter I-IV 2011 - Quarter I-IV 2012 - Quarter III 2013 - Quarter II 2014 - Quarter II 2015
4.	Building renovation and provision of education facilities	Hukaea village, North Rarowatu sub-district SP 9 village, North Rarowatu sub-district Junior high school in Wumbubangka village North Rarowatu sub-district Senior high school in Bombana village Central Rumbia sub-district Islamic high school in Rumbia village. Central Rumbia sub-district Pulo Tambako elementary school Kampung baru village, Central Rumbia sub-district	- Quarter IV 2009 - Quarter I 2013 - Quarter I 2012 - Quarter II 2012 Quarter II 2012 Quarter II 2012 Quarter III 2010
6.	Refurbishing of local market	Wumbubangka village of North Rarowatu sub-district	Quarter IV 2014
7.	Procurement of ambulance car	Southeast Sulawesi Provinsi and Bombana regency	Quarter IV 2010
8.	Tower and power ches construction for network quality regulators	Wumbubangka village of North Rarowatu sub-district	- Quarter I 2012 - Quarter II 2012
C. Community Development Programme			
1.	Computers facility asistance	Senior High School in Aneka Marga village of North Rarowatu sub-district	Quarter III 2009
2.	Soccer club coaching and training	Youth organization in Wumbubangka village of North Rarowatu sub-district	- Quarter III 2009 - Quarter I - III 2010
3.	Fostering and managing the Al Mujahidin Qur'an Study Site	Wumbubangka village of North Rarowatu sub-district	- Quarter IV 2009 - Quarter II - IV 2010 - Quarter I - IV 2011 - Quarter I - IV 2012

It seems that the activities which are considered as CSR programs are still only conceived as charity. Moreover, the program implementation process is still dominated by the unilateral interests of the companies, more interesting CSR programs that the company defines as community development programs are still nuanced in minor social action and give the aura of caring and concern. Various activities that are claimed as CSR do not address the environmental damage that has occurred which then impacts on and disrupt of local people's livelihoods. Community development programs which emphasize aspects of improving the economy of local communities have not been touched by CSR programs at all. In fact, ideally community development would be a participatory

an ongoing process between the mining company and the community around the mining area in order to improve the economic, social, cultural and environmental situation.

5. Discussion

The gold mine in Bombana was originally discovered by a local resident named Budiarkan. Soon after news of this discovery spread, hundreds of occupations around Bombana (Erman, 2015), Southeast Sulawesi and even various provinces in Indonesia came to Bombana to seek their fortunes. Initially the local government gave permission for residents to search for gold around the Tahi Ite River area. The local government made a mining card to increase local revenue. However, when the activities of the miners caused considerable environmental damage, including reduced river water which was used to irrigate rice fields, the local government of Bombana district and the province of Southeast Sulawesi called a temporary halt (moratorium), although in reality, mining activities are still ongoing. Unfortunately, ignorance and poverty combine to make deadly allies.

In 2009, the local government then issued a permit to a large company to have mining concessions in Bombana Regency, hoping that this mining activity could be more easily monitored and could minimize environmental damage. Up until 2012, the local government had given Mining Business Permits (IUP) to 84 companies, 53 of which were gold mining companies with 100,000 hectares of concessions (Environment Agency for Cleaning, Gardening and Cemeteries, Bombana Regency, 2012: Chapter III). Most gold mining companies are located in Rarowatu and North Rarowatu Districts. The granting of the permit to the large company was the beginning of a conflict between the community and the mining company and the local government. This is due to the location of the concession on land that was previously owned by the local community. As a result, for local people to be able to join the mining, they must buy a mining permit card on their own land for Rp. 100,000 (government price), but in reality the price could increase to Rp. 400,000 to 1,500,000.

The local miners were previously engaged in livelihoods as farmers, fishermen, forest product timber traders or small traders (Ma'mun, 2010; Meisanti, Ali, Jusoff, Salman, & Rukmana, 2012; Demmallino, Ibrahim, & Karim, 2018; Mavrommatis & Menegaki, 2017). Most of them have become miners. According to them the profits from mining are partly invested in buying paddy fields, ponds, including buying water pumps to be used to irrigate their paddy fields that have dried up since the rise of gold mining (Basri, Sakakibara, & Ratnawati, 2017; Habo Abbas, Sakakibara, Hakim Arma, & Hardi Yanti, 2017).

Although CSR has been required by the Government of Indonesia through Law Number 40 of 2007 and Government Regulation No. 47 of 2012, based on findings in the field of CSR programs conducted by the company, it seems that it has not touched the environmental problems that arise due to gold mining activities, and has made no attempt to engage in community capacity building. Placing the community actively as the subject of all CSR activities and increasing the involvement of various relevant stakeholders will greatly determine the success of efforts to make the community independent (Rosyida & Tonny Nasdian, 2011).

Morales Méndez & Rodríguez (2016) in their research in Colombia also found that weaknesses found in the gold companies include: lack of clear and transparent hiring practices; lack of programs for employees who are mothers with small children; and lack of sufficient tools for identifying the needs of the closest community to the sites. They do practice diverse social investment strategies but do not track the impact of applying these in the region. It was also found that they have no clear processes for identifying, selecting, contracting and evaluating their suppliers. The greatest weakness found was with respect to the Client given that they have no client service department. Furthermore, Narula, Magray, & Desore (2017) assert that gold mining companies in their CSR programmes should consider to establish sustainable livelihoods for local people.

Livelihood generation is an important need when it comes to the rehabilitation of affected communities in mining areas. How CSR investment can be directed or focused towards livelihood generation activities is important. Unless local capacities are enhanced, the communities would not be able to generate livelihoods for themselves

especially in remote areas, implying emphasis on skill development work (Narula et al., 2017; Newenham-Kahindi, 2011; Nel, Binns, & Gibb, 2014; Apollo, Ndinya, Ogada, & Rop, 2017).

Mining activity is associated with negative impact on the environment (Burchart-Korol, et al, 2014; Erman, 2015). Protecting negative impact from mining activities on the environment is increasingly important in order to establish sustainable development. Over the last four years, the International Monetary Fund (IMF) in collaboration with Natural Resource Governance Institute (NRGI) have revised its fiscal Transparency Code (FTC) in 2019, where the government should publish or disclose project-specific contracts, licences and agreements. In terms of Environmental and Social impact assessments (ESIAs). The code calls for publication of ESIs and accompanying management plans and reports. Such information is crucial for communities affected by extraction (Viveros, 2016).

The sustainability of a community is considered to be its ability to sustain and reproduce itself at an acceptable level of functioning. This is normally associated with 'social capital' and 'social cohesion' as concepts that encompass social networks, norms of reciprocity and features of social organisation. Social capital also contributes to strong, fair and just societies. Distinct from the concept of human capital (which relates to the ability of a labour force to produce economic value), social capital describes the ability of community to achieve a common goal and maintain its normal functioning (Petrova & Marinova, 2013). To assess the social capital in Bombana we considered the levels of trust, social organisation, networks and groups and voluntarism, and how these are changing over time.

The social impacts of mining are not simply negative or positive (Jenkins, 2004); they are always inter-related, mutually dependent, cumulative and synergistic (Petrova & Marinova, 2013). They are closely associated with the dynamics within the local community. While the response to the phenomenon could be the development of specific coping mechanisms through community 'owned' strategies. It includes personal choices and individual lifestyle strategies which require a more in-depth and serious attention. It also raises questions, such as: do we just accept this new culture or do we challenge the existing concept of community to allow for a different approach to planning and mitigating for the social impacts of mining?

Social sustainability is about change. The biggest challenge of the Bombana community faces is how to mobilise its own resources and mechanisms in order to respond to the two new phenomena as part of the changing social landscape triggered by gold mining.

6. Conclusion

Although it did not last long, the existence of mining in Bombana District at an early stage provided great benefits, and the opportunity to collect household assets and capital for the communities around the mining area. After the end of mining permits for the people and the government policy of issuing Mining Business Permits (IUP), this has an impact on the loss of important assets of farmers who have been the basis of livelihoods for families. The loss of land assets, for example those with high potential to narrow the livelihood for farmers, are not followed by clear compensation or community development programs.

It is relatively easier to describe and to a certain degree explain the demographic picture of Bombana than to understand the impact of the mining activities on the local community. Mining appears responsible for the high levels of pressure on the forms of local capital (social and economic). These are complex issues that cannot be simply resolved by the industry itself through its social impact management plans or corporate social responsibility. Nevertheless, a community empowerment programme is pivotal to guide them through an understandings so they can take ownership and become an active agents of change in order to build its resilience and long-term sustainability.

The government, universities and non-governmental organizations as well as all related parties, must work hand in hand to restore people's livelihoods, raise public awareness of the importance of preserving the environment and controlling the use of mercury which negatively impacts public health and can destroy generations.

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Road Accident in Bangladesh: Issues & Legal Study

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Abstract

Accidents are happening on the roads and highways of the country including the capital almost every day. Any accident is not understandable. The issue of road accidents and road safety has made pedestrians and all kinds of people think. Death cannot be denied. However, unexpected deaths are certainly not understandable. There is an unhealthy competition among the vehicles plying in Dhaka metropolis which is one of the major causes of road accidents. Another major cause of road accidents is reckless driving by drivers in violation of traffic laws. Countless people are drowning in road accidents every day. Not only is death a relief, it is an irreparable loss to the family, as well as to the economy as a whole. Studies have shown that 80 percent of those who die in road accidents are functional. Their deaths caused uncertainty in the family. The injured in road accidents are losing their performance which is pushing the country and society towards a frightening situation.

Keywords: Road Accident, Violation, Traffic Rules, Unhealthy, Situation

1. Introduction

Road accidents are a kind of curse. We always have to ask ourselves, is it really possible to eradicate this accident. There is a kind of connection between this question and the answer. This flow of connection is observed in the flow of this groundbreaking society. Transportation sector is also seen as an important sector in different countries of the world. At present, this sector is also seen as an important and public welfare sector in Bangladesh. Bangladesh has now entered as a developing country. In order to maintain the flow of development, this sector must be taken forward. Sustainable development of a country requires proper initiatives and visionary thinking. Because if road accidents are stopped, personal, social and economic development as well as overall growth will increase.

2. Definition

A road accident is defined as an accident involving at least one vehicle on the road open to public traffic in which at least one person is injured or killed. It can also be defined in this way, road accident means an event that occurs during the movement, and with the participation, of a vehicle on a road, in which people are killed or injured, vehicles, equipment or goods are damaged, or any other material damage is caused. According to the Road Safety

Foundation, a total of 5,381 road accidents occurred across the country in 2021. At least 6,264 people were killed. And 6 thousand 46 were injured.

3. Conceptual Framework

There are other comparison studies of traffic safety strategies implemented in different countries and their development in recent years. conducted an analysis and comparison of traffic safety policies in Japan, Germany, and the Netherlands. Owing to the different situations and characteristics of these countries, they prioritize traffic safety policies differently. Japan, for example, is more concerned about an aging society and the impact of natural disasters. It is important to transfer these successful experiences to more countries especially LMICs that are still lagging behind in traffic safety. Traditionally, these LMICs have continued to focus on controlling human errors and improving poor vehicle design instead of focusing on the reason for injury outcomes However, in contrast to the identification of only one or a few elements, those countries that are advanced in traffic safety have shifted the focus of traffic safety development to the establishment of a safe system. The current situation of road accidents in Bangladesh is destroying and its increment step by step in wherever from home of political pioneers to sports man and rich man. Any road safety violator ought to be banned on the road or fined a huge sum of money. A) The people ought to make its regulations to **follow** the road safety rules. B) Rise information about this issue and mindful person's about misuse individual recognize solid and trustworthy.¹

4. Types of Accident

Common types of accidents include:

4.1 Head-on Collisions

Negligence usually plays a role in head-on collisions. These types of collisions are among the most devastating.

4.2 Highway Construction Accidents

Construction companies have a responsibility to not cause accidents. Other drivers should drive more carefully in highway construction areas.

4.3 Intersection Accidents

Accidents at intersections are usually caused because someone made a driving error, which could be attributed to negligence.

4.4 Interstate Accidents

Accidents on the interstate can be more serious due to the speeds at which the cars are traveling.

4.5 Rear-End Accidents

Rear-end accidents are among the most common types of accidents, and they frequently cause whiplash.

5. History

The world's first road traffic death involving a motor vehicle is alleged to have occurred on 31 August 1896. Irish scientist Mary Ward died when she fell out of her cousins' steam car and was run over by it. The British road engineer J. J. Leeming, compared the statistics for fatality rates in Great Britain, for transport-related incidents both before and after the introduction of the motor vehicle, for journeys, including those once by water that now is undertaken by motor vehicle: For the period 1863–1870 there were: 470 fatalities per million of the population (76 on railways, 143 on roads, 251 on water); for the period 1891–1900 the corresponding figures were: 348, for the period 1931–1938: 403 and for the year 1963: 325 Leeming concluded that the data showed that "travel accidents may even have been more frequent a century ago than they are now, at least for men." In 1969 a British road engineer compared the circumstances around road deaths as reported in various American states before the widespread introduction of 55 mph (88.51392 km/h) speed limits and drunk-driving laws.²

¹ <https://www.sciencedirect.com/science/article/pii/S038611221000546>

² https://www.wikidoc.org/index.php/Motor_vehicle_accident_historical_perspective

6. Road Accident in Bangladesh

The issue of road accidents and road safety has made pedestrians and all kinds of people think. Death cannot be denied. However, unexpected deaths are certainly not understandable. One study found that an average of more than 20 people dies every day in road accidents, which is certainly a matter of concern. This is Approximate numbers, different researchers said that number could be up and down with the situation.

7. Road Accident under Bangladesh Laws

Fundamentally here we can refer to essential two Demonstrations of Bangladesh for example The Panel Code, 1860 and Road Transport Act, 2018 (Act No. 46 of 2017)

8. Causes of Road Accidents in Bangladesh

There are different causes exist for road accidents, for example,

- i. Lack of training
- ii. Financial troubles
- iii. Nonexistence of execution of regulations
- iv. Absence of strict information and direction
- v. Deficiency of preliminary framework and nonattendance of excellent sentences
- vi. Lack of political eagerness
- vii. Tendency to rapidly bring in huge measure of cash
- viii. Cultural debasement

9. Road Transport Act, 2018 (Act No. 47 of 2018)

Since the Constitution (Fifteenth Amendment) Act, 2011 (Act No. 14 of 2011) repealed Article 19 of the Fourth Schedule of the Constitution of the People's Republic of Bangladesh relating to the approval and support of ordinances issued by military decree between March 24, 1972 and November 11, 1986. In a judgment of the Appellate Division of the Supreme Court No. 48/2011, the Constitution (Seventh Amendment) Act, 197 (Act No. 1 of 1986) was declared null and void by declaring martial law unconstitutional; And since some of these ordinances are kept in force by Act No. 6 of 2013; And since the Government has decided to enact new laws in Bengal to reflect the needs of the time by reviewing the necessity and relevance of the said ordinances, taking into account the views of all stakeholders and all concerned Ministries and Departments; And since in the light of the aforesaid decision of the Government, it is expedient and necessary to enact appropriate new legislation to ensure safe road transport system to reflect the needs of the time in accordance with the provisions of the Motor Vehicles Ordinance, 1983 (Ordinance No. LV of 1983);

10. Discoveries

1. The current state of wrongdoings in Bangladesh is average condition. In my examination, it can be overcome.
2. The issue of wrongdoing in Bangladesh is extremely challenging. Some individuals in each area has wrongdoing.

11. Suggestion

The current situation of road accident in Bangladesh is destroying and its increment step by step in wherever from home of political pioneers to sports man and rich man. Any road safety violator ought to be banned on the road or fined a huge sum of money.

- a. The people ought to make its regulations to following the road safety rules
- b. Rise information about this issue and mindful person's about misuse individual recognize solid and trustworthy.
- c. Generate awareness among individuals by keep in touch with papers and magazines about the issues.
- d. Make simple path framework and force model sentences.

12. Conclusion

Bangladesh has understood a development in all sectors including the transportation. This article is endeavored to develop the journey of this sector makes spontaneously. People just like to take the easy and comfortable way to travel. The government has been successful in every field. The government has been maintaining success in this regard as well. Proper supervision, attention and sincerity are also being observed in the transport sector. If the concerned drivers including the transport officials follow these instructions, the chaos and accidents on the road will be reduced to a great extent. The development of a country and a nation depends on proper initiative and foresight. Ethnically we are far-sighted. We have to follow some steps, there is a kind of unhealthy competition in the minds of motorists, we must avoid unhealthy competition, because unhealthy competition cannot give good results. Drivers must be given driving license only after proper training. Driving license can be issued everywhere. No. Accident prone areas need to be identified and properly repaired. Government and modern up-to-date vehicles should be brought. Rail and river should be used to reduce the pressure on the road to reduce accidents. All concerned including the driver must be complied with the traffic law. Lastly, everyone must comply with the road and safety laws.

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Stigmatization of Former Corruption Convicts in Indonesian Parliament Elections

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Abstract

This article examines the social stigma of defunct corruption convicted criminals in Indonesia's parliament elections using the stigma concept and human rights. This research is a socio-legal cogitate which disfigures the challenges of the electoral social stigma of peoples' political freedoms whenever one wants to pursue just after elections and be appointed through lawful means. Every Indonesian citizen may cast a ballot and be selected, which is granted and protected by the law. However, in most cases, such sheltered rights are limited once former prisoners from Indonesia run for positions in the council or legislature. The primary squeezing address is why the state should restrict prior devaluation of prisoners' capacity to run for parliamentary office whereas ensuring that each citizen's political rights are fully protected within the framework. The explanation for this may be that the national legislature is among the most fraudulent institutions in the country. Under the worst circumstance, former corruption convicts would be ostracized and will perpetuate a punishable offense after already being voted into power by a house of representatives. This paper proves the electoral demonization of a state as just a set of criteria for parliaments nominees.

Keywords: Former Convict of Corruption, Stigma, Political Freedoms, Stereotype

1. Introduction

In electoral politics, the right to vote as static voting rights (Aidt and Mooney, 2014) is a fundamental right. As a result, in guiding and getting exercise such rights, each individual must've been free of interference, harassment, and discriminatory treatment, along with all acts of violence that really can impede but also invalidate such rights. Throughout this paper, I will just look at the stigma of erstwhile corrupt convicts in Indonesia's 2019 election, which is one category of stereotyping prompted by a criminal history. Even though bribery is the ranked top one public enemy (World Bank, 2013), former criminals are infrequently treated differently in Indonesia since corruption has now become firmly embedded in Indonesian socio-cultural, organizational, and institutional structures (Prabowo and Cooper, 2016).

The Republic of Indonesia's General Electoral Commission released Rules No. 20 the Year 2018 (Peraturan Komisi Pemilihan Umum, "PKPU") in July 2018, treating people differently against former corrupt prisoners

desiring parliament seats. Initially, retired and narcotic prisoners, former sexual assault prisoners, and former convicts were barred from being senators and representatives (Hantoro, 2018). Article 4 specifies the restriction; paragraph 3 asserts that: Within representative democracy and the accessible choice of potential nominees alluded to and in paragraph (2), it included previously condemned drug traffickers, associated with sex offenses, and bribery; as a result, nearly 199 former bribery prisoners could not partake in the 2019 Indonesian regional parliamentary elections (Wiwoho, 2019).

The above regulation further demonizes erstwhile bribery convicted criminals, just like and if they're not individuals to political freedoms. As per Holland (2003), perpetrators seem to be irreconcilable to ordinary people; if someone cannot become one citizen, they should never be capable of holding an elective position. There appears to be a perception that favors the choice to rescind voting representation. It will dissuade corrupt practices and convicts from committing crimes and the anxiety of committing criminal acts for every individual or governmental agency.

However, apart from government decisions that restrict political freedom as just a consequence of former corrupt practices convicts, a legislative nominee with such a criminal background needs to call Indonesian human rights dedication to the issue and multiplies their stigmatization. Former corruptors are nonetheless barred from entering the house of representatives, and it also prevented them from working in the public sector. However, and since acquiring a Credential of Good Conduct (SKBB) from police is necessary for applying for a position in government, the former bribery offender seems to be underemployed. Often these institutions require a person without criminal histories — particularly those whose political rights already have been rescinded due to licensing laws that formally disqualify people who received pre-defined forms of punitive action (Law No. 7 of 2017).

The ban on former corruption convicted criminals trying to run for a parliamentary desk in national or regional elections strives for parliamentary figures who are clean of faults throughout their decency (Supreme Court Decision, 2018). Participants are qualified to run for political office only when they fulfill the specified prerequisites: "Not been a prisoner with such a court verdict which has acquired perpetual legal effect," according to General Electoral Commission Rules (PKPU) Number 20 of 2018. Former corruption convicts are stigmatized under Article 240 section (1) letter g of National Elections Law No. 7 of 2017. Potential candidates for People's Representative (DPR, DPRD, DPD) have to be Indonesian citizens as well as fulfill the essential prerequisites:

"have not been put in prison based on an irreversible court judgment for breaking a law which is liable to imprisonment for 5 (five) years or more, except if honestly and openly telling the public that complainant is indeed a former prisoner."

Notwithstanding, the Indonesian Supreme Court Ruling Number 30P / HUM / 2018 overturned this law for the purposes as mentioned earlier:

"As long as the phrase 'formerly convicted corruption' is contradictory to higher laws and rules, particularly regarding Rules Number 7 of 2017 regarding Election process in conjunction to Act Number 12 of 2011 concerning the Formation of Senate Legislation."

The Indonesian Supreme Court relied on Article 43 paragraph (1) of Law No. 39 of 1999 on Human Rights, where it asserts that "every citizen has a right also to be elected and cast a ballot in national elections based on equal rights thru direct, general, free, confidential, honest, and fair voting in compliance with the conditions of laws and rules." However, as per this study, peoples' democratic rights could be severely impacted because of the stigma associated with illegal record keeping. The Supreme Court Ruling enables former corruption convicted criminals to run for public office as long as those who truthfully assert towards the public that they have been former corruption convicts.

2. Method

This research is socio-legal (empirical), looking at how the law is used to denigrate societal individuality. The main legal substances seem to be statutory laws regulating national elections and regional offices elections, and

also a Supreme Court ruling, especially concerning a right to judicial review of a General Electoral Commission Legislation Number 14 of 2018 regarding the Personal Candidacy of National Election Participants for Representatives of the Regional's Council. The authors present an analysis of data to identify the prerequisites for such nominee of attendees in the National Election for House members of Legislators as community members with the ability to vote and be voted into office in Indonesian parliamentary contestation. This research critically analyses such information from standpoints of human rights and social stigmas.

3. Results & Discussion

Stigma is a treatment that conveys derogatory stereotypes to specific individuals or groups, causing them to become hostile and neglected, causing them to become socially isolated. Goffman (1963) defines stigma as people who do not fit into what society considers to be expected. It creates divisiveness for both his immersive and authentic social categories, significantly reducing his chances of succeeding throughout living. Stereotype encompasses all areas of a human's life besides negatively affecting personal social standing and relationship issues, changing one's stance and customs, and hurting a person's moral value, trying to make this same person less valuable (Gleason, 2019).

Researchers rarely see what other viewpoints Goffman's concept of social stigma does not encompass since it is broadly used among sociologists. Reporting purposes have been identified, and the personal block size for stigma and the source of the stereotyping. Even though the stereotype is a widespread concept (Yang et al., 2007), general societal and cultural aspects find out a person's or social group's social stigma and is not a known human concept (Manzo, 2004). Earlier academics' standpoints on stereotyping, like those of Goffman and Gleason, which assert stigma lessens life opportunities for stigmatizing groups and individuals, are a bit overly optimistic. True, stigma arises in every societal structure; stigma based on previous past offenses does not apply. A few more symptoms of stigma are positive and neutral concepts. Way of life and social inclusion are the yardsticks for establishing if a person or group committed a specific action and loses or changes his social identity (Jacobsson, 2002). In a particular circumstance, a few assemblies that erstwhile bribery prisoners have about the same position or possibilities in legislative contestation as other members of the society but do not penalize people.

3.1 Former Corruption Convict in Indonesia

Prisoners seem to be convicted criminals serving a prison sentence of losing autonomy in a correctional institution (Law No. 12 the Year 1995) and someone presently serving a prison sentence for a criminal offense (Garner and Black, 2019). Ex-prisoners will be released from a detention center (Penitentiary) or have served his/her prison terms. Prison term does not somehow show retaliation and vindictiveness, but therapeutic applications (Paula and Myrinda, 2012) or offender rehabilitative services (Bruyins and Cecile, 2012). The primary aim of punishment, in a broad sense, would be to promote justice, stand to gain, and predictability both for perpetrator and victim, as well as the larger society (Wenzel, et al., 2008). It enhances offenders' moral aptitudes and decreases their chances of incarceration (Howard, 2017). Prison sentence can also be used to continue improving a convicted person's character and inflict suffering upon that person convicted (Samosir, 1992). Toby (1964) is opposite to the use of punitive action to reshape the offender. If a prison sentence could indeed convert offenders' remorse into awesomeness, it would no longer imprison repeat offenders. The General Election Commission should not restrict recently departed corruptors from wanting to run for parliamentary office. Political parties will be well-prepared to select candidates for seats in the legislature who have honesty and integrity. Prison sentence is essential for preventing crime and preserving complacent self-esteem, although it is relatively ineffective through rehabilitating offenders (Toby, 1964).

The rationale of punitive action as virtuous restoration and recidivist obstacle because the desire to re-commit violent act appears to exist inside the human mind, as well as the offender, will emerge ulterior motives when an opportunity comes up, and such error is only standard practice, or there is nothing wrong with that as well (GIACC, 2020). If the primary aim of punitive action is to enhance the perpetrator's stemming and strengthen the convict's mental attitude, a jail sentence is not helpful. A comfortable prison experience would not dissuade the wrongdoer from breaking the law, and this will end up serving as a breeding place for the violent act (Lili, et al. 1995). Suka

Miskin, Indonesia's most prominent and only Custodial Institution for Corrupt practice delinquents, is a heaven on earth with luxurious amenities, as per a recent study on prison conditions in Indonesia (Mardiastuti, et al., 2018). Correctional facilities not assigned for non-corruption prisoners, such as Cipinang, one of Jakarta's most enormous, have three times the capacity. Two thousand eight hundred thirty-eight people are required to occupy a 984-person accommodation. The cell space, which was supposed to hold three people, kept holding seven prisoners. A 5 persons' cell must facilitate 13 people, while a seven persons' compartment must accommodate 21 people (Indirani, 2018). In terms of quality, such a punitive circumstance nurtures awful people of both the corrupt offenders rather than helping to educate them to be wonderful humans while still serving their prison terms.

In this respect, the restriction on appointing new former corruption prisoners for legislative positions is indeed very reasonable since former corruption prisoners are much more inclined to commit corrupt practices afterward (Hidayatullah, 2020). It or rather "corrupting influence practices seem to become deeply ingrained that they will have become accepted as normal" (GIACC, 2020). A few Indonesians presume that acts of corruption became so engrained that it still understood as standards and moral standards (Mapuasari and Mahmudah, 2018). Changing this would be a challenging task for a few reasons: That is apparent to re-educate corruption perpetrators that prison sentence is solely for virtuous fortress and that they are being punished correspondingly without luxurious facilities, while some crime violators are now being punished hugely disproportionate.

The most effective forms of punishment for corrupt offenders are social punishment, confiscation, and confiscated and returned the property to the state. The penalty is both expensive and demeaning. That is a heavily efficient and suitable strategy for countering corrupting influence behavior patterns since corruption is deeply entrenched in society. As a direct consequence, corrupt offenders are much less inclined to interact in this kind of illegal behavior under this kind of circumstances.

Being a member of Indonesia's People's Representative Council (DPR) is predicted to benefit a living of enjoyment and material possessions. Therefore, it should be unsurprising as many people are ready to spend enormous sums of money and even start voting to win an election as representatives and the senate.

3.2. Revocation of Former Corruption Convict's Rights

Former corruption convicts' rights to participate in government (including legislative) are rescinded for a legitimate reason. The House of Representatives is Indonesia's another very corrupt government institution, according to the Transparency International 2019 report, as cited by Indonesia-Investment (Indonesia Investment, 2019). For example, from 2015 to 2019, members of the People's Legislative Council scored the highest for criminal acts of corruption. (Indonesia: Transparency International, 2017).

It contravenes that Indonesia ratified the United Nations Convention Against Corruption (UNCAC) on the grounds of Resolution 58/4 dated October 31, 2003, as prescribed in Law No. 7 of 2006 Concerning Ratification of the United Nations Convention Against Corruption 2003. The misappropriation of a government position for self-gain is classified as bribery. Corruption is also a system of abusive governance behavior. Corrupt practices are described, and the encouragement, motives, implies, and risks of an unethical act committed. Bribery is decided to commit by misuse of power or violating the existing codes of conduct. I consider crime a severe crime. Corruption is a national and a potential global enemy, and that it is the primary cause of poverty. Section 10 of the Indonesian Criminal Code determines different crimes that the prosecuting attorney could demand and start imposing on a judge, such as abolishing certain privileges, forfeiture of particular items, and public release of a court's order. The Code's Article 35 broadens the accused's rights, which can still be annulled.

"Everyone is free to vote and has political beliefs," according to Article 23 paragraph (1) of Human Rights Law Number 39 of 1999. Further to that, the above Code stipulates that "every citizen may be voted and to vote in national elections fair liberty thru direct, public, independent, secret, truthful, and reasonable going to vote by the terms of laws and rules."

Therefore, because of the two preceding clauses, every Indonesian citizen has an innate lawful warranty to practice their ability to vote.

Revocation of political rights can be a new tool for law enforcement to dissuade morally bankrupt offenders. It is acknowledged that they have deemed imposing criminal penalties ineffective in minimizing corrupt practices actors — especially those in positions of public trust. Company punishments (incarceration) and financial penalties/substitute cash need not involve many evil perpetrators for one's damages. From the accused's standpoint, the judgment sometimes is deemed meaningful since this person concerned gets surety, and the offender can continue to enjoy such financial advantages upon completing the sentence.

Throughout phrases of the revocation of rights provisions, the Constitutional Court issued a viewpoint in judgment Number 4 / PUUVII / 2009, ruling that punishment for dispossessing voting representation seemed to be lawful, with the limitation of the abolishment of privileges hardly legitimate for five years after prisoner accomplished the sentence. The prisoner's political rights also are rescinded the day the court judgment is declared, as per the Criminal Code. That seems to be, for all those held in custody, the period of deprivation of political rights will be tallied starting from the first day of serving a sentence (imprisonment). In the meantime, the Constitutional Court must have established the constraints, and it is, the total number begins once the prisoner has served his proper sentence (especially imprisonment and confinement).

3.3. Stigmatization of Former Corruption Convict

Electoral rights are generally explicitly determined or recognized by the constitution. Article 27 paragraph (1) of the 1945 Constitution affirms citizens' political rights, stating that "all citizens have the same position in government and law and thus are compelled to uphold the rule of law and government with no exception." The latter explains that every individual, along with local indigenous Indonesians and other nations identified as citizens by law, has the same political and legal right to stand well before the law and the government. Each citizen has a right to complete equality in government (the 1945 Constitution Article 28D paragraph 3). Acknowledgment of the constitution of citizens' political freedoms, as defined by the Law on Human Rights in particular. (1) Every citizen has a right to be voted and to cast a ballot in national elections on equal grounds, using direct, general, free, secret, truthful, as well as fair voting in compliance with existing laws and regulatory requirements. (2) Following the statutory regulations, every citizen has a right to take part in the political process directly or via a freely elected representative. (3) Every citizen has a right to be assigned to every government position.

Acknowledgment of constitution of peoples' political freedoms, as prescribed in the covenant on civil and political rights affirmed by Article 25 "Every citizen must have rights and 44 opportunities, with no distinction," as referred to in Article 2 or without improper constraints, for: (a) involvement within implementing national affairs, either directly or through freely elected officials; (b) involvement in implementing national affairs, either directly or through openly elected representatives; and (c) participation in implementing national affairs, either directly or through freely elected representatives.

The primary reason that recently departed crooked politicians' constitutional provisions should be battled is that Indonesia has a democratic government. In a democratic entity, choosing a particular location should involve people, either direct or indirect. A vote is cited in the 1945 Constitution in Article 27 paragraphs (1) and (2), Article 28, Article 28 D paragraph (3), and Article 28 E paragraph (4). (3). It also guaranteed the right to vote in the 1945 Constitution in Article 1 paragraph (2), Article 2 paragraph (1), Article 6A paragraph (1), Article 19 paragraph (1), and Article 22C paragraph (1). Democratic systems are among essential factors that determine the success of constructing law and order, protecting human rights, democratic values, and the position of political freedoms, which is quite crucial through government. It intrinsically tied political rights to an ability to vote or be voted, which is a fundamental right of the individual or citizen and should be safeguarded by the government. As a rule-of-law nation, Indonesia invariably affirms fundamental rights and the constitution, in which political rights also include freedom to vote and be appointed.

The primary goal of restricting political representation would be to build public confidence within representative democracy. Those who will be voted into office or have a morally excellent reputation are therefore not former corrupt lawbreakers. Afterward, the individuals would see that having committed corrupt practices would lead to severe punishments, and some may think seriously about committing bribery countless times.

The question is why the state restricts the political rights of former corrupt legislative candidates. There are a few different requirements under this case. The first one is the state's recognition, guarantee, and protection of the human rights of the Indonesian people. Second, it ruled the country in the name of the People's Supremacy. Third, the *lex priori de rogat legi inferiori* or the higher legislation takes precedence over lower legislation. This premise seems to be coherent to Hans Kelsen's theory that more subordinate legislation must come first, followed by higher legislation. Fourth, the state is viewed as autonomous, with rights and responsibilities comparable to individuals (*natuurlijk persoon*); fifth, State Administrative Law recognizes *Freies Ermessen*, which occurs once authorities or state administrative authorities have been assigned the power to make decisions that are not mandated by laws. The autonomy to act underpins the exercise of power (*beleidsvrijheid* or *beoordelingsvrijheid*). Sixth, the government should be allowed to consider the fulfillment of political freedoms without trying to deprive nominees of ones' rights. Finally, it implies that when a parliamentary nominee reveals to the public that he was implicated in such a criminal offense or is a former convict, the problem of constrained rights may well be confined.

In addition, many lawful remedies have been suggested to solve restrictions on former prisoners' political freedom for any of them to run for seats in the legislature. The state must have acknowledged respectively pluralist and nationwide democratic liberties. A Supreme Court ruling that the current regime could indeed enact could stop ex-corruption convicts. It implies that constitution guarantees the political rights of all citizens, such as ex-corruption convicts. Undoubtedly, such privileges could be restricted without passaging a law and following principles of reasonableness. Voting ideologies and one' implementation are now at the core of Pancasila's constitutional republic, and ignoring voting representation is an abandonment of the people's autonomy and a violation of candidates' constitutional protections. Last, under the universal human rights principle, every nation assures the privilege to vote in an election also to be voted into power. As just a consequence, Indonesia is obliged by law, like a state that assures these rights, to pass laws, regulatory requirements, as well as other necessary steps to ensure that each citizen, without discrimination, does have the opportunities to appreciate the above right to gain goals successfully.

3.4. Political Stigmatization

According to a social phenomenon that has emerged, former corruption convicts who have been released from detention are not well accepted to re-enter society. Former corruption convicts who have been imprisoned, according to the public, have a high proclivity to re-offend (people who repeatedly commit crimes, in the sense of relapse such as illness). It would highlight a prisoner who, after already being released from one detention facility, does not gain back his civil dignity in his community or faces discrimination inside their social environment. Former bribery convicts are stereotyped, have such a lower status, and find it hard to incorporate into the societal structure (Frost, 2011). Undoubtedly, former corrupt practices convicts running for parliamentary office should honestly and openly announce to the public that they have been former corruption prisoners (Law No. 12 of 1995). A declaration must be passed and accomplished before being appointed as a candidate and after being chosen as a candidate for parliamentary delegates. It should show the consequence of publicly announcing oneself a former corruption convict inside the mission/vision candidacy declaration, which must be open and honest about what it is. The records must be forwarded to the General Electoral Commission ("KPU"), such as (Law No. 12 of 1995), reveal the stereotype which still exists for parliamentary candidates who were former corruption convicted criminals. A letter from the editor-in-chief of a regional or national mass media organization, backed by proofs, describing that potential candidate had also honestly and openly conveyed oneself here to the general populace as a former.

1. A certificate stating that the prospective candidate is not a repeat offender;
2. Statement letter from the head of the correctional institution stating that the prospective candidate has completed serving imprisonment;
3. Certificate of completion of conditional release, conditional leave, or leave before releasing from

the head of the correctional institution, if the prospective candidate is on conditional release, conditional leave, or go before release;

4. The court decision that has permanent legal force;

The General Election Commission (KPU) makes announcements about former corruption convicts in regional or national print media and on the General Election Commission's website every day during the campaign period. Therefore, the election organizing committee could indeed manage the above declaration assignment depending on the number of ex-corruption convicts, whether at the national or regional level. The involvement of an electoral oversight body to oversee the above official statement is crucial to accomplish the clauses legally required, accomplish the sense of social justice in society, and minimize bigotry against the deployment of election results, which are now being held.

A further primary aim of the declaration would be for political groups to designate a spotless companion and has a proven track record. The nominee of parliamentary representatives seems to be part of the political talent acquisition. Political leaders could indeed start educating their representatives regarding democracy by publicly disclosing a candidate's condition to the general populace. Furthermore, it benefits electors since political parties have successfully introduced nominees who are truthful and liberated of legal problems.

Parties involved as both have subsequently used chiefly these flaws as a shield to dismiss the candidacy and forbid former corruption convicted criminals. The standard explanation would be that the debate conflict with elevated laws. Admittedly, only when Elections Law No. 7 of 2017 is often used as legitimate guidance for 2019 general elections. Moreover, there may not be a solo work of literature that asserts ex-corruption convicts cannot run for public office. Finally, article 240 Section 1 only stipulates a few prerequisites for such a candidate, notably that they are non-drug consumers and have never been sentenced to prison for committing a serious crime and who is punishable with imprisonment for five years or over, except if those who clearly and freely acknowledge to the public that they have been a former prisoner. Ultimately, there are new sanctions for those who have committed criminal offenses frequently (recidivist).

4. Conclusion

It barred former corruption convicts from running for legislative office in the 2019 election to achieve good governance free of corruption, collusion, and nepotism. However, it has increased the social stigma attached to former corrupt convicts. A ban on former corruption convict contestants through PKPU violates the rights as it is not premised on the constitution or even the principle of reasonableness.

Moreover, the PKPU's "prohibition" standard appears to contradict the Law No. 20 of 2018 guidelines "permitted upon that circumstance that it will be admitted towards the public," deeming the PKPU's confiscation rules voidable. Given the KPU's independence, the Government, Election Supervisory Agency, and People's Representative Council must also endorse the same regulations issued by General Elections Commission (KPU) Number 20 of 2018 regarding Nominees for representatives of a DPR, Provincial DPRD, and Regency or City DPRD. The General Election Commission should not restrict recently departed corruptors from wanting to run for parliamentary office. Political parties will be well-prepared to select candidates for seats in the legislature who have honesty and integrity.

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The Factors Affect the Online Learning Behaviour of Students

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Abstract

This article aims to analyze the factor affecting online learning (e-learning) of high-school and university students in Vietnam based on such models as the Theory of Reasoned Action (TRA – Fishbein & Ajzen, 1975); Theory of Planned Behavior (TPB - Ajzen, 1991); Technology Acceptance Model (TAM - Davis, 1989); C-TAM-TPB by Taylor and Todd (1995); and Unified Theory of Acceptance and Use of Technology (UTAUT) by Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003), and other related experimental studies. Based on the quantitative analysis results, it can be seen that among six factors that affect the online learning behavior of students, perceived behavioral control has the strongest impact, at 30.5%, the perceived ease of use affecting 28.7%, performance expectancy at 17.3% and facilitating conditions at 14.9%, social influence only at 12.3% and the risk of online learning harms students' behavior at -13.8%. By analyzing the advantages, disadvantages, and the degree of impact of factors affecting online learning behaviors, the research group makes some recommendations on applying a more effective online learning method, even after the Covid-19 pandemic is under control

Keywords: Determinants, E-Learning, Online Learning, Online Learning Behavior

1. Introduction

Amidst the Covid-19 pandemic and the increasing risk of coronavirus spread in the community, many educational institutions have switched to online learning during the virus outbreaks. In Vietnam, online learning has been implemented in some higher education institutions for many years. However, under the pressure of Covid-19 prevention measures, especially social distancing, the implementation of online learning in high schools and universities has grown significantly.

Hosting online classes for high-school or university students is widely recognized by many educational institutions. Online learning has become a trend, not only amidst the pandemic but the readiness to combine both online and offline training, even after the pandemic is under control. There are many advantages of online learning, as it can be considered a form of educational industrialization towards development. However, there are also certain drawbacks. In this research, the group looks into the factors that affect the online learning behavior of high school and university students in Vietnam. Then, the group determines the degree of each factor that affects the behaviors and makes recommendations on implementing online teaching and learning, even after the pandemic is under control.

2. Online learning amidst the Covid-19 pandemic

2.1. Definition of online learning

There are multiple definitions of online learning, but it can be simply understood as a method of distributing learning contents and documents by electronic devices such as smartphones, tablets, laptops, or computers via the Internet. From these, learning content can be accessed from the schools' websites or any other mobile applications. The instructors and the learners can exchange directly via applications like texting, email, forums, and webinars (Thuy, T., 2022). Online learning (or E-learning) is a learning method that uses network connections to aid in studying, obtaining documents, and communicating between the learners and the instructors (Hou, 2022). E-learning is a term that describes a method of studying and training based on information technology and communications (Trinh, V., 2012).

Circular No. 09/2021/TT-BGDĐT dated March 30, 2021, by the Ministry of Education and Training promulgating the regulations on the management and organization of online teaching in higher education institutions and general educational institutions has been in effect since May 16, 2021. This Circular regulates the management and organization of online teaching of higher education programs, and continuing education programs at the junior high school and upper high school levels, including the organization of online teaching; technical infrastructure for online teaching, responsibilities of relevant agencies, and organizations and individuals. Therefore, for the first time, online teaching and learning have been stated in normative law. Circular No. 09/2021/TT-BGDĐT is the legal corridor for online teaching and learning to be widely applied all over the country. Circular No. 09/2021/TT-BGDĐT not only helps schools get ready to respond in any situation but also encourages and increases opportunities for students to learn anywhere, at any time.

2.2. Advantages and limitations of online learning

2.2.1. Advantages

Learning Anytime, anywhere: Students can easily access the course anywhere and anytime regardless of geographical distance, as long as there is the Internet. Saving costs of traveling, studying, and living: Students can save the costs of learning, living, save time for traveling around. Saving more learning time compared to the traditional one: Because of the flexible schedule, students can register and adjust the time, and the process of learning based on their competence, and they can further self-study through databases and references provided by the teachers and schools.

Technology platform availability: In Vietnam, the information technology system is developing significantly. The speed and capacity of the internet connection can fully guarantee the implementation of online teaching activities. The technology platform for online learning such as Google Meet, Microsoft Office, Zoom, etc. are already available and easily updated. With a good technology system, along with applications that can help students in tracking their progress and results easily, online learners can receive the quickest support from the teachers, departments, and schools.

2.2.2. Limitations

Poor interaction is when students with poor performance may not be willing to participate in classes. Online learning can hamper students' ability to exchange information and interact with teachers and friends. There may be problems with system connection, reducing the graphic and sound quality. Online learning limits the initiative and creativity of learners and limitations in practice. There may arise issues related to network security and intellectual property rights. Participants may encounter mental problems such as depression due to working with electronic devices for a long period, or physical health problems such as eye fatigue, tiredness, etc.

2.3. Trend and necessity of switching to online learning in the context of the Covid-19 pandemic

During complicated developments of the Covid-19 pandemic, online learning becomes more necessary, as it would keep the training activities from disruption. With many advantages, online learning steadily proves its relevance and the trend for future learning. Online learning has been carried out in many schools, showing its diversity and innovation in training methods. Specifically, amid Covid-19 outbreaks in multiple provinces in Vietnam, especially in big cities like Ha Noi, Ho Chi Minh City, etc., the implementation of this training method has proved its flexibility, consistency, and timely transition in organizing activities in many educational institutions.

Online learning in the 4th Industrial Revolution (Industry 4.0) period is becoming a trend of the new training program in Vietnam in particular, as well as in many countries across the world, not just as a solution to special circumstances such as Covid-19. Teaching and learning online is not just necessary and appropriate in the Covid-19 pandemic, but also the context of the 4th Industrial Revolution.

Ministry of Education and Training used to encourage the application of online teaching and learning, up to 30% of the schedule in 2016. Before the Covid-19 pandemic, most educational institutions were still resistant to the idea of applying technology in training and learning, and certificates for online students have not yet been appreciated. However, the Covid-19 pandemic has changed everything, and every student is taking online classes due to social distancing.

In mid-March 2020, Document No. 795/BGDĐT-GDĐH was issued to detail and guide the implementation of online learning and teaching for the education system towards information technology application with the basic standard quality. Then, at the end of March 2020, Document No. 988/BGDĐT-GDĐH was issued to make sure that the education system would evaluate online teaching via online examination, with quality processes.

According to the report in 2020, 79.7% of students in Vietnam were learning online. It is higher than the general average of OECD countries with a rate of 67.5%. In higher education levels, over 50% of educational institutions also applied online learning, in which many applied online teaching entirely, while some combined online and offline teaching. (Thuy, T., 2022)

Next, Circular No. 09/2021/TT-BGDĐT, dated March 30, 2021, by the Ministry of Education and Training, stated regulations on organizing and teaching online in higher education institutions and general educational institutions, which have been in effect since May 16, 2021. Circular No. 09/2021/TT-BGDĐT not only helps schools get ready to respond in any situation but also encourages and increases opportunities for students to learn anywhere, at any time.

According to many education experts, this is a big step in directing the policy that helps the education system in Vietnam to move from online teaching-learning to online teaching-learning-testing, based on the gradual completion of availability, technology, and implementation with expectations to ensure the quality of the entire system.

3. Overview of the Theory of Acceptance and Use of Technology model:

3.1.1. Theory of Reasoned Action (TRA)

Theory of Reasoned Action is studied under the perspective of social psychology to determine the elements of perceived behavior (Fishbein, M & Ajzen, I, 1975).

(1) The attitude of consumers towards the behavior. The attitude of each individual is measured by belief and the assessment of individual consumers towards the results of that behavior. When there is belief in the product, the consumers tend to promote the intention of using the company's products.

(2) The subjective norms of the consumers. Consumers are influenced by the attitude of the related people about the use of the product and the motive of the consumers towards conducting acts according to the desire of related people.

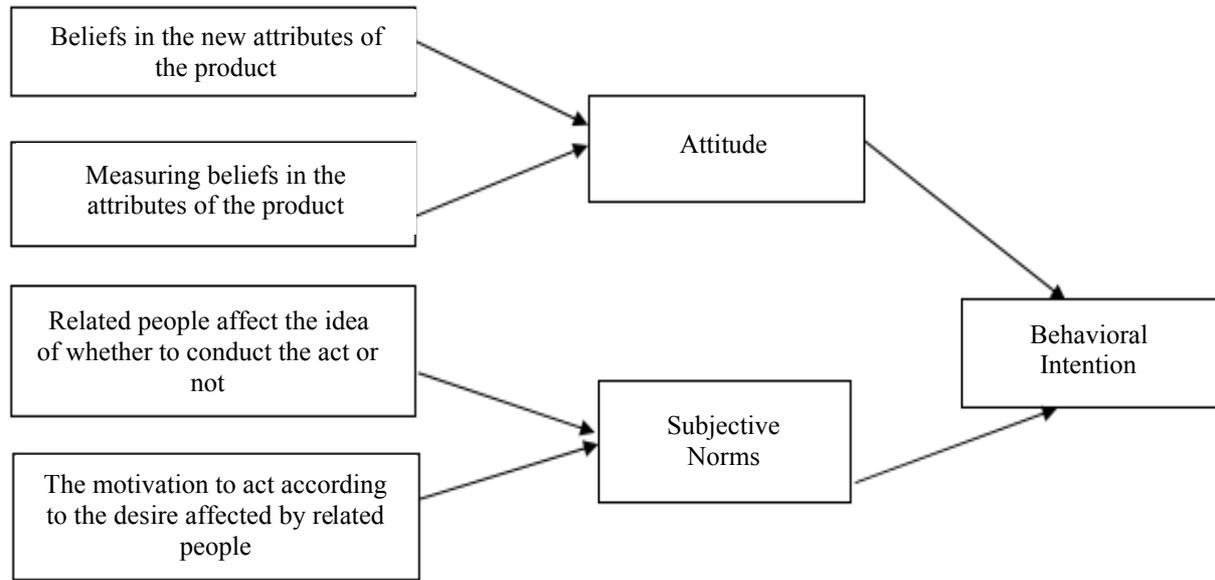


Figure 1: Theory of Reasoned Action

Source: Fishbein, M & Ajzen, I (1975)

3.1.2. Theory of Planned Behavior (TPB)

Theory of Planned Behavior by Ajzen, I (1991), was constructed from the original Theory of Reasoned Action model (TRA), along with additional perceived behavioral control factors, which affect the behavioral intention of the consumers.

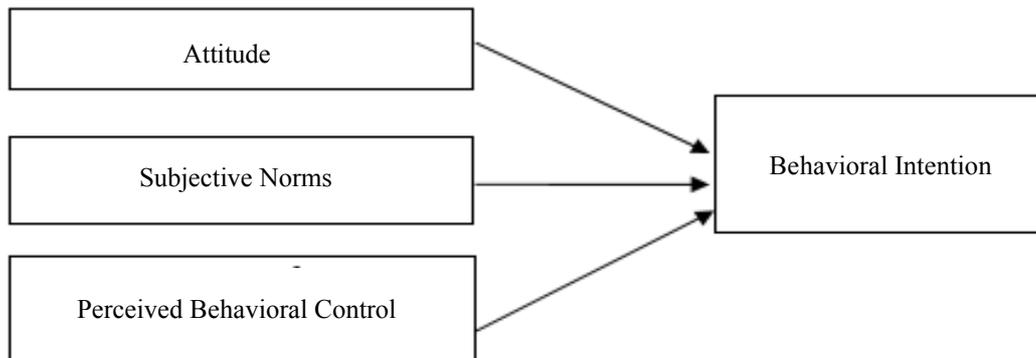


Figure 2: Theory of Planned Behavior

Source: Ajzen, I (1991)

3.1.3. Technology Acceptance Model (TAM):

Technology Acceptance Model (TAM) developed by Davis in 1989 presented the extent to which a person is willing to try, to make an effort in using new technology. The decision to use the technology depends on the intention of using it.

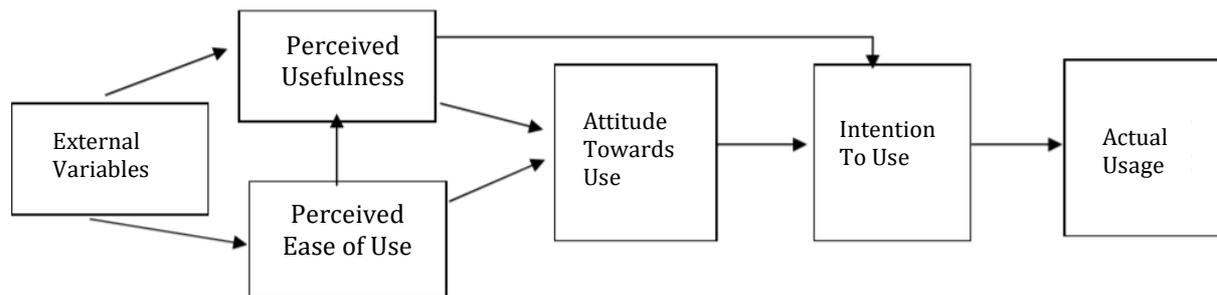


Figure 3: Technology Acceptance Model

Source: David, F.D (1989)

The intention of using a technology depends on the attitude of the user to the technology. The attitude of the user depends on 2 factors: (1) The perceived usefulness of the technology; and (2) The perceived ease of use of the technology.

3.1.4. C-TAM-TPB Model

Taylor, S & Todd, P (1995) inherited the TAM model, and by combining it with the TPB model by Ajzen (1991), they studied two additional factors, namely subjective norms and perceived behavioral control.

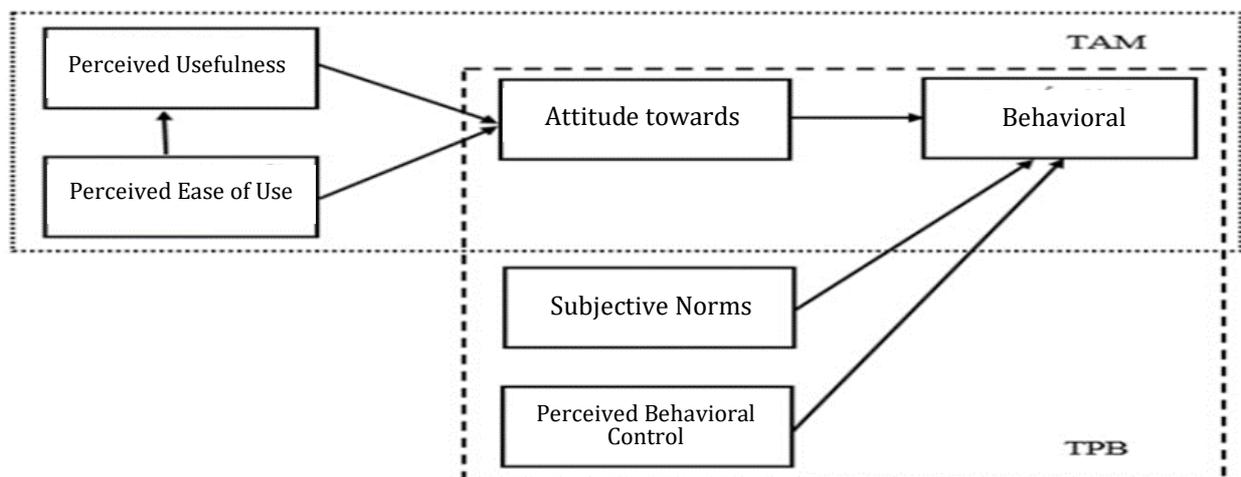


Figure 4: C-TAM-TPB Model

Source: Taylor, S & Todd, P (1995)

(1) Subjective Norms are “the perception of the individual about the social pressure whether to perform a behavior or not.” When the individual perceived higher social expectations of behavior, he/she tends to follow the expectations of society and act accordingly. The results of the research by Hartwick, J., & Barki, H. (1994) confirmed the relation between subjective norms and the intention to use the system.

(2) Perceived Behavioral Control is the perception of an individual on the ease to perform a behavior (related to the availability of necessary resources, knowledge, and opportunities to apply the technology).

3.1.5. Unified Theory of Acceptance and Use of Technology (UTAUT)

The UTAUT model was built by Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D. Davis (2003) based on eight models/theories, including the Theory of Reasoned Action (TRA - Ajzen & Fishbein, 1975),

Theory of Planned Behavior (TPB - Ajzen, 1991), Technology Acceptance Model (TAM - Davis, 1989), Model of Motivation (MM – F. D. Davis, R. P. Bagozzi, & P. R. Warshaw (1989), Combined Model of TAM and TPB (C - TAM - TPB - Taylor & Todd, 1995), Model of Personal Computer Utilization (MPCU - Thompson, Higgins & Howell, 1991), Innovation Diffusion Theory (IDT - Moore & Benbasat, 1991), Social Cognitive Theory (SCT - Compeau, D. R., & Higgins, C. A., 1995).

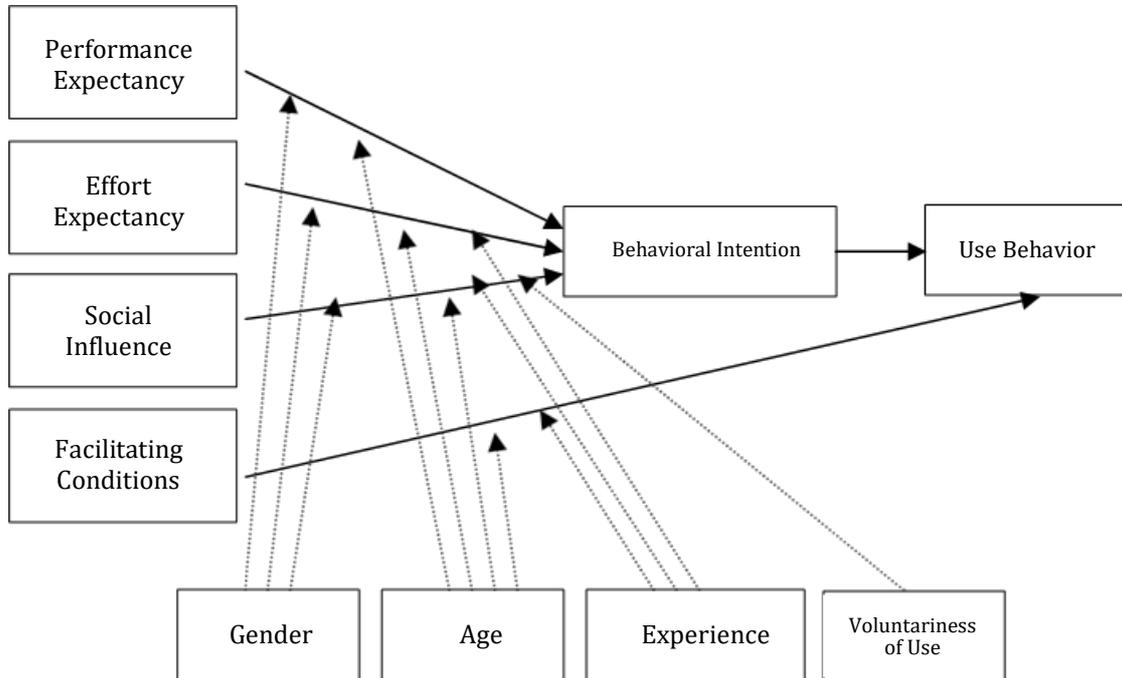


Figure 5: Consolidated models of acceptance and use of technology

Source: Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003)

Performance Expectancy: The degree to which an individual believes that using the system will help him or her to attain gains in job performance

Effort Expectancy: The degree of ease associated with the use of the system

Social Influence: The degree to which an individual perceives that important others believe he or she should use the new system.

Facilitating Conditions: The degree to which an individual believes that an organization's technical infrastructure exists to support the use of the system.

Intermediary elements: Gender, age, experience, and voluntariness of use indirectly affect the behavioral intention through the major factors.

4. Determinants of online learning behavior of students

4.1. Research models

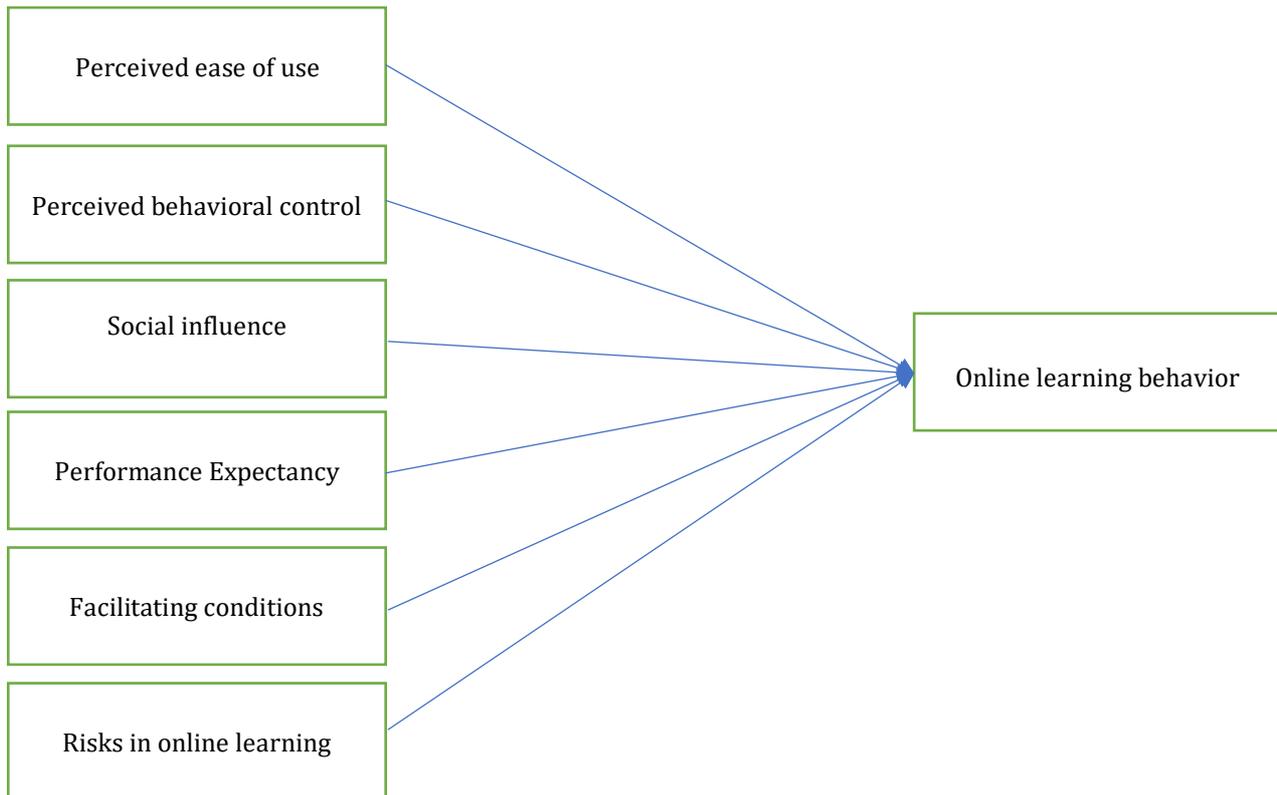


Figure 6: Proposed model

Source: Proposed by researchers

4.2. Hypotheses and research scales

4.2.1. Research hypotheses

- Hypothesis H1: Perceived ease of use has a positive impact on online learning behavior
 Hypothesis H2: Perceived behavioral control has a positive impact on online learning behavior
 Hypothesis H3: Social influence has a positive impact on online learning behavior
 Hypothesis H4: Performance expectancy has a positive impact on online learning behavior.
 Hypothesis H5: Facilitating conditions have a positive impact on online learning behavior
 Hypothesis H6: Risks in online learning harm online learning behavior

4.2.2. Variables and research scales:

Table 1: Basis of variables and scale in the model

Code	Observable variables	Source
1. Perceived ease of use		
TEU1	You learn how to use online learning software easily	David (1989); Taylor & Todd (1995); Venkantesh & Davis, (2000); Tan & Teo (2000)
TEU2	The implementation of the online learning software is simple and easy to understand.	
TEU3	You can easily master the use of online learning software.	
TEU4	The process of implementing the online learning software is clear and easy to understand	
TEU5	You can easily control the tasks when using online learning software.	
2. Perceived behavioral control		

TBC1	You have the necessary resources for online learning	<i>Ajzen (1991); Taylor and Todd (1995); Shih & Fang (2004); Shi (2004)</i>
TBC2	You are equipped with knowledge about the software used for online learning	
TBC3	You can switch to online learning	
TBC4	Online learning is scheduled in the institution's training plans in the context of the Covid-19 pandemic	
TBC5	You are ready to use the online learning assistance software	
3. Social influence		
TIE1	Online learning is attributed to social distancing in the context of the Covid-19 pandemic	<i>Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003); Venkatesh & Davis (2000)</i>
TIE2	Online learning is conducted to meet the requirements of the schools and society in the context of the Covid-19 pandemic	
TIE3	Online learning is conducted to fit the needs and desires of students in the context of the Covid-19 pandemic	
TIE4	Online learning is conducted because others are learning online	
4. Performance Expectancy		
TPE1	Online learning will help ensure distancing in the context of the Covid-19 pandemic	<i>Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003)</i>
TPE2	Online learning will help connect the school and students to ensure academic progress	
TPE3	Online learning help reduce traveling, studying, and living expenses	
TPE4	Online learning can be performed anytime, anywhere (time optimization)	
TPE5	In general, online learning can be seen as useful and convenient in the context of the Covid-19 pandemic	
5. Facilitating conditions		
TBI1	Technology platforms for online learning such as Google Meet, Microsoft Office, Zoom, etc. are quite available	<i>Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003)</i>
TBI2	Information is transferred with high speed and unlimited backup	
TBI3	The school has sufficient resources needed to organize online learning	
TBI4	It is easy to access digital platforms	
6. Risks in online learning		
TRD1	Online learning increases the interaction and exchanges between teachers and students	<i>Pikkarainen (2004). Chen and Lu (2002); Tan & Teo (2000)</i>
TRD2	Online learning increases the interaction and exchanges among students	
TRD3	Ease to acquire knowledge in all the subjects when learning online	
TRD4	Confidence in connection and the security of the online learning software	
7. Online learning behavior		
TD1	You are willing to switch to online learning when requested	<i>David, 1989; Taylor and Todd (1995); Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003)</i>
TD2	You are willing to switch to online learning in the context of the Covid-19 pandemic	
TD3	You are willing to switch to online learning even when the pandemic is controlled	
	You desire to switch to online learning further	

Source: Synthesis of the researchers

5. Data collection and analysis

To study the factors affecting online learning behavior, the research team reviewed the theories as follows: *Theory of Reasoned Action (TRA - Ajzen & Fishbein, 1975)*; *Theory of Planned Behavior (TPB - Ajzen, 1991)*; *Technology Acceptance Model (TAM - David, 1989)*; *C-TAM-TPB Model of Taylor and Todd (1995)*; and *Unified Theory of Acceptance and Use of Technology of Viswanath Venkatesh, Michael G. Moris, Gordon B. Davis, and Fred D (2003)* regarding some factors identified from the research of Venkantesh & Davis, (2000); Tan & Teo (2000); Shih & Fang (2004); Shi (2004); Pikkarainen (2004). Chen and Lu (2002). Thereby the authors determine and group the factors into 1. Perceived ease of use; 2. Perceived behavioral control; 3. Social influence; 4. Performance expectancy; 5. Facilitating conditions; 6. Risks in online learning; and the dependent variable 7. Online learning behavior.

The survey is designed for high school students and university students in Vietnam, the researchers used a Likert 5-point scale, with 1. Strongly disagree; 2. Disagree; 3. Neutral; 4. Agree; 5. Strongly agree. After the construction of the survey, the in-depth interviews are conducted with 5 experienced teachers who have worked in education for many years, 3 high school students, and 3 university students. After finishing the survey according to the suggestions of the respondents, the interview results showed most of the comments agreed with the factors, so the research team surveyed on a larger scale.

Data is collected based on such methods as convenient sampling and snowball techniques to find the next subjects based on the reference or the introduction of survey subjects, and survey subjects are high school students and university students in Vietnam. After conducting the survey, collected data is aggregated and analyzed by Excel and SPSS.

6. Actual impact of the factors on online learning behavior in the context of the Covid-19 pandemic

6.1. Statistic description

The number of questionnaires that researchers collect and put into the model is 525 high school students (42.24%) and 718 university students (57.76%), the total of two groups of participants in the survey is 1,243 people.

Table 2: Research sample Statistics

	Number (people)	Percentage (%)
High school students	525	42.24
University students	718	57.76
Total	1243	100,0

Source: Survey results

The research sample focuses on students in high school and university, as these are the two groups that can be self-disciplined and active in learning and acquiring knowledge.

6.2. Data analysis

6.2.1. Assessing the quality and reliability of the scale

Results of scale testing by Cronbach's Alpha show the coefficients are all greater than 0.7 (*Table 3*), All the observed variables have Corrected item-total Correlation greater than 0.3. It shows that the research is consistent and highly reliable. In seven groups of factors with the number of original observations $X_m = 31$ variables, no variable is removed, and the number of observed variables put into the model is $X_k = 31$ variables.

Table 3: Results of Cronbach's Alpha

Scales	Number of observed variables			Cronbach's Alpha
	Before testing	After testing	Observable variables excluded from the scales	
Perceived ease of use	5	5	No	0.874
Perceived behavioral control	5	5	No	0.868
Social influence	4	4	No	0.818
Performance expectancy	5	5	No	0.854
Facilitating conditions	4	4	No	0.834
Risks in online learning	4	4	No	0.842
Online learning behavior	4	4	No	0.823
Total	31	31	No	

Source: Testing results

6.2.2. Exploratory Factor Analysis

EFA analysis results, at Eigenvalues = 1.127 > 1 in the sixth factor, so six factors extracted from EFA can best explain observed variables.

Total variance explained: Extraction Sums of Squared Loadings (Cumulative %) = 66.647% > 50 %. This proves that 66.647% variability of the data is explained by six factors.

Table 4: Rotated Component Matrix
Component

	1	2	3	4	5	6
CN4	.758					
CN3	.749					
CN2	.737					
CN5	.729					
CN1	.705					
NT1		.756				
NT3		.744				
NT2		.722				
NT4		.713				
NT5		.638				
HQ5			.759			
HQ3			.758			
HQ4			.753			
HQ1			.731			
HQ2			.591			
RR2				.835		
RR1				.818		
RR3				.816		
RR4				.808		
DK2					.768	
DK3					.756	
DK1					.728	
DK4					.722	

XH1						.778
XH2						.748
XH3						.733
XH4						.611

Extraction Method: Principal Component Analysis.

Rotation Method: Varimax with Kaiser Normalization.

a. Rotation converged in 6 iterations.

Source: Testing results

With the dependent variable:

Table 5: KMO and Bartlett's Test

Kaiser-Meyer-Olkin Measure of Sampling Adequacy.		.763
Bartlett's Test of Sphericity	Approx. Chi-Square	1814.486
	df	6
	Sig.	.000

Source: Testing results

KMO = 0.763 > 0.5 so factor analysis is appropriate. Sig. (Bartlett's Test) = 0.000 (sig. < 0.05) proved the observed variables are correlated with each other.

Table 6: Total Variance Explained

Total	Initial Eigenvalues		Extraction Sums of Squared Loadings		
	% of Variance	Cumulative %	Total	% of Variance	Cumulative %
2.618	65.439	65.439	2.618	65.439	65.439
.632	15.803	81.242			
.405	10.121	91.363			
.345	8.637	100.000			

Extraction Method: Principal Component Analysis.

Source: Model results

Results of matrix rotation show that one factor is extracted from the observed variables in the EFA analysis. Variance Explained is 65.439% at eigenvalue 2.618 > 1.

Table 7: Component Matrix
Component

	1
HV4	.820
HV1	.815
HV3	.802
HV2	.799

Extraction Method: Principal Component Analysis.

a. 1 component extracted.

Source: Testing results

6.2.3. Correlation and regression analysis

Table 8: Correlations

		HV	DK	CN	NT	RR	HQ	XH
HV	Pearson Correlation	1	.544**	.681**	.677**	-.108**	.571**	.570**
	Sig. (2-tailed)		.000	.000	.000	.000	.000	.000
	N	1243	1243	1243	1243	1243	1243	1243

ĐK	Pearson Correlation	.544**	1	.428**	.419**	.006	.524**	.442**
	Sig. (2-tailed)	.000		.000	.000	.830	.000	.000
	N	1243	1243	1243	1243	1243	1243	1243
CN	Pearson Correlation	.681**	.428**	1	.621**	-.003	.444**	.511**
	Sig. (2-tailed)	.000	.000		.000	.909	.000	.000
	N	1243	1243	1243	1243	1243	1243	1243
NT	Pearson Correlation	.677**	.419**	.621**	1	.093**	.483**	.486**
	Sig. (2-tailed)	.000	.000	.000		.001	.000	.000
	N	1243	1243	1243	1243	1243	1243	1243
RR	Pearson Correlation	-.108**	.006	-.003	.093**	1	.061*	-.075**
	Sig. (2-tailed)	.000	.830	.909	.001		.030	.008
	N	1243	1243	1243	1243	1243	1243	1243
HQ	Pearson Correlation	.571**	.524**	.444**	.483**	.061*	1	.434**
	Sig. (2-tailed)	.000	.000	.000	.000	.030		.000
	N	1243	1243	1243	1243	1243	1243	1243
XH	Pearson Correlation	.570**	.442**	.511**	.486**	-.075**	.434**	1
	Sig. (2-tailed)	.000	.000	.000	.000	.008	.000	
	N	1243	1243	1243	1243	1243	1243	1243

** . Correlation is significant at the 0.01 level (2-tailed).

* . Correlation is significant at the 0.05 level (2-tailed).

Source: Testing results

The results show that all the values of Pearson sig correlation between the independent variables and dependent variables are less than 0.05. Therefore, the independent variables are linearly correlated with the dependent variable.

6.3. Regression analysis

Table 9: ANOVA

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	296.878	6	49.480	412.414	.000 ^b
	Residual	148.290	1236	.120		
	Total	445.168	1242			

a. Dependent Variable: HV

b. Predictors: (Constant), XH, RR, ĐK, NT, HQ, CN

Source: Testing results

Sig F = 0.00 < 0.05, so regression model is significant.

Table 10: Model Summary

Model	R	R Square	Adjusted R Square	Std. The error in the Estimate	Durbin-Watson
1	.817 ^a	.667	.665	.34638	2.013

a. Predictors: (Constant), XH, RR, ĐK, NT, HQ, CN

b. Dependent Variable: HV

Source: Testing results

Adjusted R-squared is 0.665 = 66.5%. Thus, the independent variables in the regression affect 66.5% of the change of the dependent variable.

Table 11: Coefficients

Model		Unstandardized Coefficients		Standardized	t	Sig.	Collinearity Statistics	
		B	Std. Error	Coefficients Beta			Tolerance	VIF
1	(Constant)	.777	.072		10.839	.000		
	DK	.118	.016	.149	7.321	.000	.647	1.546
	CN	.219	.017	.287	12.790	.000	.537	1.862
	NT	.221	.016	.305	13.533	.000	.529	1.890
	RR	-.101	.012	-.138	-8.253	.000	.967	1.034
	HQ	.130	.016	.173	8.272	.000	.617	1.622
	XH	.100	.017	.123	5.949	.000	.629	1.590

a. Dependent Variable: HV

Source: Testing results

With standardized coefficients Beta, the linear regression equation evaluates the impact of six elements and is formulated as follows:

$$HV = 0.149 DK + 0.287 CN + 0.305 NT - 0.138 RR + 0.173 HQ + 0.123 XH$$

Data in the linear regression equation shows that provided other factors are constant if facilitating conditions (DK) increase by 1 unit, online learning behavior increases by 0.149 unit; if perceived ease of use (CN) increases by 1 unit, online learning behavior increases 0.287 unit; if perceived behavioral control (NT) increases by 1 unit, online learning behavior increases 0.305 unit; if risks (RR) increases by 1 unit, online learning behavior down 0.138 unit; if performance expectancy (HQ) increases by 1 unit, online learning behavior increases by 0.173 unit; if social influence (XH) increases by 1 unit, online learning behavior increases by 0.123 unit. Thus, all the hypotheses H1, H2, H3, H4, H5, and H6 are accepted.

6.4. Testing the difference between high school students and university students

To test the differences in online learning behavior between high school students and university students, the research team uses the Independent Samples Test. Test results are specified in Table 12

Table 12: Testing the difference in online learning behavior between high school students and university students

Independent Samples Test

	Levene's Test for Equality of Variances		t-test for Equality of Means						
	F	Sig.	t	df	Sig. (2-tailed)	Mean Difference	Std. Error Difference	95% Confidence Interval of the Difference	
								Lower	Upper
Equal variances assumed	4.375	.037	9.935	1241	.000	.32887	.03310	.26393	.39381
Equal variances not assumed			9.807	1072.528	.000	.32887	.03354	.26307	.39468

Source: Testing results

Results of Independent Samples Test, in Levene's Test, Sig = 0.037 < 0.05 shows the different variance between the two objects, so Sig of T-test at the Equal variances not assumed can be used. At that value, Sig = 0.00 < 0.05,

it can be concluded that there are statistically significant differences in online learning behavior between high school students and university students.

7. Discussion and recommendations

The results of the quantitative analysis show that among six factors that impact online learning behavior, perceived behavioral control has the largest impact with 30.5%, next is perceived ease of use with the impact of 28.7%, performance expectancy with 17.3%, facilitating conditions with 14.9%, and social influence with 12.3%. Risks in online learning harm online learning behavior with an impact of -13.8%.

During the Covid-19 pandemic, society realized the importance of online learning methods. Teaching and learning online will be the perfect solution to the connection between people and knowledge in any crisis (war, epidemic, or climate change crisis). Due to the impacts of the Covid-19 pandemic, "online learning" is gradually becoming more popular than ever from general education to higher education as well as many other training programs. This is like a "revolution," in the education methods to comprehensively change the study habits and shape a new look for the future.

Due to the Covid-19 pandemic, learners have to adapt and prepare all necessary resources and knowledge, and institutions should also have adjusted training plans. Online learning can be cost-saving, and efficient for both students and parents. Students can learn English, solve complex problems, review the lesson in class, prepare new lessons, etc. online through interaction with the teacher in intuitive and vivid videos.

To have an effective online learning environment, it is necessary to ensure adequate conditions for online teaching and learning with the coordination between the schools, teachers, students, and parents. It can then meet the trend of the digital age, and create facilitating conditions for learning anytime, anywhere while solutions to teaching and learning online have developed rapidly. They do not only satisfy the short-term needs but also present a sustainable connection in the future.

Within the article, the research team suggests some recommendations on effectively applying online learning, even when the Covid-19 pandemic is under control.

Perceived behavioral control and perceived ease of use have the largest impact among six factors. They are closely related to resources and the perception of students. Therefore, families and students should actively dedicate the necessary resources to online learning to purchase equipment, software, and knowledge on the software, which helps students aware of the ability to control technology and ease of technology use, then switch to online learning more quickly.

Facilitating conditions for online learning has a quite strong impact, so the government should create favorable conditions for the development of the technology platform for online learning such as Google Meet, Microsoft Office, Zoom, etc. to be able to transfer information with high-speed and unlimited backup. High schools and universities should utilize the necessary resources to provide technologies for the online learning organization.

It is advisable to strengthen communication about the positive effects of digital transformation, and the application of technology in teaching and learning online; especially the usefulness and convenience in the context of the Covid-19 pandemic, and even after the pandemic is controlled. From that, it is possible to conduct online learning in high schools, colleges, and universities as a combined solution with offline in the context of the controlled pandemic.

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The Influence of Islamic Art on the Development of Modern European Art

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Abstract

According to Toynbee, Islamic civilization is categorized in the Judaeo-Christian tradition. This civilization has developed far from the place of its birth. First headed to Southern Europe and switched to India, China and Indonesia or often known as Eastern civilization. Regarding art, initially Islam did not need it at all, but because of the demands of the situation and conditions, Muslims created various works of art to express a religious view of life. In the place where this religion was born, Islamic art is useful as a fence for expression because it prevents the influence of non-religious art, such as that of non-Muslims. It is different with Western or Christian art, where art is all works involving ideas in a harmonious form of beauty. In the Bible it is stated that everything in Christ is a new creation because the old has been forgotten. On the other hand, Islamic art does not have a basic source of holy books from the Qur'an or hadith but has a very Islamic character. The nascent Islam did not know art. Arab traders and caravan leaders had contacts with the Byzantine and Persian civilizations. Their interest in weapons, knick-knacks, and fabrics that make them look like aliens is fascinating and one of the most artistic works they can admire on their journey.

Keywords: Islamic Painting, Western Painting, Religiosity, Pablo Picasso, Paul

1. Introduction

Art for art was a concept throughout Europe during the renaissance. All the art schools that sparked the revolution and renaissance at that time relied on this concept. However, Islamic art, which always comes first, gave rise to another slogan, namely that art is for life. Applied arts participate in all aspects of life, decorating homes with magnificent Islamic architecture, decorating ceramics, glass, metal, wooden furniture, textiles, carpets, stationery and everything that people use in all aspects of life.

Islamic art is distinguished by the fact that there is a common unit that combines it. Perhaps this secret is one of the secrets of the excellence of Islamic civilization and its extraordinary ability to color art products in all countries in one color. However, this does not prevent the presence of Islamic models that are characterized by different Islamic countries in the era of the development of the arts. The expression of Islamic art is a combination of two main words, namely Islam and art. In the explanation of the phrase Islamic art overrides the meaning of Islam. It

accepts artwork created by and for non-Muslims as well. So the word Islam in the expression of Islamic art is not comparable to Christianity or Buddhism in Christian art or Buddhist art because they do not have the broad meaning contained in Islamic art. An alternative and common interpretation of the adjective Islam is that it refers to a culture or civilization in which the majority of the population or at least the ruling element adheres to the Islamic religion. In this sense Islamic art differs in kind from art by other adjectives such as English art because there are and are not Islamic rules or Muslim majority.

Such ethnocentrism is reflected in various general assumptions about Islamic art so that no explanation of the history of art seems to stop. For example, the frequent declaration of a prohibition on Islamic images becomes a trope that seems resistant to all art history analysis showing that no such overarching prohibition exists on the basis of Islamic sources. This is less revealing about how Islamic art functions than about the normativity of its societal image. Similarly, the use of terms such as 'ornament' or 'decorative' places Islamic objects in inappropriate opposition between representation and abstraction, meaning and decoration, or depth and flatness, all of which are rooted in the binary of western visual practice. At the same time, adjectives such as 'beautiful' and 'splendid,' which are often used to describe objects of Islamic art displayed in museums, suggest associations with Eastern myths rather than associating the work with any cultural intrinsic meaning (Shaw, 2012).

Sheila S. Blair and Jonathan M. Bloom say that the term Islamic art refers not only to art created for Islamic practices and settings but also art created by and for people who live or live in lands where most or the most important people reside. or be. Muslims, that's the ringleader in Islam. The definition limits the term Islamic art to all arts, which were developed alongside Islam or from the lands where Islam prevailed, included in that definition. The influence of time and region is not significant in terms of the harmony of Islamic art (Blair and Jonathan M. Bloom, 2003). As with Blair and Bloom, the categories that describe art are, however consciously, derived from the notions of art established in modern Europe, a classification system that may be as problematic as European works created before the shift of the modern epistemological era as well as products. non-European (Shiner, 2001).

Titus Burckhardt says that the modes of expression varied according to the ethnic setting and the turn of the centuries, though more in the former than in the latter they were almost always as satisfying from an aesthetic point of view as from their spiritual aims: they did not involve disharmony, and neither did they. can be asserted from all domains of Islamic culture. A single spiritual platform for all Muslims living in separate times or regions connects all Islamic arts from different periods and geographical areas (Burchardt, 1967).

Sayyed Hossein Nasr emphasized that the source of Islamic art is Sufism. In the inner dimension of the Islamic tradition one must look for the origins of Islamic art and the forces that have created and maintained it on the page while enabling the blinding unity and intoxicating interiority that this art possesses. Every art brings man to the depths of spiritual satisfaction. The relationship between art and spirituality is stronger than that of other branches of Islam (Nasr, 1993).

In 1951 Richard Ettinghausen as one of the founders of the discipline of History of Islamic art in the United States explained that Islamic art can also have special meaning for the Islamic world today. Because this is a cultural achievement that is widely accepted and admired by the West. However in this case it can be said that the best of ambassadors is art. If these considerations are more widely understood then Islamic art and the study of it will have an important role in the future (Ettinghausen, 1951, 47).

Attitudes towards cultural diversity have become less dominant over the decades, especially among those studying cultures that are not their own. Nonetheless, historical objects from the Islamic world continue to be called upon regularly to reduce intercultural tensions in the contemporary world in a way that often avoids distinctions between past and present, religion and culture, geography and religion. This amalgamation of the historical meaning of art with contemporary social function is not only the inevitable means by which the humanities often justifies its funding and position in the wider public sphere, but also reflects the socio-political context in which all academic work, from classical philology is criticized in Orientalism. and so on, has been carried out continuously, borne and disseminated (Said, 1978). While the rhetoric of hierarchical civilizations and change expressed in Ettinghausen's

words may have been temporarily socially unacceptable, the practice of using art to represent a wider culture continues today as does other perceptions of Islam as quite different from the West.

According to Toynbee, Islamic civilization is categorized in the Judaeo-Christian tradition. This civilization has developed far from the place of its birth. First headed to Southern Europe and turned to India, China and Indonesia or often known as Eastern civilization (Nasr, 1977:33). With regard to art, at first Islam did not need it at all, but because of the demands of the situation, Muslims created various works of art to express a view of life that was characterized by religion (Beg, 1981: 2). In the place where religion was born, Islamic art is useful as a fence for expression because it prevents the influence of non-religious art, such as that of infidels (Burchardt, 1967:1).

It is different with Christian art, that art is all works involving ideas in a harmonious form of beauty. The Bible says that everything in Christ is a new creation because the old has passed away. As a believer, this change involves all aspects of life and is then resurrected with Christ a new creation that must be expressed through life both spiritually and materially. This change to something new affects the state of Christian art, especially when Christ's presence is in the midst of a depraved and oppressive world. At that time Christians had to find new teachings which had to be pursued in an odyssey. As told, Christians had to accept these teachings in the place of the catacombs (Hadiwijono, 1977: 42). As a rejection of anything that is pagan in terms of art, Christians prioritize symbols as a means of expression. In this case the symbol was chosen as the expression of a new life, because to avoid the cruelty of the infidels. On the basis of similarities as Semitic Religion or Semitic religion between Islam and Christianity, because from the Abrahamic family, the development of modern painting can be studied as far as the style of expression is influenced by Islamic countries.

2. Research Method

This article that discusses the influence of Islamic art on the development of Western art is discussed using accessible written sources. A comparison of competing analytical methodologies in early historiography of Islamic art history that have built on the dominant secular views implicit in the 'Islam as culture' approach, and analyzes how this approach has enhanced perceptions of Islamic change by defining Islamic art especially in terms of difference points with the Western perception code.

To find out about the influence of Islamic art on the development of Western art, it is carried out using the historical method or historical research method which can be interpreted as a systematic collection of principles and rules intended to assist effectively in collecting historical source materials, in critically assess or review these sources, and present a synthesis of the results achieved.

This method is qualitative in the form of library research using written sources from library collections in the form of books, journals, and other printed sources (Garraghan, 1957:33). Primary and secondary data collection techniques were carried out through library research conducted by visiting various libraries and institutions that store written materials such as the National Library of the Republic of Indonesia in Jakarta and other libraries in Yogyakarta. After the search for written materials has been completed, the next step is to select and verify the data and compile it into a writing (Iswahyudi, 2020: 800).

3. Pattern form as a characteristic of religious art

Islamic art in general is based on the arts of Arabs. This is attributed to the fact that the development of art is based on the holy book of the Qur'an with Arabic as a unified language. In Islamic art, there is a spiritual concept of the oneness of God called pattern or *al tahwid*. This concept is a blend of flora and geometric elements. The element of flora is a combination of leaves, flowers and tree trunks called *tawriq*. Then geometric elements can be linear with straight and broken lines called *khatt*. In addition, it can also be transverse with a multi-center curve line called *ramy*. If combined between the elements of flora and geometric called *rakhwi*. Arabic elements that are planar or flat are usually found in two-dimensional areas such as wall decorations, doors, floors, furniture, carpets and book covers. Then the three-dimensional nature is found in the sculptured pillars and rib arches of the building framework (Al-Faruqi, 1970: 23).

Regarding this pattern, it seems that there is no doubt that Islamic art is a symbol of a fundamental religion. The concept of absoluteness is also reflected in the lines that intertwine and form intricate geometric patterns. The line seems to have no beginning and end, as it symbolizes the absolute and oneness nature of *Allah* from His power. This depiction of the concept of absoluteness becomes iterative. This is possible because as an actualization of the imagination chosen by Islamic artists is the embodiment of the value of beauty in accordance with the nature of the oneness of *Allah* which has neither beginning nor end. This repetition concept always follows symmetrical forms because it is an abstract depiction and has beauty without having to imitate objects found in nature.

Zubeir Al-Faquihi emphasizes that the pattern is a classic view because it is the right one for the symbol of Islamic art. As the elements contained in it, it expresses the unity of oneness because it requires a universal, unlimited, not institutionalized nature, not as historical fiction and its orientation is not too dramatic because there is no incarnation. The events of the seventh century are very important because of the revelation of the prophet so that what happened in the past did not precede it nor was it explained for future events (Al-Faquihi, 1970:16).

Another opinion expressed by N. Ardalan and L. Bakhtiar emphasizes the basics of this pattern associated with the expression of loyalty and the tradition of Sunni philosophy. In this tradition, there is tension with the traditionalists consisting of Shiites, Ismailis and Sufis who emphasize the Koran, Hadith and Sufi mysticism. It's just that because the Sufis are more radical, admitting the truth about Sufism, namely being united with *Allah*, can erase their physical nature (Ardalan and L. Bakhtiar, 1977).

In contrast to Christian art in which the pattern seen in the image consists of interlacing lines, cutting and ending with steeling leaves and or heads and jaws of animals. This design is actually an inspiration from the disclosure of the old Gaelic form whose shape shows a mix of naturalness and naivety, is absolute, limited and amazing. In this old Gaelic form the world is depicted as a mixture of absolute power and instability. In addition, there is also Celtic style art which depicts a pattern in the form of two lines or three lines intersecting each other and balanced by a repetition that has neither a beginning nor an end. In connection with the view of the Trinity in Christianity which consists of the Father, Son and Holy Spirit, the depiction of the design emphasizes the absolute value, namely the form of linear curves, full of spiral curves and leaving geometric elements.

4. Islamic elements as a source of inspiration

The term Islamic art history emerged from the late nineteenth century onwards as a means to unite various objects in various types of collections. In the Ottoman Empire, the term 'Good Islamic Art' (*Sanayi-i Nefise-i Islami*) was used since 1889, in the founding documents of the Ottoman Empire Museum, before any major European exhibition or museum adopted the label 'Islamic Art'. Its use in the Ottoman context may serve as a correction to the term 'Muhammad art' that exists in Europe today, and underscores the vast area from which the Ottoman Empire Museum collections are based. In this way the collection fits the imperial ambitions of Sultan Abdulhamid II who reigned from 1876-1908, who sought to emphasize his role as caliph over all of Islam, even as the empire's territory dwindled. Likewise the frequent use of the term 'Musulman' at exhibitions held in Paris and Algeria between 1893 and 1907, as a substitute for 'Oriental' or the regional term more frequently used elsewhere in Europe at the time, underscores the ambitions of the French empire to lead in understanding of Islam and the development of a modern, civilized, and colonial Islamic world (Vernoit, ed., 2000: 20).

One of the interesting things in the development of fine art is that Western artists have applied Islamic elements. This is something unique if it is not related to problems outside the economy because as a work of art outside Europe it is considered not to meet the criteria and adequate expression value. This view shows that Western painters only see one eye. Therefore, when paintings from the Middle East that deviated greatly from tradition had a major impact on Western critics. It was the painter Haydar Reis from Turkey who painted the French emperor Francis I in the clouet style. This painting is considered an aesthetic abuse because it visualizes the emperor's large genitals. This received a response from the sculptor Peter Merenicus who satirized the Sultan of Turkey Sulaeman I, especially in terms of his headband.

Based on the unexpected circumstances of one of the works of this Turkish painter, it seems that the critics are starting to be careless in appreciating the artistic values of the Middle East. The assumption that arises is that Turkey is considered more of a threat to Western civilization. This happened based on the situation of mutual destruction that had previously been initiated during the Crusades since the XI century. In the following period, various accusations of barbarity emerged, such as in the German literary work *Flugschriften* and the Italian paintings depicting the Turkish Sultan massacring innocent children in Bethlehem (Strause, 1972: 50).

Until the nineteenth century there was a more fundamental change, especially the view of Western critics of the power of Turkey as a competitor label in civilization. The rise of liberalism in the West, which had been pioneered in the previous century, at the same time the development of art was marked by a style based on Neoclassicism and Neo Hellenism. It was Eugene Delacroix who began to make changes to his painting habits whose theme was ridicule to the Turks, but on the contrary used Turkish and other Middle Eastern elements as the forging of inspirational ideas because they were considered more romantic and exotic. One of his masterpieces is *Scenes of the Massacres of Scio* in 1824. Apart from being exotic, this painting also reflects political aspects. Incidents of human cruelty or mass murder occurred during the Greek war against Turkey and this incident resulted in the killing of the Scio population of approximately 1000 people. It seems that this painting was inspired by Lord Byron's poetry so that in his honor his painting "Greece Experiencing the ruins of Missolongi" was made in 1826 (Friedlaender, 1963: 116).

The exotic features that are always depicted by orientalist painters can also invite problems because they are always trapped in errors in interpreting the Koran, especially when it is associated with the image of heaven (Thornton, 1980). Delacroix's paintings greatly influenced other French painters, including Ingers. As a fellow French citizen, Ingers admired Delacroix not only for its romance but also for its accuracy in incorporating exotic Turkish values. One of his paintings is entitled *The Turkish Bath* which was made in 1863. This painting was inspired by Delacroix in depicting Turkish women in a more vulgar way. In this painting there are as many as 25 women who are naked and arranged in a descending row showing a very erotic clump of body parts.

The fading of European thinking towards the old theological cultural system seemed to become a shackle which after the renaissance raised awareness of itself. At that time, the position of art did not have to be confined to the clerical world or the church, but was a humanistic discourse. So everyone can be uplifted to appreciate and not see that art comes from anywhere. Various orientalist painters are increasingly using Islamic inspiration not only as an enrichment but tend to perfect their expression. This development seems to dominate, for example in the field of architecture both in France and in Italy in the XIV to XV centuries. If studied in more depth, Islamic art is actually based on Arabic art whose visual aspects are generally dominated by the desert background, camel races and moonlight. This background according to its philosophy is a symbol of life because it gives the caravan direction at night. Moonlight from a visual perspective has special value because it can change a three-dimensional view into two dimensions (Badawy, 1964:263). One of the philosophies of Islamic art seems to be very influential because many European painters then traveled to the East to broaden their horizons and explore their expressions. Such behavior indicates an internal crisis as a result of the supposed death of European artistic naturalism in the nineteenth century.

If inspiration is able to create a cathartic atmosphere for every painter, modern painters will not find it difficult to live it. The inspiration of Islam did not make it special or bother him if at that time Europe was being overshadowed by a sense of superiority compared to other nations. This situation was caused by the development of fine arts in Europe, which began to experience saturation, so that the values that existed outside were idealized according to the beauty system and became an arrangement for each style.

Answering the question of the apparent aesthetic similarity of Islamic art across a wide field of time and space only through the materiality of cultural exchange underestimates the complex web of literary, philosophical, or theological cultures that served the classical Islamic world. This rejection of the textual context of religion can be said to have resulted in a historical de-intellectualization of Islamic culture which is no less important than that caused by the category of Islamic frames. The field of Islamic art which acts as an agent of cross-cultural communication and correction of misunderstandings through the epistemological structure built by its

historiography has biased Islam through a secular lens and weakened the ability of Islamic art to speak intellectually about the religious process expressed through art.

This discourse model not only supports Western hegemonic norms in understanding other visual cultural traditions through denatured aesthetic allusions as opposed to religion as a static realm devoid of creativity, but also fails to contradict modern fundamentalist understandings of Islam which have disparaged religion, cultural traditions that emerged after the integration of Classical Greek philosophy into Islamic culture, during the fifth-sixth centuries after the Hijra, as not strictly religious. Islam has thus been reduced to a static regression of its origins.

On the other hand, to propose religiosity as informing the spectatorial position in which Islam has engaged with visual culture calls for the voice of Islam from the past where the voice of that subject may have commissioned, created or used this object, but whose interpretive world has been made subaltern either through the practice of art history. Western and modern Islamic art. Imagining such an audience as radically different from any modern audience, Muslim or non-Muslim, challenges the idea that Islam can function as an essentially transient category that gives religious, ethnic, regional, tribal members an essential perceptual affinity. The exposition of an Islam that is historically, culturally, and literary, yet religiously diverse runs counter to the essentialization of Islam as the core of orientalist and fundamentalist practice, which threatens the opposition between East and West that underpins so many contemporary political and economic deadlocks and conflicts. Instead of engaging with the complexities of Islam, the new regionalist label which is even heavier in a sense reverts to the geographical or ethnically native terms in which Islamic art was categorized in the late nineteenth century, when art historians first began to collect and reflect on Eastern material culture under art rubric (Blair and Jonathan M. Bloom, 2003: 153).

5. Paul Klee and Pablo Picasso

The large number of Western painters who use Islamic inspiration will not be discussed entirely and in this case it is representative by being represented by only two great painters, namely Paul Klee and Pablo Picasso. Paul Klee (1879 – 1946) was a Swiss citizen and he is referred to as a Bedouin priest artist (Grohman, 1961: 52). Previously in painting many of his paintings he used the technique of two neutral colors black and white. At a time when many Western painters were oriented towards works of art from the East, Paul Klee traveled to Tunisia for 15 years and then moved to Egypt in 1928. As is well known in his travel reports, apart from telling his admiration for the Arab vision about exoticism as well as about desert backgrounds. This affected Paul Klee's imagination and said that he really felt like experiencing the various stories contained in “the story of a thousand one nights” (Klee, 1968: 286).

Paul Klee when he was in Tunisia was very interested in the design of the Kairouan mosque and which is equipped with a shop building complex, especially with the various prayer mats that were sold by hanging there. For him Tunisia is the first Arab, the second Italian and the third French. During his stay in Tunisia he realized about the special colors used to decorate the Kairouan mosque and he began to think that these colors could influence him to interact with nature. This is what he really feels to be able to create cool abstract romantic ideas. His previous paintings also influenced him especially with constant adventures and with geometric designs which are not very different from Arabic designs. In his painting entitled "The Niesen" which was made in 1915, the sun and a group of planets appear together. This painting is thought to tend to praise the rules of time. It seems that this painting was very influential on the paintings he made after that, especially with geometric patterns and repetitions as found in the painting "Landscape with blue Birds" he made in 1919 and the painting "Composition with window" which was also made in 1919.

When Paul Klee lived in Egypt, there were slight differences in his paintings because there was an emphasis on the blend of East and West. This is most likely influenced by a sense of escapism and exoticism or between West and East equivalent to Goethe's "Divan". One of the paintings that is famous for its Arabic elements is the painting "Arabic Song" which was made in 1932. This painting seems not only to be a Western expression of the East but also radiates art that uses Eastern techniques. This painting in terms of space is considered lacking in its third dimension which touches the plains. This painting does not hesitate to seek the truth but against the background of pieces of burlap that show like Arab tents.

Pablo Picasso (1881 – 1973) was a Spanish painter who before becoming an adherent of Cubism had already studied the Impressionist style. After feeling satisfied in studying painting in Barcelona, Spain, then in 1900 he continued his studies in Paris and it was in this place that his work in the Cubism style began. As a Spanish artist who was always considered to have various advantages, he obtained the Eastern spirit without imitating it, knowing Arabic art without disturbing it and being able to repeat African art without deceiving it (Stein, 1967: 34). There is also an assertion that only Spanish descendants who come from the Moors can absorb Eastern elements because they have a high enthusiasm for things that are abstract. Likewise, it is based on Spanish culture which is able to distinguish forms of spirit from other Western European traditions because Eastern culture is an integral part of its historical heritage (de Lorey, 1932: 249).

While in Paris, Picasso secretly studied the skills of the painter Toulouse Lautree who later in 1901 gave rise to his first painting entitled "Old Woman". Then Picasso was also influenced by Gauguin, especially in terms of the use of contrasting and calm colors as seen in his 1901 painting "Harlequin Propped on Elbow". In this painting, the design is controlled, the patterns are firm and accompanied by raw colors that reflect a sense of emptiness. About two years later Picasso produced a painting on a theme known as the blue period. This painting is almost all blue and depicts a character who is experiencing great sadness. Stylized with long amber reflecting its position and subtle demeanor it is painted in cool blue and slightly greenish tones. This painting is also the best style to express suffering because it is suspected that at that time Picasso was not yet settled in Paris.

Regarding cubism, in Cezanne's view, its emergence was unexpected because there was no theory and origin. Two painters who are considered geniuses in this style are Pablo Picasso and Braque. The painting entitled "Les Femmes d'Alger (O. J. R. M.)" was Picasso's work in 1907, which was the first to use the Cubism style. This painting seems to be heavily influenced by Iberian sculptures and African primitive sculptures. According to Cezanne, primitive sculptures were only simplified in geometric forms so as to produce elements that supported the cubism form. Picasso emphasized that human painting as a measure of perfection as used as a guide in Western aesthetics is starting to be abandoned. Cubism theory shows that painting is an art with an arrangement consisting of various elements that are not borrowed from visual reality, but from concept reality. This is because the desire to achieve the ideal size is no longer limited to humans or cubism but is more associated with the mind than the sensual (Apollinaire, 1912: 113).

One thing that is dominant in cubism is the priority of abstract forms so that there are similarities with Islamic art, especially in terms of camouflaging realist objects. This can be seen in the comparison between the painting "Dora Maar as a Bird" by Picasso in 1941 and the painting "Maqamat al-Hariri" by Yahya b. Mahmud al-Warsiti in 1237 *Hijri* or in detail known as "The Eastern Isle". It seems that this resemblance is just a coincidence because both are more concerned with deforming realist objects.

Another Picasso painting entitled "Guernica" which was made in 1937 and this painting can be categorized as a painting to uphold the greatness of Protestant Christianity because it is thought to have a mission to awaken people from anxiety and despair (Tillich, 1972: 68). More than that, it is as if this painting also encourages people to be more courageous in facing a paradox, namely by giving the truth to sinners and inviting people to return to God. Ettinghausen said that this painting has similarities with the Taurus character in al-Qazwini's painting "Ajaib -al-Mahklukat" (The wonders of creation) in the XVIII century (Ettinghausen, 1962: 183).

6. Conclusion

Modern Western art, which was pioneered in the early XVIII century, has undergone an increasingly complex development. Initially this development was marked by a conflict, namely the occurrence of the Crusades and continued with cultural competition. This incident also resulted in the mixing of Western culture with Middle Eastern culture, especially in this case between Islamic art and Western or European art.

From a historical point of view, the inclusion of Islamic inspiration in the development of art in Europe is also based on almost the same cultural traditions. In this case, it is based on the characteristics and cultural systems

between Christianity and Islam, as categorized as Semitic Religion and Judaeo Christiani. This equation is also evidenced by the use of symbols related to religion as well as in designs called patterns.

Islamic art has no scriptural basis. Not sourced from the Qur'an or hadith. But it has a very Islamic character. The nascent Islam did not know art. Arab traders and caravan leaders had contacts with Byzantine and Persian civilizations. But their interest in weapons, knick-knacks and fabrics makes aliens the most artistic creations they can admire on their travels. They maintain their ancient pastoral life. The abandonment of the primitive Arab environment and the confrontation with the artistic heritage of the newly conquered or converted peoples compelled them to create art in accordance with Islam. Islamic art is made in the style of accumulated Arab, Persian, Mesopotamian and African traditions with Byzantine inspiration and developed on it a unique Islamic style in accordance with Islamic teachings.

The application of Islamic art as a source of inspiration for expression by Western painters is an awareness of appreciation for external values. This is evidenced by several Western painters who went to visit Islamic countries to study and broaden their horizons. Until now, Islamic inspiration is strongly dominated by several modern painters such as Delacroix, Paul Klee and Pablo Picasso.

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China's Responses towards The US Pivot to Asia: "The Dialectics of Hedging and Counter-Hedging"

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Abstract

The US pivot to Asia, which encompassed the strategy of shifting the US focus on deploying the strategic-military, diplomatic, and economic assets to the Asia-Pacific region, had generated enormous debates among scholars and Chinese state officials. Such development then raises questions about their responses to such a US strategy in Asia. In regards to this question, this article evaluates that the US pivot to Asia had devised two primary responses in mainland China, ranging from hardline and moderate stances in Chinese scholars and officials. The hardliners stood for perceiving the US pivot to Asia as a strategy to contain China's rise, which has multiple potencies to trigger an open confrontation. In contrast, the moderates viewed the US pivot to Asia through the elements of cooperation and competition. Despite these contentions, this article argues that the US pivot to Asia had further triggered China's increasing military, diplomatic, and economic capabilities. It also sees the Sino-American relations through dual track reciprocal relations comprising the competitive-negative and cooperative-symbolic elements which had been restraining each other from going into open conflict yet were still tensioning. Therefore, to further analyze China's responses, this article will simultaneously use the concept of hedging and the "use of force" by Art and Jervis.

Keywords: US Pivot to Asia, China's Rise, Sino-American Relations, Hedging, Balancing and Engagement, Chinese Scholars and State Officials

1. Introduction

After coming to power in early 2009, the Obama administration declared the US "return to Asia". After this announcement, the US made serial diplomatic manoeuvres such as frequent state visits by the US Secretary of State Hillary Clinton to Asian countries, signing the ASEAN Treaty of Amity and Cooperation (TAC), and participating in the East Asia Summit (EAS). Subsequently, in late 2011, the Obama administration institutionalized and crystallized its statecraft as the grand strategy of "the US pivot to Asia" or "the US rebalance to Asia" (Manyin 2012, 1). Through the US pivot to Asia strategy, the US explicitly announced that it wanted to reinforce its role in the Asia-Pacific region by shifting its strategic-military, foreign and economic policies focus toward Asia.¹ In his Presidential remarks to the Australian Parliament in November 2011, President Obama emphasized that the US would play a more significant and extensive role in moulding the future directions of the

¹ The context of the Asian region was set to encompass Australasia, Southeast Asia, and the coastal areas of South Asia and East Asia.

Asia-Pacific region. Furthermore, the US National Security Advisor explained the fundamental goals² of this policy was to advance the US interests in the region (Donillon 2011). Essentially, this strategic shift to Asia was motivated by several crucial developments, ranging from 1) the shift of world economic gravity towards the Asia-Pacific region; 2) the rise of China's strategic, military, and economic might, which were followed by its assertiveness over its territorial claims in the Asia-Pacific region that might obstruct the freedom of navigation and the US power projection in the region; and 3) reassurance of the US allies in Asia in regards of the American credibility and leadership. Following these developments, since late 2011, the Obama administration had materialized the US pivot to Asia strategy by 1) increasing its military presence in the Asia-Pacific broadly and flexibly³; 2) sustaining and reemphasizing its participation in East Asia Summit (EAS); and 3) advancing the realization of the Trans-Pacific Partnership (TPP) as the US-Led Free Trade Agreement (FTA) in the Asia-Pacific region (Manyin et al. 2012, 1-2). Concurrently, the implementation of the US pivot to Asia has also generated huge concerns and enormous debates in China over its consequences on China's position in world politics. As a result, it has been responded to by both state officials and scholars differently. Pertaining these distinctive responses, the concept of hedging⁴ which comprises the "balancing and engagement" policies, then would be best to interpret the action and reaction of Sino-American relations regarding the US pivot to Asia strategy. While the US pivot to Asia is considered a hedging strategy towards China, China's responses per se are a counter-hedging strategy (Hemmings 2013). The article will further analyze these hedging and counter-hedging relations through strategic-military, economic, and diplomatic realms. In the strategic-military and economic realms, Sino-American relations are considered more competitive, and meanwhile, in the diplomatic realms, their relations are viewed to be more cooperative. In addition, the concept of "the use of force" (Art & Jervis 2007, 141-147) is also used to explain the Sino-American relations in the strategic-military realms. The US strategic-military pivot to Asia is perceived to cultivate the deterrent use of force against China. On the other hand, China per se capitalizes the defensive and swaggering use of force. Accordingly, this article explores further the dialectics of hedging and counter-hedging in US-China relations in the context of China's response to the US pivot to Asia strategy.

2. Method

This article employed an argumentative qualitative research method based on the concept of hedging strategy and the use of force in international politics, which is briefly explained in the introductory part of the article, aiming to discuss the conflictual and engaging relations between the US and China through the framing of dialectics of US-China hedging relations. With this aim, the research for this article was conducted through literature reviews, acting as a data collection method for analysis exploration related to the issue discussed. The data collected was mainly from intensive and extensive internet research to find secondary references that include journals, news, reports, books, China and the US official government websites, and other kinds of literature that might be helpful to sharpen the article analysis.

3. Results & Discussion

3.1 China's responses to the US pivot to Asia: Strategic-Military Realms

² Tom Donillon further explained that the US fundamental goal in the pivot to Asia consisted of engaging in the process of norms and rules construction in the Asia-Pacific region, assuring the state's compliance with the international laws and norms, ascertaining that the commerce and freedom of navigation are not obstructed, encouraging the emerging power to build confidence and trust with their neighbouring countries, and any disagreements in the region are settled by peaceful means and avoided any threats or coercion from happening.

³ The US pivot to Asia in strategic-military realms is pursued by strengthening the military capacity of its formal alliances and strategic partners in the Asia Pacific, such as Australia, Japan, South Korea, Philippines, and Singapore, through extending the number of troops deployment, naval deployment, as well as constructing new dimensions of military cooperation. In detail, this was done by deploying up to 2,500 rotational troops at Darwin, Australia, 40,000 troops in Japan, 16,000 floating troops near Japan, 28,500 troops in South Korea, and 500 rotational troops in the Philippines, and 4,500 troops in Guam. Additionally, the US also stationed four of its littoral combat ships in Singapore. Moreover, The US also notified the international community of its plan with Australia to allow greater access of the US Navy and the US Airforce towards the Australian naval base at Perth and Royal Australian Air Force facilities at any bases, respectively. These increasing military activities involved 1,850 aircraft, six aircraft carriers, 143 navy ships, six landing ship docks, four amphibious transport docks, 11 cruisers, 13 frigates, 31 destroyers, and 36 submarines.

⁴ Essentially, the hedging concept means that the states take a risk by simultaneously undertaking two contradictory policy directions towards another state through balancing and engagement. The states do balancing as a preventive measure for the worst scenario (e.g. maintaining a robust military capability (internal balancing) and establishing and reinforcing alliances (external balancing)) and coincidentally preparing for the desired result through engagement (e.g. expanding and deepening diplomatic relations, establishing trade blocks and networks, and forming binding regional and multilateral architectures).

The US pivot to Asia triggered two significant responses in mainland China: the hardline and the moderate responses in Chinese scholars and officials. These responses were backdropping by several preceding cases which involved China and the US coincidentally, such as the US arms sale to Taiwan in 2010, the US military joint exercise at the sensitive sites in the Asian-Pacific region, and the US intervention in the South China Sea disputes (Wang & Yin 2014, 67-70). After announcing the US Pivot to Asia in 2011, the debates in mainland China were even further intensified as the US relocated 60 percent of its military power in the Asia-Pacific region (Bakrie 2013).

Initially, the response of mainland Chinese at the beginning of the US strategic turn to Asia came from Dai Qingcheng (2009), that criticized the US policy in the realist paradigm. He argued that the US military alliance enhancement with Japan and South Korea was the strategy to contain China's rise through encirclement and blockading. Following its institutionalization as the US pivot to Asia strategy, it was also then harshly criticized by Liu Jiangfei⁵ (2010) as a form of containment circle by portraying the placement of the US military bases surrounding China's outer edges⁶. Furthermore, harsh criticism was also conveyed by Maj. Gen. Luo Yan from PLA. He perceived the US joint military exercises under the US pivot strategy as a form of intimidation to mainland China. He even reaffirmed that there was a potency for China to draw its "sword" and exert graver repercussions than just flexing muscles if the US continued its military drills near the territorial boundaries of China (Wang & Yin 2014, 72-76). These hardline-realist-confrontational perspectives and responses were paramount among the Chinese strategic circles, both scholars and officials. They perceived the US pivot to Asia as a zero-sum game and a strategy to perpetuate its hegemony in the Asia-Pacific.

In contrast to the hardliners, the moderates saw their reactions exaggerating the problems. The moderates argued that the US pivot to Asia was not a threat to China. For instance, Shen Dingli⁷ (2009) argued that China should not be worried about the US pivot to Asia as the US per se has lodged to the multilateral security architecture in the region. He further emphasized that there would be no containment by the US if China is still on its track to peaceful development. Another scholar, Yuan Zheng⁸ also argued that the US shift to Asia was not targeting China's rise, but it was just a way to deal with pressing regional issues, such as North Korea's nuclear proliferation and territorial disputes over the East and the South China Sea. He contended that the US just wanted stability in the region to assure that there were no obstructions to commerce and freedom of navigation (Wang & Yin 2014, 66). The meeting between President Obama and Xi Jinping in June 2013 reinforced moderate stances. Subsequently, after the meeting, Chinese officials explained to the broader public that Sino-American relations were good (Sutter et al. 2013, 2). Wang Yi, the current Chinese Ministry of Foreign Affairs, in his speech in Davos 2014, also reaffirmed that China had no problem with the US pivot to Asia strategy. He viewed that the US and China could cooperatively and constructively engage in the Asia-Pacific region. Furthermore, he even proposed a possible new model of major-country relationships to deal with the overlapping interests and problems that occurred along the way (Zhang 2014).

Regarding the responses of the hardliners and the moderates, both state officials and scholars, it is found that the moderate responses are more predominant than the hardline responses. However, China's responses in the context of the US pivot to Asia in strategic-military realms are going beyond that contentions. They are neither confrontational nor moderate, but they are better to be understood as a competitive-negative relation in the element of hedging strategy. Essentially, the US pivot to Asia had been the strategy to deter China's assertiveness in the South China sea over its territorial claims (Krepinevich 2015, 78). Consequently, this US strategy released a sense of insecurity and perception of the possible US containment of China (Johnson 2015). As a result, the US pivot to Asia triggered China to increase its military capabilities. Concurrently with the intensified US pivot to Asia, the Chinese government expedited its military hardware modernization by increasing its spending on the annual military budget. In 2015, China increased its military budget by 10%, which reached around \$145 billion. China became the second largest military spender after the US (Wong & Buckley 2015). Nevertheless, China was

⁵ Li Jiangfei is a foremost military expert in China and a Modern Navy associate editor (PLA Affiliated Military magazine).

⁶ The US military bases surrounding China's outer edges span Japan, South Korea, Guam, Australia, and the Indian Ocean.

⁷ Shen Dingli is a foremost scholar in international relations and the Center for American Studies Director at the University of Fudan.

⁸ Yuan Zheng is a senior research fellow at the Institute for American Studies, Chinese Academic of Social Sciences.

different. It increased its military capabilities for the defensive and swaggering use of forces. Moreover, it did not intend to deter the US but to balance the US hedging strategy. At this juncture, China's reactions could be said to be a form of internal balancing against the US pivot as it emphasized improving internal military capabilities against the perception of external threats. This China's reaction could be seen in China's military parade on September 3rd, 2015, which had been reckoned to be the most successful one. China sent several messages to its citizens and international communities through this parade. First, the military parade depicted China has modern military capabilities that can defend its national interest. It also leveraged the national pride and dignity of the Chinese, who had experienced a century of humiliation by Japan and Western powers. Second, China can be a great competitor of the US military. Interestingly, it also announced its cuts by 300,000 on its troop personnel through the parade. It had sent a message that its military might would not be a threat to the other countries in the region. It was how China showed its benign gesture to reduce its neighbour's suspicions and reassure them of its peaceful future (Chen 2015). For China, having a good profile and international image has been paramount for its future role in world politics (Shambaugh 2015, 99). Coincidentally, this had also indirectly countered the US pivot strategy, which provocatively labelled China as assertive.

Therefore, in the strategic-military realms, it is clear that the US implemented a hedging strategy by increasing its military presence in the region to deter China. Meanwhile, China countered the US hedging strategy competitively through internal balancing, comprising the efforts to modernize its military hardware and consistently increase its annual military expenditures. These sorts of Sino-American relations are not confrontational yet tensioning toward the international politics in the Asia Pacific.

3.2. China's responses on the US pivot to Asia: Economic Realms

A critical part of the US pivot to Asia strategy was advancing broader regional integration agenda in Asia-Pacific through TPP. The Obama administration had focused on the TPP to advance its international economic relations in Asia, particularly in trade and investment. Similarly, the US economic pivot to Asia through TPP has also stimulated great debates in China in economic realms.

In economic realms, mostly Chinese scholars took hardline stances by criticizing the possible negative impacts of the TPP on China's economic rise. They argued that the TPP had just posed a challenge to China's efforts to advance regional integration in the Asia-Pacific region. Furthermore, TPP was the way for the US to maintain its economic grip in the region by weakening China's economic cooperation and political influences with the countries in the region (Wang & Yin 2014, 78). Gu Guoda⁹ even argued that the US economic pivot was a containment strategy towards China's rise and intended to alter the existing regional economic architectures in the Asia-Pacific region. Tang Guoqiang¹⁰ even harshly labelled the US behaviour in the TPP as a "selfish hegemon" (Ye 2014).

Contrasting the hardline stances, Wang Zhile¹¹ argued that China should join early and actively participate in the TPP negotiation process. He believed it would assist China in bolstering the momentum of its institutional economic reforms. It was also crucial for avoiding marginalization and acquiring a more significant say in shaping the rules of international economic and trade governance (Wang & Yin 2014, 79). Nevertheless, this argument was too biased toward the US position. Chinese officials shared the more moderate stances. Initially, the Chinese officials were also suspicious and doubted the US intention of advancing the TPP process. Nevertheless, in the latter development, Chinese officials took an open and flexible position toward TPP (Xiaotong 2014). The Chinese Premier Li Keqiang reaffirmed that China was open-minded toward the TPP despite its activism in advancing Regional Comprehensive Economic Partnership (RCEP) negotiation. He asserted that TPP and RCEP could run parallel despite their distinctive features. For him, this case was similar to how RCEP coexisted with China's existing Free Trade Area (FTA) with ASEAN and South Korea. The most important thing for China is how these

⁹ Gu Guoda is a Chinese economics scholar from Zhejiang University.

¹⁰ Tang Guoqiang is the Foremost International Economist from Fudan University.

¹¹ Wang Zhile is a senior researcher at the Chinese Academy of International Trade and Economic Cooperation, which affiliated with the Chinese Ministry of Commerce (MOFCOM)

regional economic integration initiatives augment the trade liberalization and economic globalization in the region following the rules of the WTO (Financial Times 2015).

The responses, as mentioned above, of the Chinese officials and scholars were contradictory. Nevertheless, they were essentially the same. The Chinese officials showed the international communities its sober-minded profiles and benign gestures through their cooperative attitudes toward the TPP, though they were just rhetorics and symbolics. The sense of competition innately existed in China's regional integration agendas. Regarding the TPP, China balanced it by promoting the RCEP with the ASEAN countries. Moreover, from 2013 to 2015, the Xi Jinping administration initiated an economic breakthrough in expediting broader regional integration and economic liberalization agenda, such as The New Silk Road initiative, which encompasses the Silk Road Economic Belt (SREB) and 21st Century Maritime Silk Road (MSR)¹² and the Asian Investment Infrastructure Bank (AIIB) (Wang 2015). Besides those two new initiatives, China also revived the Free Trade Area of Asia and the Pacific (FTAAP) initiative and intensified the negotiation of bilateral FTA agreements with its neighbour (Rabena 2015). The most important thing to be notified in the regional integration agenda is actually about inclusion and exclusion. It is found that the TPP negotiation excluded China. Meanwhile, the RCEP, down to the New Silk Road and AIIB initiatives, excluded the US (Fensom 2015). This development shows how China responded competitively to the US economic pivot to Asia. China reaches the European markets through the New Silk Road initiative beyond the Asia-Pacific region. In this initiative, China focuses on encouraging greater interconnectivity and infrastructure. Compared with the TPP, the New Silk Road initiative has overstepped it as the Xi Jinping administration seriously pushes the realization of the initiative through robust financial backups from the AIIB.¹³ China, by far, had committed to subscribe a \$50 billion initial fund to the AIIB (Boten 2014). It had also allocated a particular "Silk Road Fund" valued at \$40 billion to address the infrastructure projects along the belt and road (The Economist 2015). Xi Jinping's active push towards all the initiatives mentioned above could be perceived as China's economic hedging towards the US and would fundamentally undermine the existence of the TPP and American economic leadership and influence in the region.

3.3 China's responses to the US pivot to Asia: Diplomatic Realms

The quiet relaxing part of China's responses to the US pivot to Asia would be in diplomatic realms as both the US and China engaged constructively through the entangling bilateral and multilateral diplomacy in the Asia-Pacific region. Through the pivot to Asia strategy, the US per se bolstered its engagement in the Asia-Pacific region's regional security and economic institutions, such as EAS, ARF, and APEC (Manyin 17, 2012).

Regarding the US diplomatic pivot to Asia, President Xi Jinping welcomes the US constructive engagement in advancing prosperity, stability, and peace in the region as long as it respects China and other countries' concerns and interests. Moreover, China's former Premier Wen Jia bao considered that the US pivot to Asia did not corrode China's external environment needed to continue its peaceful development. Such diplomatic constructive engagement could be seen in the open and flexible responses towards the US of the China-US formal dialogues, which reached more than 90 formal dialogues (Sutter 2013, 16). In addition, Chinese Foreign Minister Wang Yi, in his address to the 69th United Nations General Assembly (UNGA), also reaffirmed that the issue areas of US-China cooperation have been widening and deepening. Therefore, they must be dealt with constructive and cooperative engagements by both the US and China (Glaser & Vitello 2015, 1-2).

The engagement element of hedging within Sino-American relations was intensified in the diplomatic arenas. China and the US even engaged in multilevel diplomacy, which covered multilateral, regional, and bilateral diplomacy. Through these ways, they sought opportunities to expand and deepen their cooperation despite competition in the strategic-military and economic domains. In fact, at the beginning of Obama's second term of administration, he intensified the US's high-level engagement with China by sending its top officials to Beijing to

¹² The SREB aims to link China with Europe via Western and Central Asia. Meanwhile, the MSR aims to link China with Southeast Asian countries, Europe, Africa and South Pacific via the South China sea.

¹³ The AIIB will finance the infrastructure projects under the New Silk Road initiative to encourage excellent connectivity and diminish trade barriers in the region. The AIIB articles of the agreement have been signed by 57 countries, including those with a formal alliance with the US, such as Australia, France, Germany, Italy, the UK, Kanada, New Zealand, and South Korea.

strengthen the relations (Sutter 2013, 16). Furthermore, the engagement level went to a higher level through the Presidential Summit between Obama and Xi Jinping at Sunnylands, California, in June 2013 (Glaser & Vitello 2013, 1). President Obama continued to conduct this summit again in 2014, and on September 25th, 2015, he hosted Xi Jinping to discuss and deliberate the issues impacting the interests of the US and China on bilateral, regional, and global levels (BBC 2015). Reciprocally, Obama also visited China in 2014 through a regional platform such as APEC Leaders Meeting 2014, which the Chinese government hosted. Due to these simultaneous meetings, China and the US reached several agreements ranging from Confidence Building Measures (CBM) on the military, visa extensions, information technology, and climate change (Glaser & Vitello 2015, 1). Both are also engaged in the Group of 20 (G20) at the global level. The recent deal that China and the US had made through the G20 mechanism is tackling climate change effects by capping and deeply reducing their emissions by 2025 (Taylor & Branigan 2014).

4. Conclusion

The US pivot to Asia had been a critical issue in mainland China as it had stimulated various responses and rigorous debates about its impact on China's international politics and economic relations. The Chinese scholar's responses were pretty balanced between those who took a hardline position by arguing that the US pivot was the strategy to contain China and those who took a moderate position by arguing that the US pivot did not target China and believed in the inherent competitive and cooperative element of the US pivot to Asia. Meanwhile, the Chinese government's responses could be paradoxical as it had flexible attitudes, welcomed the US pivot to Asia, and will deal with the US constructively. However, China's behaviours toward the US pivot to Asia had been so competitive. In strategic-military domains, China strengthened its military capabilities through military hardware modernization and increased its military expenditures annually as a practical response to the increasing US military presence in Asia-Pacific. Meanwhile, in economic domains, it also progressively pushed new economic initiatives such as the New Silk Road and AIIB as the responses to TPP. These developments clearly show that the US pivot to Asia triggered China's increasing military, political, and economic might instead of limiting China's capacity to rise and develop. Overall, these Sino-American relations have been understood in the dialectics of hedging and counter-hedging, which cover the contradictory policy directions of "balancing and engagement" between China and the US.

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Analyzing the What and How of United States Foreign Aid to Israel 2017-2020

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Abstract

The United States and Israel are two of the countries with the most unique relationship. The relationship between the two countries can be traced back to the very beginning of Israel's statehood. For most of modern history, a lot of conflicts involving Israel have erupted in the Middle East, some of which have endangered Israel's very existence. The unique relationship between the two countries has led the United States to view Israel as its main ally in the Middle East. Therefore, it is important for the United States to help Israel ensure its survival in this conflict-ridden region. One U.S. effort involves its foreign aid to Israel. Through this study, the authors attempt to explain the form and process of U.S. foreign aid to Israel in 2017-2020. This paper uses a qualitative method, with the data collected using document and internet-based methods. The primary data that are being used here are documents and reports on US foreign aid to Israel from 2017 to 2020 published directly by the US government. The findings show that the United States provided Israel with substantial military and non-military foreign aid in the period 2017-2020, and that the process of providing this aid is also progressing well.

Keywords: United States, US Foreign Aid, Military Aid, Non-Military Aid, Israel

1. Introduction

Israel and the United States have consistently had a close military relationship that reflects* shared security interests in the Middle East. A major purchaser and user of US military equipment, Israel is also involved in the joint development of military technology and is regularly involved in joint military exercises involving the United States and other countries. In addition, the United States also possesses a number of Israeli-owned military equipment that they not only use for training and testing purposes, but also for direct use by the United States armed forces.

The United States and Israel maintain a strong bilateral relationship for several reasons including strong domestic support for Israel and its security, common strategic goals in the Middle East, a shared commitment to democratic values, and historical ties since the creation of the Israeli state. United States foreign aid has been a major component in strengthening and reinforcing this relationship. Many United States politicians and lawmakers came to view Israel as an important ally in the Middle East, and the amount of aid the United States provided to Israel

has reflected that view. In the years following the 1973 Yom Kippur War, supporters of Israel launched a large and organized effort in the United States, to encourage bipartisan support for bilateral relations in the United States Congress, including United States aid to Israel. This effort is also known as the Israel Lobby (Sharp, U.S. Foreign Aid to Israel, 2022).

Israel has established close bilateral cooperation with the United States in various fields. The relationship between the United States and Israel is a mutually beneficial cooperation that strengthens the moral values and strategic interests of the United States, and promotes peace and stability. The United States' relationship with the Middle East's only democracy is one of the key pillars of the United States' regional security framework. Unlike other U.S. allies, Israel insists on defending itself, relying on U.S. assistance to provide Israel with the means and infrastructure to do so while advancing U.S. national security interests. This type of strategy is similar to what India has done with its foreign policy strategy in Indo-Pacific region. The Strategy, which is called buck-passing, aims to make some countries as proxies for its national interests (Juned, India's Foreign Policy in Indo-Pacific Region and Its Impact for Southeast Asia's Regional Interest, 2019). The strong bilateral relationship between the United States and Israel and increased bilateral cooperation in homeland security, cybersecurity, space, sustainability, and other areas help both countries and others around the world to meet the common challenges that arise in the contemporary era (Zanotti, 2022).

For most of modern history, the Middle East has been rife with conflict. Since the early nineteenth century, European powers have competed to colonize the region in an attempt to gain control of its natural resources and geostrategic location. Nearly two centuries later, the Middle East found itself a battlefield where superpowers and regional powers compete for territorial influence. The Middle East again became an arena of conflict after the Arab Spring phenomenon in the 2010s. Protests and uprisings that started as peaceful demands for democracy and freedom turned into civil and regional wars in many countries. The conflicts between Saudi Arabia and Iran in Lebanon, the West Bank and Gaza Strip, Iraq, Yemen and Bahrain have shaped the geopolitics of the region since the 2003 US invasion and occupation of Iraq. The presence of the Arab Spring phenomenon has intensified and made Syria also involved in this geopolitical contest (Salloukh, 2013).

2017-2020 was a unique period for bilateral relations between the United States and Israel. During this period, the United States was led by President Trump, who several times openly showed his pro-Israel stance. These include the United States' recognition of Jerusalem as the capital of Israel and the United States' recognition of Israel's sovereignty over the Golan Heights. In addition, Trump also supported many of the policies of Benjamin Netanyahu, who was the Prime Minister of Israel at the time. The United States' support for Israel is manifested in three different forms: political support, financial aid, and military aid. The United States and Israel have one of the strongest political and military alliances in the world. The United States' political support for Israel is not only about Palestine but also regional geopolitics (Erdoğan & Habash, 2020). The main factors at the core of the relationship are that the United States and Israel share common values, interests and goals in the Middle East.

Next, the author will present several literature reviews consisting of previous studies regarding foreign aid in general and objectives behind the US foreign aid to Israel. Robinson & Tarp (2000) stated in their study that throughout history, there had been several justifications for why a country gives foreign aid, namely altruism, political ideology, foreign policy, commercial interests, and economic development. Another study on the reasons behind foreign aid from Lancaster (2007) also more or less concur with what Robinson & Tarp (2000) had said. According to Apodaca (2017), when it comes to international politics, foreign aid is used primarily to promote geostrategic interests, to maintain friendly relations with foreign governments, to strengthen alliances, or to keep allied regimes in power. The following studies from Ali (2013) and Blankenship & Joyce (2019) share the same opinion regarding the objectives of US foreign aid to Israel. Both studies state that the US foreign aid to Israel is primarily driven by political and geostrategical reasons rather than economic reason.

2. Methodology

This paper uses a qualitative method, with the data collected using document and internet-based method (Bakry, 2019). Primary data used are documents and reports on US foreign aid to Israel from 2017 to 2020 published

directly by the US government through one of their research institutions. This primary data will be supplemented by secondary data from books, journals, previous research, news, and articles that discuss US foreign aid to Israel. To analyze and interpret the data that has been collected, the author uses the analysis technique by Miles, Huberman, and Saldaña (2014) which includes data reduction, data presentation, and data verification.

3. Theoretical and Conceptual Framework

3.1 Foreign Aid

Broadly speaking, foreign aid is the international provision of capital, goods, or services from a country or international organization for the benefit of the recipient country or its people. Such assistance can be economic, military, or humanitarian. Foreign aid can involve the provision of financial resources or commodities (for example, food or military equipment) or even technical training. The Development Assistance Committee (DAC) of the Organization for Economic Cooperation and Development (OECD) defines foreign aid as a flow of resources provided by official institutions on concessional financial terms with a view to promoting economic development (Organization for Economic Co-operation and Development, 2022). Resources can be economic in nature, such as financial contributions, but can also include technical assistance and commodities (such as food aid or agricultural equipment). The cost of humanitarian assistance in peacekeeping operations may also be considered foreign aid. Some countries include the gift or sale of military equipment as foreign aid.

When it comes to international politics, foreign aid is used primarily to promote geostrategic interests, for the right to build and maintain foreign bases, to strengthen alliances, or to keep allied regimes in power. Foreign aid is also used to maintain friendly relations with foreign governments. Foreign aid facilitates cooperation, and builds strong alliances for several reasons. First, foreign aid can be used to keep a country as an ally. By economically or militarily supporting a friendly foreign government, the giving state can prevent the receiving state from falling into the enemy's camp. Second, foreign aid can be given in an attempt to gain foreign allies. And third, foreign aid can be used to win the hearts and minds of the population (Apodaca, 2017).

While foreign aid has several purposes, not least of which is the desire to improve human welfare, the primary reason for the allocation of foreign aid is to pursue foreign policy objectives. The strategic and commercial interests of donor countries are the primary drivers behind many foreign aid programs. Foreign aid is therefore one of a number of tools that policymakers can use to advance their foreign policy objectives. Foreign aid also allows the giving country access and influence in the domestic and foreign affairs of other countries. Tarnoff and Lawson report that US leaders and policymakers view foreign aid as an important instrument of US foreign policy that is increasingly linked to national security policy (Tarnoff & Lawson, 2016).

3.2 Bilateral Relations

Bilateral relations are a basic element of international relations. The central role of bilateral relations in diplomacy can then be explored through its strategic role in promoting national interests and international negotiations. Through foreign ministries, embassies and consulates, bilateral diplomacy indeed remains the best tool to pursue a country's interests, whether through trade and investment, by promoting a country's image and culture, or by communicating with the diaspora. Moreover, bilateral relations are an important phase for engaging in international negotiations, as common interests are first developed at the bilateral level to build coalitions and more effectively highlight those interests in multilateral negotiations.

There are different types of relationships that occur in a bilateral relationship, from friendships and special relationships to hostilities and other conflictual relationships. Bilateral relationships may also be symmetrical or asymmetrical, involve dependencies or interdependencies, be institutionalized or not, consensual or not, new or old, and be based on shared interests and/or values. Pannier classifies a bilateral relationship into two types: privileged bilateral relations (cooperative relations) and conflictual Bilateral Relations (conflictual relations) (Pannier, 2020).

4. Results

4.1 United States Foreign Aid to Israel

United States foreign aid is assistance provided by the United States to other countries. Foreign aid is the largest component of the international budget and is viewed by many members of the United States Congress as an important instrument of United States foreign policy. For national security, commercial, and humanitarian reasons, U.S. foreign aid flows through many U.S. federal agencies and supports a variety of objectives. These objectives include promoting economic growth, reducing poverty, enhancing cooperation, expanding access to health care and education, establishing stability in conflict areas, countering terrorism, promoting human rights, strengthening allied countries, and curtailing the production and trafficking of illegal drugs. Most United States foreign aid is administered by the United States Agency for International Development (USAID), the Millennium Challenge Corporation (MCC), the United States Department of State (DOS), the United States Department of Agriculture (USDA), the United States Department of the Treasury (USDT), the United States Department of Defense (DOD), or through multilateral organizations (Morgenstern & Brown, 2022).

It has been mentioned earlier that most US foreign aid to Israel takes the form of military aid. This is mainly due to the United States' commitment to Israel's qualitative military edge (QME) that dates back to Lyndon Johnson's presidency. The United States considers Israel to be its most valuable liberal representative and ally in the Middle East, and, as such, Israel's presence in the region is a vital part of the United States' national interests. In order to ensure Israel's survival among countries that have long disliked its existence, Israel must be able to defend itself militarily and deter potential aggression. In this endeavor, Israel will always be quantitatively outnumbered in terms of artillery, tanks and planes that a coalition of Arab states can deploy. Israel's continued survival can be ensured only if it is able to maintain a qualitative military advantage, relying on superior weaponry, tactics, training, leadership and other factors of military effectiveness to confront and defeat its quantitatively superior adversaries in the Middle East.

In addition, there is the threat from Iran, which has become more visible recently. Iran poses a threat to the United States and Israel because of its sponsorship of terrorism, support for the insurgency in Iraq, and efforts to develop weapons of mass destruction. Iran's aggressive foreign policy and hegemonic aspirations, as demonstrated by its assistance to militants in Iraq, Lebanon, Afghanistan and the Palestinian territories, further attest to the threat to regional stability posed by Iran. Over the years, Iran has used terrorism as a means to project power and counter its enemies in the Middle East. The US State Department has even named Iran as the most active state for sponsoring terrorism, stating that the Ministry of Intelligence and Security and the Islamic Revolutionary Guard Corps (IRGC) provide Hezbollah terrorist groups in Lebanon and in Palestine especially Hamas, Palestinian Islamic Jihad (PIJ), al-Aqsa Martyrs Brigades, and the Popular Front for the Liberation of Palestine with funds, safe havens, training, and weapons (Wunderle & Briere, 2008).

Technological development is the next concern Israel has. Although Israel currently has a convincing qualitative military advantage over its adversaries, new technologies from drones, missiles and cyber will threaten that advantage. Israel's main adversaries have sought to mask their relative military weaknesses through new technologies. For example, Hamas has used small drones to attack Israel. Hezbollah is also trying to gain access to precision missiles that will pose new threats to Israel's security (Sachs & Huggard, 2020). Israel's adversaries will be able to increase their ability to threaten Israel due to the emergence of several new technological innovations. Automated or unmanned vehicles, whether on the ground or in the air, allow Israel's enemies to gain a tactical advantage in penetrating defense layers. Cyber warfare offers new alternatives for attacking targets, and allows attackers to more easily conceal their identity. For state and non-state actors alike, such attacks are particularly attractive given the low effort involved. If indeed cyber defenses prove to be resilient, follow-up cyberattacks can be carried out without much effort.

When associated with the concept of foreign aid proposed by Robinson and Tarp (2000), it can be seen in the case of US foreign aid to Israel that the main reason the United States wants to provide foreign aid is for reasons of foreign policy and national security. National security in this case includes not only the domestic United States

but also its allies. In recent years, several new threats to Israel's security have emerged. These threats come not only from state actors but also from non-state actors. The biggest threat mainly comes from state actors, namely Iran. As the United States' main ally in the Middle East, Israel must be able to maintain its existence in the region. The United States realizes that with the emergence of this new threat, Israel will not be able to maintain its existence without their help. Therefore, in an effort to help Israel in this regard, the United States provides foreign aid to Israel.

According to the author's analysis, the provision of foreign aid from the United States to Israel is also a manifestation of the close bilateral relations between the United States and Israel that have existed since the formation of the state of Israel. The author mentions that there is a relationship between the concept of foreign aid and the concept of bilateral relations that the author uses. In this case, foreign aid is an implication of a bilateral relationship. The bilateral relationship formed between the United States and Israel is a privileged bilateral relationship formed due to proximity and shared history. It is important for both countries to maintain the bilateral relationship because the relationship they have established is in the national interest of both countries. To realize this effort, the United States also provides foreign aid to Israel so that the bilateral relationship between the two countries can effectively face the threats mentioned.

The provision of foreign aid by the United States to Israel is also in line with the United States' long-standing commitment to Israel's qualitative military edge (QME). This commitment has been in place since the 1970s to ensure that Israel is able to defend itself militarily and deter potential aggression from its enemies (Wunderle & Briere, 2008). US foreign aid, especially in the form of military aid, plays a very important role in realizing Israel's QME. Through this military aid, Israel can obtain advanced and capable military equipment from the United States. The presence of these equipment in the Israeli military will certainly strengthen Israel's military superiority over its enemies, which as a result will become Israel's instrument for deterrence.

4.2 Forms of Foreign Aid

4.2.1 Military

Military aid is aid used to assist a country in its defense efforts, or to help a country maintain control of its territory. This aid can be given to a foreign country in the form of money to buy weapons and equipment from the donor country. In the case between the United States and Israel, the military aid Israel received in 2017-2020 included the F-35 Fighter, M1 Abrams APC, KC-46A Pegasus, Iron Dome, David's Sling, Arrow I, Arrow II, Arrow III, and United States emergency military supplies stationed in Israel (Sharp, 2020).

United States foreign aid to Israel is one of the United States' efforts to fulfill their commitment to Israel's qualitative military edge which will ultimately help Israel maintain its existence. The United States and Israel are aware that quantitatively, Israel will not be able to surpass the military power of its enemies, most of which are Israel's neighbors. Moreover, there is a new threat from Iran with its nuclear and ballistic missiles.

New military technologies, meanwhile, will threaten to influence and even make Israel's qualitative military advantage irrelevant. This will make non-state actors and weak states a serious threat over the next 10 to 20 years (Sachs & Huggard, 2020). The falling cost of unmanned systems and weapons, from easily coordinated drones to a plethora of precision missiles that can overwhelm Israel's missile defenses, will pose a new threat to Israel, no matter how advanced its military is. The development and proliferation of cyber technology and know-how will also likely continue to play a large role in future conflicts. Israel's existence is also inseparable from the threat of terrorism. This threat is also the cause of providing military assistance in US foreign aid to Israel. Countries tend to cooperate in the military field when they realize that they are under the threat of terrorism (Juned & Saripudin, 2017).

According to the author's analysis, it is very important for the United States to continue to ensure that Israel retains a qualitative military advantage over its enemies. One of the things that the United States can and has done is to

help Israel militarily through their foreign aid. The United States' military assistance began with the transfer of military equipment such as the F-35 Fighter, M1 Abrams APC, KC-46A Tanker to US support for Israel's rocket and missile defenses. All of this military assistance is also in accordance with Israel's defense doctrine which is based on four main pillars: deterrence, early warning, active defense and rapid and decisive response on the battlefield (Sönmez & Batu, 2021).

4.2.2 Non-military

In addition to the military aid, US foreign aid to Israel for 2017-2020 also includes non-military aid consisting of Migration & Refugee Assistance, Loan Guarantees, American Schools and Hospitals Abroad Program (ASHA), and cooperation between the two countries in the scientific and business fields.

In Sachs and Huggard's opinion, there are several other factors that will make deep instability likely to continue in the Middle East in the next two decades. Climate change will probably be the most dangerous. The Middle East will in future experience more frequent droughts. Reduced flows in important rivers such as those in Syria and Iraq, rising sea levels that will threaten to flood low-lying areas of the Persian Gulf, rising summer temperatures that could make large parts of the Middle East uninhabitable. Combined, these extreme conditions among several countries in the region, including for some of the poorest and most densely populated countries, will increase the likelihood of economic crises, regime instability, and result in new large migration and refugee flows both in the directly affected countries and beyond, which could certainly pose a threat to Israel's security (Sachs & Huggard, 2020).

Because of these threats, the author mentions that the United States and Israel cannot just focus foreign aid from the United States on the military field alone. Although the amount is still relatively small, both countries seem to have realized the dangers of these threats and have begun to address them in US foreign aid to Israel. This can be seen in the non-military aid that the United States has provided to Israel, which deals with areas such as migration, economics, health, agricultural science, energy, and water. In modern times, the things that can threaten a country's security are no longer just traditional fields, but also non-traditional fields as mentioned earlier. Therefore, the United States' foreign aid to Israel in the non-military field is expected to help Israel maintain national security and maintain their survival in the Middle East as the United States' main ally in the region.

4.3 Process of US Foreign Aid to Israel

Based on the explanation above, it can be seen that most of the United States' foreign aid to Israel in 2017-2020 was military aid. The provision of military assistance must go through a fairly complex process first, especially for material military assistance. As previously explained, the United States provides this military assistance through a program called Foreign Military Financing (FMF). The FMF program provides grants and loans to help Israel buy weapons and defense equipment manufactured in the United States.

The process of acquiring this military equipment is a bit complex. First, the President of the United States must authorize the transfer of US defense equipment and services to Israel. Then, under the Foreign Military Sales (FMS) program, the US Department of Defense will acquire goods or services from US contractors on behalf of Israel. Next, through FMF, the US Department of Defense provides grants to Israel to purchase the US military equipment.

The Foreign Military Sales (FMS) program is part of the security assistance authorized by the Arms Export Control Act (AECA) and is a basic tool of US foreign policy. Under Section 3 of the AECA, the United States can sell defense equipment and services to foreign countries and international organizations when the President of the United States makes a determination that the prospective buyer is eligible. The FMS program is conducted through binding contractual agreements between the United States government and foreign buyers. These intergovernmental agreements to transfer defense equipment and services are called Letters of Offer and

Acceptance (LOA). The FMS process is complex and, in the case of defense equipment sales, can last for years. The stages of the FMS process are outlined in Table 1

Table 1: Foreign Military Sales (FMS) Process

Pre-Case Development	Preliminary Indefinite Time Period	<ul style="list-style-type: none"> • Customer identifies defense capabilities gaps • Customer researches options/sources • Customer refines requirements • Customer and U.S. exchange technical information
	Request Indefinite Time Period	<ul style="list-style-type: none"> • Customer prepares Letter of Request (LOR) in the forms of price and availability (P&A) and/or Letter of Offer and Acceptance (LOA) • Country Team Assessment (CTA) • LOR Channels of Submission • Security Assistance survey teams
Case Development	Offer 45-150 days	<ul style="list-style-type: none"> • DSCA receives and evaluate LOR DSCA Case Writing Division (CWD) finalizes LOA • DSCA-CWD countersigns LOA after DSCA HQ & Department of State (DoS) approval • DSCA issues LOA to customer
	Acceptance 85 days	<ul style="list-style-type: none"> • Customer signs LOA by Offer Expiration Date • Customer sends signed LOA and Initial Deposit to Defense Finance and Accounting Service – Security Cooperation Accounting (DFAS-SCA)
Case Implementation and Execution	Implementation 10-15 days average	<ul style="list-style-type: none"> • DFAS issues Obligational Authority (OA) • DSCA issues implementing directive
	Execution Longest phase: depends on delivery schedule	<ul style="list-style-type: none"> • Articles/services/training are ordered/contracted • Articles shipped and services performed • DSCA reports performance and deliveries to customer / DFAS-SCA
	Closure 2 years from completion of execution	<ul style="list-style-type: none"> • IA / DFAS / customer reconcile records • DSCA sends closure certificate to DFAS-SCA • DFAS-SCA issues final bill to customer

Source 1: (Defense Security Cooperation Agency, 2021)

After looking at the stages of the process that a country must go through to make a purchase through the FMS program, the author argues that these stages are too complicated. In the case of Israel, for example, the process of

purchasing the F-35 Fighter took six years (Sharp, 2016). Another example is the purchase of the KC-46A Tanker Aircraft, which can only be delivered to Israel in 2024 at the earliest (Cicurel, 2022).

While Israel had to go through the lengthy sales process, Iran, which since 2017 has become the biggest threat to the United States and Israel in the Middle East, has further strengthened its military capabilities with nuclear weapons and ballistic missiles. Iran's military area of operations has also grown significantly since 2016, when it began arming Hezbollah in Lebanon, which has since become a major threat to Israel. Iran is also building proxy forces in Syria, Iraq and Yemen, and developing increasingly precise missiles and other advanced weapons for them and Hezbollah (Stavridis, Wald, Gardner, & Obering, 2019).

Iran's hegemonic ambitions in the Middle East have also resulted in a broader arms race among Iran, Arab states and Turkey that further jeopardizes Israel's qualitative military edge. Despite the constraints imposed by economic sanctions, Iran's defense budget is more or less on par with Israel's. Iran has also spent years developing their sizable domestic arms industry, including to arm their proxies such as Hezbollah. While the quality of Iran's weapons production arguably lags behind that of Israel's, Iran is the largest producer of ballistic missiles in the Middle East while continuously improving the range, payload and accuracy of its ballistic missiles.

According to the author's analysis, these developments would raise the very real possibility of a major war between Israel and Iran that could spill over into much of the Middle East. If such a conflict were to occur, the entire territory of Israel would become the front line. Such a conflict would also result in unprecedented operational demands on Israel, including intense fighting on multiple fronts simultaneously. If Israel has to go through this lengthy process that could last for years every time it purchases military equipment through the FMS program, Israel's qualitative military advantage will be threatened. Strengthening Israel's military capabilities is critical and urgent to the national security of the United States. A strong and self-defense capable Israel is in the interest of the United States. With its own regional presence and uncertain future commitments, the United States is increasingly dependent on Israel to uphold Middle East stability and stop the growing aggression of their common enemies such as Iran.

Most Israeli purchases are made through the US government, which buys defense goods from US companies and sells them to Israel at a higher price. The alternative is direct commercial sales (DCS), where Israel buys equipment directly from US companies. DCS is considered a more flexible process, as the customer country can consult directly with the companies about the specific products and services it needs. The customer country can utilize more negotiating power regarding the type of contract, how the contract is defined, final delivery terms, and payment methods. United States companies do prefer DCS because it is more favorable to them and thus tends to speed up the delivery of goods to that customer country. However, generally foreign buyers, in this case Israel, have to go through an arduous process first to obtain a DCS license from the United States government. Therefore, Israel can make it a top priority to undertake and complete the DCS licensing process so that they can make direct purchases from Boeing (for KC-46A), Raytheon (for Iron Dome and David's Sling), and Lockheed Martin (for F-35) (Stavridis, Wald, Gardner, & Obering, 2019).

5. Conclusion

Foreign aid is the largest component of the international budget and many members of the US Congress view foreign aid as an important tool of US foreign policy. When the author explains the concept of foreign aid, he mentions that one of the reasons countries provide foreign aid is for foreign policy purposes. This reason is especially true in the case of US foreign aid to Israel. As the author has explained, Israel is not a poor or economically weak country, but rather Israel can be classified as a developed country with a very good economy. Therefore, it can be concluded that the provision of foreign aid by the United States is not for humanitarian purposes, altruism, or economic development, but to fulfill the foreign policy objectives of the United States.

In terms of numbers, Israel has been the largest recipient of US foreign aid since World War II. This is due to the United States' strong support for Israel and its security, the two countries' shared strategic goals in the Middle East, a shared commitment to democratic values, and the United States' support for Israel's independence. To date, the

United States has provided Israel with approximately \$146 billion in bilateral aid and missile defense funding. Currently, especially in 2017-2020, almost all of the United States' foreign aid to Israel comes in the form of military aid, although Israel has also received significant economic aid.

The provision of military assistance as part of the United States' foreign aid to Israel must first go through a fairly complex process, especially for material military assistance carried out through the Foreign Military Sales (FMS) Program. The United States can sell defense equipment and services to foreign countries and international organizations when the President of the United States makes a determination that the prospective buyer is eligible. The FMS program is implemented through binding contractual agreements between the United States government and foreign buyers. The FMS process is complex and, in the case of defense equipment sales, can last for years. In practice, the FMS sales process goes through three stages: pre-case development, case development, and finally case implementation and execution.

The author concludes that the form of US foreign aid to Israel consists of two fields, namely military and non-military. For the military field, Israel receives foreign aid from the United States in the form of the F-35 Fighter, Namer APC, KC-46A Pegasus, Iron Dome, David's Sling, Arrow I, Arrow II, Arrow III, and United States emergency military supplies stationed in Israel. In addition to the military field, Israel also receives foreign aid for non-military fields in the form of Migration & Refugee Assistance, Loan Guarantees, American Schools and Hospitals Abroad Program (ASHA), as well as cooperation between the two countries in the scientific and business fields. Regarding the process, the author mentions that the process of providing foreign aid in 2017-2020 has been going relatively well, although for the FMS program, there are a few obstacles due to the long duration of the FMS process. Nevertheless, the author still concludes that the form and process of US foreign aid to Israel in 2017-2020 are in line with the US commitment to Israel's survival. As a result, the provision of US foreign aid to Israel shows Israel's interdependence on the United States militarily and non-militarily. In addition, the continuous provision of foreign aid also shows the strengthening of bilateral relations between the United States and Israel. However, this interdependence can potentially be a negative thing for Israel if they cannot evolve their military equipment because they only expect foreign aid from the United States. Therefore, in this case, Israel must also be able to act independently.

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Government Effectiveness, Economic Growth, Religion and the Socio-Political Role of the Middle Class in Bangladesh

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Abstract

The objectives of the study are to develop an understanding of major changes such as the effectiveness of government, economic growth, religion, and the socio-political role of the middle-class people that have taken place in the society and politics of Bangladesh over the last few years. Apart from that this study also intends to analyze the crisis of the democratic system in Bangladesh and the widespread influence of religion on politicians of the society. In addition to that, the context of the developments of economic growth in Bangladesh has been significant over the last few decades, which has helped in the emergence and development of a new middle class in the country. In the past, it has been said theoretically and in the light of the experience of different countries that economic growth and development of the middle class simultaneously strengthen democracy and reduce the political appeal of religion in society and politics. All in all, this study attempted to present some hypotheses on the particular issues of Bangladesh.

Keywords: Democratic System, Government Effectiveness, Emergence, and Development, Secularization

1. Background

For those who follow the politics of Bangladesh closely and keep an eye on the events of the last few years, it is clear that two major changes have taken place in politics. One is the crisis of the democratic system in Bangladesh; the other is the widespread influence of religion on politics and society.

The crisis of the democratic system in Bangladesh is not new in the sense that the country has failed to make the democratic system permanent since independence. This situation is likely to change after 1990. But even in that case, the level of success in the first decade and a half was not promising. Many feared that Bangladesh would return in 1975, with the onset of indirect military rule in the wake of the 2008 political crisis. For those who view events from a long-term perspective, the reason for this apprehension is not only the history of Bangladesh but also the experience outside Bangladesh. Political scientists have seen in the experience of the last few decades that

a fragile democracy in any country cannot be sustained in the long run. The emergence of authoritarian regimes from 'fragile democracy' is more likely. In that context and based on Bangladesh's experience, it seems that the country is moving towards military authoritarianism. But soon it became clear that history was not repeating itself in Bangladesh. At the end of 2008, a civilian elected government was formed in the country through an election. It is assumed that Bangladesh has escaped the danger of authoritarian rule. But the change in the constitution and the behavior of the ruling party give different indications. Despite the boycott of almost all opposition parties in 2014, the ruling party held elections alone, leaving no opposition party in Parliament. Before that election and after the 2014 election, the ruling party has taken steps that are questioning whether it can be considered democratic, institutionally, or in essence. Considering the history of Bangladesh, it can be seen that the main message of the independence movement in Bangladesh was the desire for democracy. The three foundations of the liberation war of Bangladesh — human dignity, equality, and social justice — its essence is the assurance of equality and the democratic rights of all citizens. With this promise, even though the country became independent, democracy in Bangladesh has not only failed in institutional form, but now the question is whether the country has started its journey again despite its experience with several authoritarian regimes.

The second issue that has attracted the attention of researchers and in the discussion of society and politics of Bangladesh in 2016, whether it is in the media or at the policy-making level, is being discussed again and again is the significant role of religion in society and politics. The 1972 constitution of Bangladesh, declaring 'secularism' (also called 'secularism' in the Bengali version of the constitution) as a state principle and imposing a ban on the formation of religion-based organizations, found that the relationship between the state and religion was settled and settled. The walls between the two have been removed, and the direct influence of religion on politics and society has been removed. But since the late 1970s, restrictions on religion-based political parties have been gradually lifted, secularism as a state ideology has been abolished, religion-based parties have emerged in politics, Islam has been incorporated into the constitution as a state religion and religious symbols have been used regardless of party affiliation. In the nineties, not only did religion increase its influence in politics, but also its widespread and visible presence in society and daily life became noticeable. The number of Islamist groups increased and different types of Islamist groups — reformist, conservative, extremist, and violent extremist have been developed. Although the 15th amendment to the constitution, 'secularism,' has been reinstated in the constitution, the state religion Islam has remained in force and there is no sign of state neutrality on the question of religion. In addition, the presence of internal, regional, and global Islamist militant organizations began to occur. The most significant thing is the presence of Islam in social life. Instead of the long-standing dominance and influence of local and synchronic Islam in the society of Bangladesh, the influence of a literal and global interpretation of Islam became visible and growing.

Already 50 years have passed since the emergence of Bangladesh as an independent state in 1971. During this time changes have taken place in the state and society of Bangladesh. State formation is an ongoing process, so change is still ongoing and not uncommon. When it comes to the changes that have taken place in Bangladesh over the last few decades, the first thing that almost everyone says is that its economy is changing. According to PricewaterhouseCoopers, Bangladesh will be the 27th largest economy in the world by 2030 and the 23rd largest by 2050.¹ The size of the total economy will rise from 628 billion to 1324 billion and 3084 billion respectively (Jamal, 2016).

The background to my discussion, however, is these three aspects — large-scale or macroeconomic success, religion in the social sphere, and the continued shrinking of the democratic system in politics in terms of government effectiveness. My goal is to raise some observations and raise questions about the relationship between these three aspects.

2. Theoretical Framework

The state, society, and economy are not static or immutable; all these changes are normal. In addition, they are not isolated from each other but affect each other. It is not correct to assume that one will change but the other will

¹<https://www.businessinsider.com/pwc-ranking-of-biggest-economies-ppp-2050-2017-2> (Last accessed on 11 June 2022)

remain the same. Sociology has long debated which influences which. Those who believe in 'economic determinism' or economic determinism; and consider the economy, especially the production structure of a society and the relations of production as the basis, claim that change in the economy is the driver of other changes. Some Marxists follow this idea. There are also sociologists outside the realm of economic determinism who have emphasized economics. They have shown that it is not just a matter of internal economy, how any state is connected with the world economic system, what is its role in the global economy; it also affects different aspects of state structure and society, and plays a decisive role in certain cases. Those who have discussed the history of change in the structure of the world economy have shown that the expansion of capitalism as a global system and what role a state will play in that structure depends on the character, nature, and capabilities of the state.

Many sociologists believe that the forces that exist in society are not simply controlled by economic relations. They state that the prevailing customs, values, and behaviors of society play a decisive role in many ways. In their view, culture includes religion, faith, and education; some include caste and ethnicity. We can call them 'cultural determinants.' One of the major arguments in the sociologist Max Weber's book *The Protestant Ethic and the Spirit of Capitalism* (1904-5) is that Puritan ethics is the reason for the development and success of capitalism in Northern Europe. Weber discusses the context of society and economics with religion, and the sociology of religion, in three more books. If we consider religion as culture, then the question of culture is important, as is clear from Weber's statement. S. Huntington (1991) states in his most widely discussed 'Third Wave of Democracy' that most Protestant-majority countries established democracy before the 1970s. Many sociologists have used similar terms in their analysis of society, economics, politics, and states outside of Europe.

3. Literature Review

According to North (1990), "governments and institutions are humanly-devised constraints that shape human interactions and that affect the incentives of economic agents." The strong institutions as well as economic development are generally related to play critical roles in protecting societies from the economic perspective. According to a report by African Capacity Building Foundation (2018), "good governance¹ is a fundamental component of Africa's resurgence, as the structural change and tremendous task of socioeconomic development seem related to it." According to Zafar and Ali, (2017, pp-76), "Bangladesh lacks a political democratic culture, even in educational and political line spacing institutions democratic learning opportunities are not available. Rule of law is an absurdity in Bangladeshi democracy; the most trending political culture is to turn blind eyes to the real offenders and take action against oppositions."

On the other hand, in term of religion, economic and government effectiveness different observations have been argued which needs to be analyzed. Freedman (2009), "rising religious extremism, civil society can play a positive and constructive role in fostering tolerance between communities and religious traditions." According to Chaney, P., & Sahoo, S. (2020), the Bangladeshi context is similar to India for secularism refers not to the separation of religion and politics, but the peaceful coexistence of diverse religious communities and the exercise of religious freedom. Similarly, Cf. Sullivan et al., (2015), stated that religious freedom is a complex and contested concept one that is considered central to upholding values of secularism. Moreover, as Anis (2015, p. 17) has argued that secularism has had a beleaguered existence in Bangladesh. For many it has never meant a full separation of religion and state, but rather a peaceable side-by-side existence of different religious communities.

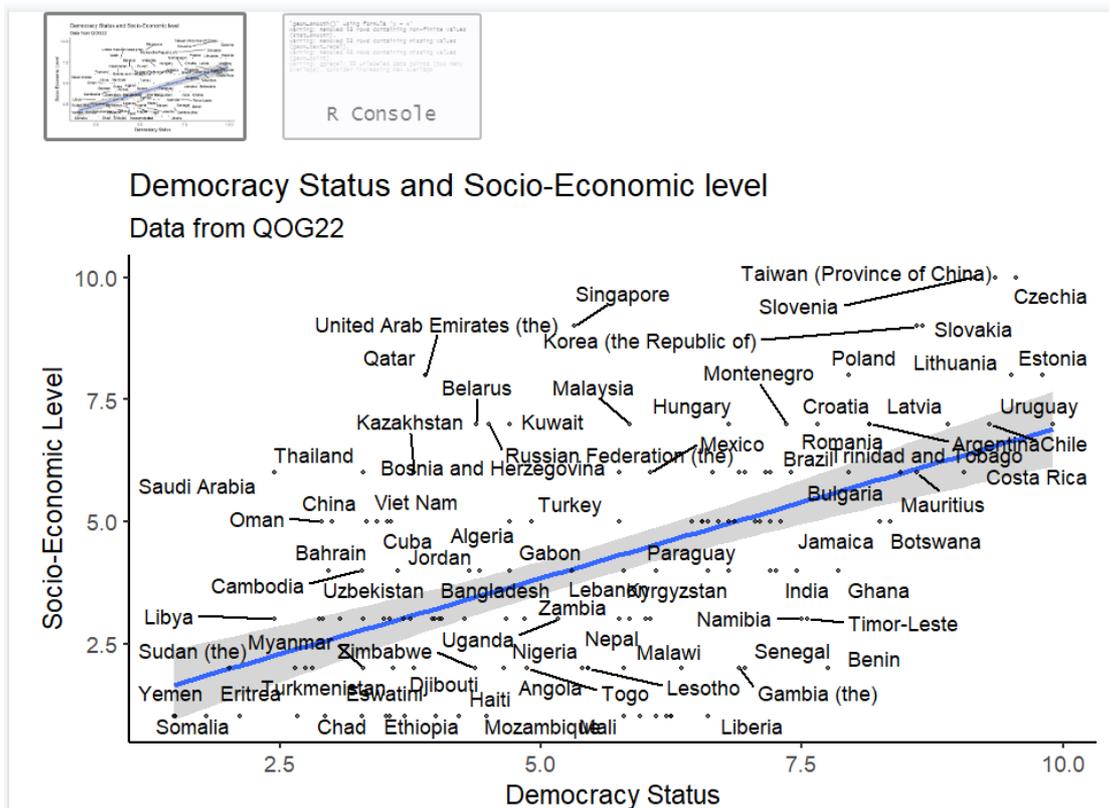
There are many observations have been made by different scholars regarding the same. According to Alesina and Rodrik (1994), the positive relativity between growth and investment which results to lower growth as income inequality increases. The income inequality in a particular country or region can bring the political conflicts in the society as well. Kazi, S. A. (2011), has pointed out that the income inequality, political conflicts, inefficiency of local administration, taxation fraudulent, corruption at government levels, cartel of business syndicates are barricading the country from prospering ahead and achieve development as it was supposed to have.

Regarding the development of a country, Dutta, N., Pal, S., & Roy, S. (2011) have observed that "relatively modern theories of economic development emphasize the role of social and political institutions in fostering economic development and growth."

On the other hand, Hasan, B., Sultana, M., & Hasan, M. N. (2014), have said that “it is crystal clear from evidence as well as pronouncement of our policy makers and international donors that Bangladesh’s improvement in the governance realm is not keeping pace with the progress achieved in some areas of economic and social policies. Such a gap in the country’s governance efforts implies that political regime management has become a central constraint to further consolidation of democracy as well as improvement of the quality of governance in Bangladesh as well.” Apart from that, it has been observed by other scholars in terms of losing power provided that the government fails to ensure the required security for the citizens. Uddin, M. A., et al. (2017, Pp-612), have argued that “if the government cannot ensure the basic services it provides for people, such as security and the possibility of procuring food and shelter, it loses the power to enforce laws and political instability ensues.” According to Khan, M. M. (1999), the bureaucratic corruption and inefficiency are taking a heavy toll on the Bangladesh economy, causing hundreds of millions of dollars' worth of loss in terms of unrealized investment and income.

4. Data Analysis

The hypothesis on the variables of practice of proper democracy allows having an economic growth and freeing to exercise of religious activities in the society of Bangladesh. However, to analysis the data, the below chart has been used which provides the information about the democracy status and socio-economic level in countries that are my independent and dependent variables.



These two variables indicate that good practice of democracy will bring positive effectiveness in terms of economic in a particular country. In addition to that, where the democracy is widely practiced without any barrier by the government, the socio-economic status is better than in the country where the democracy is poorly practiced.

Moreover, having analyzed the above data it can be said that the democracy may greatly influence on the economic development in many ways. By tightening the revolution constraint, creating rising inequality or simply increasing the level of income in the society as well. On the other hand, while the increase in GDP may be the primary method of measurement, there is much more, such as forming or greatly changing productive relationships, migrating

firms and workers to cities up to affecting human capital and technology having practiced of democracy in a particular country. Since democracy creates better opportunities for both economic growth and cultural progress than authoritarian regimes and Milton Friedman argued that a higher degree of rights fostered economic development (1962), and a wealth of other studies suggest that democracy promotes economic liberalization (Fidrmuc, 2001, Peev and Murrler, 2012), and that democracy is preferable for long-term and sustainable growth.

5. Regression Analysis

In this section, the government effectiveness, estimate has relationship with dependent variable socio-economic level in the society.

	Model 1	Model 2	Model 3
(Intercept)	0.73 (0.47)	4.80 *** (0.40)	4.75 *** (0.42)
bti_ds	0.62 *** (0.08)	0.04 (0.06)	0.06 (0.07)
wbgi_gee		2.33 *** (0.16)	2.45 *** (0.17)
ccp_freere1			-0.01 (0.01)
R ²	0.31	0.73	0.74
Adj. R ²	0.30	0.73	0.73
Num. obs.	136	136	127

*** p < 0.001; ** p < 0.01; * p < 0.05

Here the government's effectiveness for this analysis of the relationships between Socio-economic status such as capital, education, religion and their effects play crucial role in economic development in the society.

According to a report by the United Nations (2005), "good governance, by promoting more efficient divisions of labor, more productive investment and faster implementation of social and economic policies, leads to higher economic growth." On the other hand, another statement has been made by Hall and Jones (1999), "institutions and government policies determine the economic environment within which individuals accumulate skills, and firms accumulate capital and produce output." In a word, economic growth may depend on government effectiveness in particular country.

6. Discussion on Bangladesh's Economy and the Development in the Society

The discussion of the emergence of the middle class in India, especially in Bengal during the British colonial period, is well established based on the research findings.

The Bengali middle-class 'gentlemen' the members of which were Calcutta-centric, religiously Hindu originated in the nurturing of the colonial state. The seeds of this middle class were rooted in the permanent settlement; the Calcutta-centric 'Babu' community became a middle class in terms of education and employment. In the case of Pakistan too, the middle class has developed in favor of the state. The beginning of the Muslim middle class not only in West Pakistan but also in East Pakistan is in favor of the state. Thus, the abolition of the zamindari system in 1950 paved the way for the emergence of the middle class. But in the case of East Pakistan which happened a

decade and a half after the establishment of Pakistan, practically in the 1970s, during the rule of the military ruler Ayub Khan. The size of the middle class was small, mainly Dhaka-centric, in the economy inherited by the directors after the establishment of Bangladesh. Only a part of this middle class was in power. In the light of experience, class character, and reality, this class was dependent on the state for its development, seeking to use the state for its development. The task of accelerating the success of that task took place in the hands of post-1975 military rulers when state institutions were handed over to them. As a result, when the direct military rule came to an end in 1990, a medium-sized middle class emerged in Bangladesh (Riaz, 2005). Bangladesh has already become integrated into the global economy.

In other words, the values prevailing in society have played a role in the formation of a special kind of state. The concept of "Asian values" was promoted in the 1990s to establish the notion of authoritarian rule in Singapore and Malaysia and to explain their economic success (Inuguchi and Newman, 1997). The danger of relying solely on cultural determinism is that it can be misused. This is what we see in the theory of Asian values, as well as in the discussion of the Middle East; A notable example is Huntington's critically acclaimed theory of the Clash of Civilizations (Huntington, 1996). Some analysts have tried to portray the absence of democracy in the Middle East as a feature of Islam. Therefore, it must be made clear that the importance of culture in changing society does not mean that it alone plays a decisive role.

Proponents of economic determinism and cultural determinism seem to agree on one thing: they believe that the state is not a determinant, but a product of the economic system or cultural heritage. To understand what has happened in the class structure of Bangladeshi society, especially in the case of the middle class, we need to look at things that are easily visible in the economy of Bangladesh. The last few decades, especially since 2001, have seen tremendous economic growth; Despite the ups and downs of the global economy and internal political instability over the past decades, average annual growth has remained close to 6 percent, during which time poverty rates have fallen and per capita incomes have risen. The number of millionaires in Bangladesh is more than 1 lakh 19 thousand as of January 2016, which proves the presence of wealth in the society (Manabjamin, 2016).

7. The Socio-Political Role of the Middle Class

In discussing the theories of the relationship between the state, society, economy, and politics, we have seen that the development of the middle class is considered to be conducive to the development of the middle class, even if it is not a prerequisite for democracy or the presence of the middle class does not guarantee democracy. Apart from the experience of different countries, the history and education of Bangladesh say so. Mujahidul Islam Selim, leader of the Communist Party of Bangladesh, summed up the social and political role of the middle class. But beyond these movements, the issue of struggle for democracy and democratic rights and the establishment of the national rights and the right of national self-determination of the Bengali nation has come to the fore. These struggles originated mainly from the educated middle class. The student community had a leading and proactive role in the national struggle of that time. The role of the middle class was paramount '(Selim, 2015). Jatin Sarkar said the same thing, 'Those who had active participation in the liberation struggle of the country, the majority of them were the people of the rural peasantry. In economic terms, most of them belonged to the lower class, and some of them were in the quota of the poor. But the leadership of that struggle was not in their hands. The liberation struggle of Bangladesh was mainly led by the middle-class people '(Government, 2016). The results of the research on the background of the establishment of Bangladesh also clearly indicate that the middle class has been playing a leading role in the freedom and independence movement of Bangladesh. In addition, this class has played an important role in the struggle for democracy against military rule in the 1980s.

But have we seen such a reaction from the middle class in the last decade? One analyst says that there is a growing apathy among the general public on what will be the character of the state, how democracy and accountability will be ensured there, how to increase people's participation in running the state, etc. (Khan, 2016). At the same time, some pro-government intellectuals have been demanding the establishment of a 'democratic dictatorship.' At the same time, the concept calls for the continuation of "all opportunities and rights of democracy for the people" and the introduction of a new system of dictatorship against special political forces (war criminal Jamaat and all their allies) (Hossain, 2014). It also recommends that citizens not be deprived of their basic human rights (in the words

of Hussein, "the power to impose fundamental rights during a state of emergency will be suspended under Article 141 / C"). It has been advised to do it and not to interfere in it. This suggestion has been made, acknowledging that there are 'various compromises, corruption, unnecessary excesses, and fascist tendencies' within the ruling party (Akash, 2015).

It is also worth mentioning here that in the last few years, especially since the 2014 elections, the ruling Awami League has been drawing a dividing line between development and the democracy which is presenting them as alternatives or rivals (Chowdhury, 2015; Zakaria, 2015). In the light of this notion, the ruling party and its supporters argue that conventional democracy creates political instability, which is an obstacle to development, and that the path to "less democracy, more development" is a positive one for the country. The countries they cite as examples include Malaysia and Singapore. The debate over the division of democracy and development and the presentation of one as an alternative to the other is well known. Since 2014, various statements have made it clear that a special concept of 'development' has been brought to the fore, ignoring that debate and not taking into account other aspects of its political-institutional elements. Wahiduddin Mahmud draws our attention to this and questions the applicability of the so-called 'Malaysia model' in Bangladesh (Mahmud, 2014). This position of the government is also being described as authoritarian (our Wednesday, 2015). At the same time, it should be noted that such a position conflicts with the objectives mentioned in the Declaration of Liberation War of Bangladesh.

In recent times, we have seen a great deal of interest in religion in the society of Bangladesh, especially among the middle and upper classes of the society which is manifested through the public presentation of religion. Evidence of this is also found in various types of sentences, phrases, and greetings used in daily life. The most notable evidence of this is the widespread use of some Arabic words, such as the use of "Allah Hafez" instead of the popular "Khoda Hafez." In addition, its effect is visible in the traditional dress in Bangladesh. Some have identified it as 'Arabization' (Hashmi, 2014; Hardig and Sajjad, 2015). As I mentioned at the beginning of this article, the question of religion has become quite important in the politics of Bangladesh in the last few decades, but outside of the polymorphic or unilateral discussion on this issue, religion and politics, religion and society and religion and state.

In the same way, does the preaching of religion to a large section of the middle class in Bangladesh indicate that there will be no division between the state and religion in the future? The process of secularization has never been strong in Bangladeshi society, but a section of the middle class, which was once considered the mainstream of cohesive Islam, probably no longer carries that trend. It is important to identify the reasons behind this change.

8. Conclusion

These observations on the behavior of the middle class in the question of democracy and religion do not mean that it applies to the whole middle class. Of course, a section of the middle class behaves differently and they try to play a traditional role. But based on my observations over the last decade, I infer that these questions have created a great deal of division within the middle class. In that case, the part of the middle class that has developed over the last decade or so, which I would like to call the 'new middle class, has less appeal to the liberal aspects of democracy and at the same time calls for a direct and open role of religion in society and state as well.

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Polish – Jewish Relations: A Historical Perspective and Contemporary View

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Abstract

This article is the expansion of a presentation made by the author at Zarrow Pointe in Tulsa, Oklahoma in July of 2022. It considers the topic of “Polish-Jewish Relations” in four parts: (1) Historical Perspectives on Polish-Jewish relations to World War II, including background on early Jewish migration into Poland, information on the period of Polish Partitions, the establishment of the Pale of the Settlement by Russia, and growing Anti-Semitism fueled by elements of the Polish Catholic Church – all leading to September of 1939; (2) World War II and the “Destruction of Polish Jewry” during the Holocaust, including a discussion of the Warsaw Ghetto Uprising, information relating to various concentration and extermination camps, and events that negatively impacted on Polish-Jewish relations that took place during this period; (3) The period of the imposition of communism (1945-1989), including the events of the 1967-1968 “Anti-Zionist Campaign” that resulted in many of the remaining Jewish population leaving Poland; and (4) Polish-Jewish relations today. The article concludes with some observations on future of Polish-Jewish relations going forward from the positives, negatives, and contradictions inherent in the discussion.

Keywords: Poland, Holocaust, Warsaw Ghetto Uprising, Pogrom, Anti-Semitism, Auschwitz

1. Historical Perspectives on Polish-Jewish Relations to World War II

The history of Jews in Poland dates back more than one thousand years. The first Jews to come to Poland were traders who would traverse trade routes leading to and from the east to Kiev in today’s Ukraine and Bukhara in today’s Uzbekistan (see generally Weiner, 1997). The first actual mention of Jews in Polish literature and oral chronicles occurs in the 11th century, where it appears that Jews then were living in the vicinity of the city of Gniezno, at that time the capital of Poland’s *Piast dynasty*. Among the first of these Jews to arrive in Poland in 1097 or 1098 were those who had been banished from Prague (Polishjews.org, 2009). The first permanent Jewish community in Poland is referenced in 1085 by a Jewish scholar **Jehuda ha-Kohen** (mentioned prominently in the background information provided throughout this paper on the on-line encyclopedia *Wikipedia*), “a thirteenth-century Spanish-Jewish philosopher, astronomer, and mathematician,” in the city of Przemyśl, in today’s Southeastern Poland (Postan, Miller, & Habbakuk, 1949).

The principal economic activities of Jews in medieval Poland were commerce and trade, including the export and import of cloth, linen, furs, hides, wax, and metal objects (YIVO Encyclopedia, 2018). Jews operated the Royal

Mint and the profitable salt mines in Wieliczka (still in operation today), and collected customs fees and tolls for the state.

The first extensive Jewish migration from areas of Western Europe to Poland occurred around the time of the First Crusade in 1098 (Pogonowski, 1998). **King Boleslaw III** accepted the contributions of Jews in the development of Polish commercial interests, as Jews came to form the foundation and “backbone” of the Polish economy. **King Mieszko III** employed Jews as engravers and technical supervisors in the Royal Mint—coins minted during that period even bore Hebraic markings (Polishjews.org, 2009). Poland’s Jews enjoyed relative peace, tranquility, social status, and a high standard of living in the many principalities into which Poland was then divided. Jews formed a unique middle class in a country where the general population then consisted of two groupings: landlords (eventually developing into the *szlachta*, the term later used for the Polish nobility) and peasants (Poet, 1988).

Another factor spurring Jewish emigration to Poland was the promulgation of the *Magdeburg Rights* (or Magdeburg Laws), a charter given to Jews outlining their rights and privileges in Poland. For example, Jews were able to establish distinct Jewish neighborhoods and set up commercial monopolies in these areas, making it very attractive for Jewish communities in Western Europe (especially from modern-day Germany) to move to Poland (Abramson, 2013).

The welcoming tolerant situation was gradually challenged by the dominant Roman Catholic Church (Poland had adopted Roman Catholicism in 1066) on the one hand, and by neighboring German states on the other hand, who were often hostile to its Jewish populations (Dubnow, 2001). As a consequence, in 1264 **Boleslaw the Pious**, the Prince of Great Poland, issued a General Charter of Jewish Liberties (commonly known as the *Statute of Kalisz*), which granted all Jews in Poland the freedom of worship, and the right to engage trade and travel (Lewin & Lewin, 1943). Specifically, Article 31 of the Statute forbade the Catholic Church from disseminating so-called “blood libels” against the Jews, by stating: “Accusing Jews of drinking Christian blood is expressly prohibited. If despite this a Jew should be accused of murdering a Christian child, such charge must be sustained by testimony of three Christians and three Jews” (see POLIN Museum of the History of Polish Jews, 2022). This provision guaranteed that Jews would be protected against the more spurious charges made against them. Unhappily, however, anti-Semitic impulses among the population at-large would not be completely eradicated.

During the next hundred years or so, elements of the Catholic Church continued to persecute Jews, while the rulers of Poland generally offered protection to them (Dubnow, 2001). At various times, however, Jews were ordered to be segregated from their Roman Catholic neighbors, ordered to wear a distinct special emblem, banned from holding public offices where Catholics would be subject to the civil jurisdiction of Jews, and Jews were forbidden from building more than one “prayer house” in each town in which they lived.

As a result of the marriage of **Wladislaus II (Jagiello)** the Grand Duke of Lithuania to **Jadwiga**, daughter of Louis I of Hungary (who was quite interestingly the “King of Poland”) in 1386, Lithuania was united with the kingdom of Poland in a Commonwealth that at that time was the largest such political entity in Europe. A “Golden Era” began for the Polish state, now a part of a sprawling Commonwealth on the European continent.

In 1388–1389, broad political, economic and religious privileges were extended to Lithuanian Jews, including freedom of religion. Jews were granted the ability to engage in commerce on equal terms with the Christians. Under the rule of Wladislaus II, Polish Jews increased in their numbers and attained prosperity throughout the Commonwealth. As time went on, however, religious persecution gradually returned and sadly increased. *Pogroms* (or targeted attacks on Jews) were reported in many towns in Silesia in what is now western Poland. There were renewed accusations of “blood libel” by members of the Polish clergy, and riots against the Jews in Poznań occurred in 1399—a charge that would tragically resurface many times in the future (see Wegrzynek, 1993).

1.1. Poland as the “Center of the Jewish World”: 1505–1572

Nevertheless, Poland was recognized as being more tolerant of Jews than other nations in Europe, especially after the expulsion of Jews from Spain in 1492, as well as from Austria, Hungary, and Germany. The Protestant Reformation was not kind to the Jews of Europe in areas that embraced Protestantism (see Weinbaum, 1999; Teter, 2006). Martin Luther, the leader of the Protestant Reformation, was recognized as a virulent anti-Semite (Goshen-Gottstein, 2018), thus stimulating Jewish immigration to a much more welcoming Poland (see Fram, 1996). Carty (2019) notes: “This study argues that Luther's treatise *On the Jews and Their Lies* demonstrates a consistently held anti-Judaism defined by a refusal to accept that Jews could remain in the world as Jews in the face of the Christian gospel. This basic anti-Judaism informed his violent polemics and his supposed “friendly” work on the Jews written earlier when he believed they would soon be converted. His anti-Judaism was integrated with his political thought. Spiritually, the Jews were the worst of the opponents of salvation by grace; politically, they were a suspect people nearly always in breach of the temporal government's laws over blasphemy. Based on this anti-Judaism, in the face of his failure to convert Jews to the Reformation, Luther came to conclude that Jews must be forced by the temporal authorities to either leave or face expulsion.”

These are representative quotes from Luther:

“We want to deal with them in a Christian manner now. Offer them the Christian faith that they would accept the Messiah, who is even their cousin and has been born of their flesh and blood; and is rightly Abraham's Seed, of which they boast. Even so, I am concerned [that] Jewish blood may no longer become watery and wild. First of all, you should propose to them that they be converted to the Messiah and allow themselves to be baptized, that one may see that this is a serious matter to them. If not, then we would not permit them [to live among us], for Christ commands us to be baptized and believe in Him, even though we cannot now believe so strongly as we should, God is still patient with us.”

“However, if they are converted, abandon their usury, and receive Christ, then we will willingly regard them our brothers. Otherwise, nothing will come out of it, for they do it to excess.”

They are our public enemies. They do not stop blaspheming our Lord Christ, calling the Virgin Mary a whore, Christ, a bastard, and us changelings or abortions. If they could kill us all, they would gladly do it. They do it often, especially those who pose as physicians—though sometimes they help—for the devil helps to finish it in the end. They can also practice medicine as in French Switzerland. They administer poison to someone from which he could die in an hour, a month, a year, ten or twenty years. They are able to practice this art.”

“Yet, we will show them Christian love and pray for them that they may be converted to receive the Lord, whom they should honor properly before us. Whoever will not do this is no doubt a malicious Jew, who will not stop blaspheming Christ, draining you dry, and, if he can, killing [you].”

Indeed, with the expulsion of the Jews from Spain by the “Catholic King and Queen” Ferdinand and Isabella, and the implications of the Spanish Inquisitions which began in 1478, the latter part of the 15th century became a time in which Jews were “urged” to convert to Catholicism, Poland became the recognized “haven” for Jewish exiles from Western Europe. The resulting increases to the numbers of Jews in Poland made Poland the “cultural and spiritual center” of the Jews of the whole of Europe. Polish Jews enjoyed more autonomy than anywhere else in Europe. The *Council of the Four Lands* was organized to represent the interests of Jews in all matters—economic, legal, cultural, and political in Poland (Hundert, 2004). The Chief Rabbi of the British Isles stated: “Poland belongs to priority among European peoples in religious and cultural toleration....”

However, the favorable circumstances of Jewish life would soon change. In the 16th century, several Polish towns enacted laws, termed “*De non tolerandis Judaeis*,” **forbidding Jews from living within their borders (Teller, 2017). Laws were designed** to prevent competition in business with non-Jews and were not strictly related to religious factors (see Levine, 1991). These laws resulted in the segregation of Jews in separate quarters (called *ghettos*) or settlements outside of city walls (such as Kazimierz in Krakow, described in “*Schindler's List*”), or in small villages in the Polish countryside. These small villages became known as *shtetls* (from the Yiddish word) in which Jews would maintain their own culture, traditions, and religious practices, as well as their unique language (Bar-Gal, 1985; Tornquist-Plewa, 2018).

Despite these contradictions, in the 16th and 17th centuries, Poland continued to welcome Jewish immigrants from Italy, Sephardic Jews from Spain and Portugal, and also Jews migrating from the Ottoman Empire.

1.2 The Partitions

Through the mid-point of the 1700's, Polish kings generally remained in support Jews, although Poland itself was subjected to a series of dismemberments or partitions in 1772, 1793, and 1795 by its neighbors Austria, Russia, and Prussia (Lukowski, 1999). The partitions initially resulted in a loss of one-third of its lands, and later during the Third Partition, to the complete dismemberment of the Polish state. The period of Polish Partitions lasted 123 years, during which Poland was literally wiped from the map of Europe, only to reemerge largely through the intervention of American President Woodrow Wilson at the Versailles Peace Conference at the conclusion of World War I. Parafianowicz (2018) notes:

“President Wilson’s addresses – the one of January 27, 1917 to the Senate, and especially that of January 8, 1918 to Congress, were of great importance for the internationalization of the Polish cause. The latter address and its 13th point, which postulated the need to recreate the Polish state, played a particularly important role. Its shape was influenced to a large extent by Ignacy Paderewski’s efforts and the sympathetic support of Col. Edward M. House, although it was Wilson himself who carried out the final changes. The American president’s address of 1918 had an enormous impact on his popularity in Poland, which, in the following years turned into a specific cult of his person and the myth of America. In 1922 he was awarded the Order of the White Eagle for merits in the reconstruction of Polish independence, and each year on July 4 Poles recalled the debt of gratitude they owed to him and America. In 1931, his monument, funded by Master Paderewski, was unveiled in Poznań.”

As a result of the Partitions, the position of Polish Jews became severely compromised. Polish Jews were now subjected to the rule that in some cases of states were openly hostile to Jewish interests (generally Rosman, 1990; Vital, 2001).

Jews were most numerous in the territories that fell under the control of Austria (an area which became known as *Galicia*) and Tsarist Russia, although a smaller Polish state was preserved in the form of Congress Poland from 1815-1831 (see Leslie, 1955). Austria was a rather “benign” and disinterested occupier and showed little interest in its Jewish population. The lands that had once been Poland or a part of the Polish-Lithuanian Commonwealth (Hundert, 2004), but were now a part of the Russian Empire, were to remain the home of a large number of Jews (Polonsky, 2009a, 2009b).

Official Russian policy, however, would eventually prove to be substantially harsher to its Jewish population than that under independent Polish rule. In 1772, **Tsarina Catherine II** instituted policies which resulted in Jewish confinement to an area termed “*The Pale of Settlement*” (Pipes, 1975; Deutsch & An-Ski, 2011), which restricted Jews to the western parts of the Russian empire, and which would eventually include much of pre-partition Poland. Near the beginning of the 20th century, over four million Jews would live in the area of the Pale. The Pale encompassed approximately 20% of the territory of “European Russia,” covering much of present-day Lithuania, Belarus, Poland, Moldova, Ukraine, and western Russia.

Tsarist policy towards the Jews of Poland alternated between the imposition of harsh policies, and at other times providing “inducements” meant to break the resistance of Jews to large-scale assimilation within the Russian Empire. In 1804, **Tsar Alexander I** issued a “*Statute Concerning Jews*,” meant to accelerate the process of assimilation of Russia’s Jewish population (see Domnitch, 2004). Jews were still able to own land in the territories annexed from Poland. However, while Jews could own property, they were *restricted from leasing property* to others, teaching in Yiddish, and from entering any Russia territory outside of the Pale. Coincidentally, Jews were banned from taking part in the brewing industry, prominent in the Russian area. Harsh measures, designed to compel Jews to assimilate, called for their expulsion from small villages, forcing them to move into larger towns. Once the resettlement began, thousands of Jews lost their only source of income.

The assassination of the Russian Tsar **Alexander II** in March 1881 in a bomb attack carried out by members of the terrorist revolutionary organization *Narodnaya Volya* (“People's Will”) (Poland, 1988), was falsely blamed on Jews. The assassination prompted a large-scale wave of anti-Jewish riots or *pogroms* throughout 1881–1884. These attacks continued until 1884, with at least tacit government approval.

The pogroms proved a turning point in the history of the Jews in the Russian portion of partitioned Poland. The pogroms carried on in Tsarist Russia prompted a great wave of Jewish emigration to the United States (Stanislawski, 2022)—mainly to the lower East Side of New York City. The Jewish Virtual Library (2022) reported that “Between 1840 and 1860 the Jewish population of this country ballooned from 15,000 to 150,000.” Jews also emigrated to the United Kingdom. The British National Archives (2022) reports that “The most significant period of Jewish migration to the UK was not, as you might expect, during or just before the Second World War but between 1870 and 1914 when, it is estimated, some 200,000 Jewish immigrants arrived, mostly from Russia and Eastern Europe.”

A bloodier wave of pogroms broke out in the period 1903 to 1906 in Russia, at least some of them were claimed to have been organized by the Russian secret police, the *Okhrana*. According to Jewish survivors, ethnic Poles living in the Russian partitioned area of Poland did not participate in the pogroms, and instead sheltered Jewish families from Russian provocations.

By the late 19th century, a growing number of political movements within the Jewish community were evolving, covering a wide range of views on political and economic matters. **Zionism**, which argued for the creation of a Jewish homeland in Palestine, became extremely popular. Many Jews also adopted socialism as an economic philosophy, forming the **Bund** or the Jewish labor union, which supported assimilation of the Jewish population and fought for the rights of labor in general (Zimmerman, 2004). The Bund was especially strong in Warsaw and Lodz (Samus, 2001).

The period of the Polish partitions also led to a series of violent insurrections among the Polish populations—most especially against Russian rule in which many Jews took part. The Kościuszko Insurrection (1794), the November Insurrection (1830–31), the January Insurrection (1863), and the Revolutionary Movement of 1905 all saw significant Jewish participation in the cause of Polish independence and restoration of Poland as an independent state (see Castle & Taras, 2002).

The period of the Partitions and subsequent actions aimed at restoring Poland to the “Map of Europe” has spurred much historical debate. It has been argued that while most Polish Jews were “neutral” or “indifferent” to the idea of the resurrection of an independent Polish state, many in fact played a significant role in the fight for Poland's independence both during the Partitions and during World War I: around 650 Jews joined the *Legiony Polskie* formed by Józef Piłsudski, more than all other Polish minorities combined (Galeczowski, 2012). Others openly opposed Polish aspirations for independence and decided to “take their chances” in a post-war Europe.

In the aftermath of World War I, in the newly constituted Polish State, Poland's Jewish community was the largest in Europe, constituting fully **10% of the Polish population**. Most Polish Jews, as opposed to Russian Jews, lived in cities such as Warsaw, Lodz, and Wilno—although a quarter continued to live in small villages or shtetls. Most Jews continued to be unassimilated; 80% considered “Jewish” as their nationality, and Yiddish as their language. World War I saw the destruction of the great empires of Europe (the Hohenzollerns, Hapsburgs, and Romanovs), and as a result, localized conflicts between populations with strong national identities engulfed Eastern Europe between 1917 and 1919. Although many of the leaders of the Bolshevik Revolution were Jews, attacks were specifically launched against Jews during the Russian Civil War, the Polish-Ukrainian War, and the Polish–Soviet War (Davies, 1983; Piotrowski, 1997), which ended with the Treaty of Riga, stopping the Bolshevik Revolution and the Red Army under the command of Leon Trotsky from launching into Western Europe – literally at the “Gates of Warsaw.”

It has only come to the attention of historians that just after the end of World War I, the West became increasingly alarmed by reports alleging massive pogroms in Poland against Jews – mostly in the eastern part of the country.

Pressure for government action reached the point where U.S. President Woodrow Wilson sent an official commission to investigate the matter. Shockingly, a commission, led by Henry Morgenthau, Sr., concluded in its **Morgenthau Report** that allegations of pogroms were “exaggerated” (see generally Pease, 2003).

The number of Jews immigrating to Poland from Ukraine and Soviet Russia during the interwar period grew rapidly. According to the Polish national census of 1921, there were 2,845,364 Jews living in the Second Polish Republic. According to the 1931 National Census there were 3,130,581 Polish Jews, measured by the self-declaration of their religion. By late 1938, that number had grown by over 16% to approximately 3,310,000.

As a result, the newly independent Poland state after the conclusion of the War had a large and vibrant Jewish minority. By the time World War II began on September 1, 1939, Poland had the largest concentration of Jews in Europe, although many Polish Jews continued to maintain a unique and separate culture and ethnic identity from the dominant Roman Catholic Polish population. It appears that only about 10% of Polish Jews during the interwar period could be considered fully “assimilated,” while more than 80% could be readily recognized as Jews (Tec, 1987).

As of 1 September 1939, approximately 10% of the total population of Poland were Jews, primarily with 77% living in cities and 23% in the villages. Jews made up about 50%, and in some cases even 70%, of the population of smaller towns, especially in eastern Poland. Prior to World War II, the Jewish population of Łódź (the center of textile manufacturing in Poland) numbered about 233,000, roughly one-third of the city's population. The city of Lwów (now Lviv in Ukraine) had the third-largest Jewish population in Poland, numbering 110,000 in 1939 (42%). Wilno (now Vilnius in Lithuania) had a Jewish community of nearly 100,000, about 45% of the city's total. In 1938, Kraków's Jewish population numbered over 60,000, or about 25% of the city's total population. In 1939 there were 375,000 Jews in Warsaw or one-third of the city's population. Only New York City included more Jewish residents than did Warsaw.

During the inter-war period, the major industries in which Polish Jews were employed included manufacturing and commerce—especially in the textile industry. In many areas of the country, the majority of small retail businesses were owned by Jews, who were sometimes among the wealthiest and most prominent members of their communities. Many Jews also worked as shoemakers and tailors, doctors (56% of all doctors in Poland), teachers (43% of all Polish teachers), journalists (22% of all Polish journalists), and lawyers (33% of all Polish lawyers). Social, communal, political, educational and religious organizations blossomed in inter-war Poland and made it possible for Jewish cultural and intellectual life to become “richer and more interesting” than anywhere in Europe. Interestingly, according to the 1931 census (the last official conducted in the inter-war period), 79% of the Jews declared Yiddish as their first language, and only 12% listed Polish, with the remaining 9% being Hebrew. The number of Yiddish speakers rose to 87% by 1931.

Jewish youth and religious groups, diverse political parties, unofficial and semi-official groupings and Zionist organizations, newspapers, and Yiddish theatre flourished. The Jewish cultural scene was particularly vibrant in pre-World War II Poland, with numerous Jewish publications and more than one hundred periodicals. Yiddish authors, most notably Isaac Bashevis Singer, born Icek Hersz Zynger, went on to achieve international acclaim as classic Jewish writers. Singer, who emigrated to the United States in 1935, won the 1978 Nobel Prize in Literature, always writing in the Yiddish language.

In inter-war Poland, Jews owned land and other real estate, participated in retail sales and manufacturing, and in the export industry. Their religious beliefs spanned the range from Orthodox Hasidic Judaism to Liberal Judaism and several variations in between (see Wodzinski, 2016).

This is not to suggest that there were not serious incidents of anti-Semitism at the same time in Poland (Wynot, 1971; see Hagen, 1996), many perpetrated by supporters of Poland's *National Democracy Party* under **Roman Dmowski**, who openly argued desired a “homogeneous, [Polish-speaking](#) and [Roman Catholic](#)-practicing nation,” as opposed a multi-ethnic Poland reminiscent of the [Polish-Lithuanian Commonwealth](#). The International Encyclopedia (2022) notes that “After [Józef Pilsudski](#) ousted Dmowski's party from all political power in 1926, Dmowski concentrated on writing articles in which he used antisemitism to rally right-wing opposition to

Pilsudski's regime. With Hitler's rise to power Dmowski anticipated the collapse of world Jewry which in his view had hitherto depended on Germany. His "Downfall of Jewry" (1934) expresses the opinion that the 20th century will seal the fate of the Jewish people, which he considered to be an historical anachronism."

This viewpoint marginalized other ethnic groups living in Poland as well, particularly those in the [Kresy](#) or Poland's Eastern borderlands, which included [Jews](#), [Lithuanians](#), and [Ukrainians](#) (see Glowacka-Grajper, 2015). As the general economic situation worsened with the world-wide Depression of the 1930's, restrictive immigration laws enacted in the United States and elsewhere limited the ability of Polish Jews to immigrate. Welch (2014) notes: "Roosevelt's policies of speaking out against Hitler's atrocities, but yet doing nothing to facilitate more Jews to enter the United States as refugees, reflected the complexities of Americans' opinions about Jews here and abroad but led to failure to provide a safe haven for those thousands of Jewish refugees who might have fled before the war."

In fact, the position of Polish Jews began to deteriorate most significantly after the death of Marshall Pilsudski, the leader or rather, dictator, of inter-war Poland in May of 1935. Many Jews regarded the death of Pilsudski as a "tragedy"; however, in reality, Pilsudski had at best a very "spotty" record on Jewish matters. Under Pilsudski in 1931, for example, restrictions were placed on Jewish economic and social life, and Pilsudski did little or nothing to curb Poland's overtly anti-Semitic right wing. On the political side, in 1934, the Pilsudski government had signed a non-aggression pact with Hitler's Germany—which portended tragic results for the Jewish community in subsequent years (Cienciala, 1967).

On the commercial side, Jewish industries were especially negatively affected by the development of mass production and curiously by the advent of "department stores" which offered ready-made manufactured products. The traditional sources of livelihood for the estimated 300,000 small Jewish family-run businesses in Poland began to vanish, contributing to a growing trend toward isolationism and forced internal self-sufficiency of Poland's Jewish population.

At the same time, the inter war period also saw a dramatic enrolment growth in higher education and in the Polish professional class by its Jewish population. In 1923, Jewish students constituted 62.9% of all students of dentistry, 34% of medical sciences, 29.2% of philosophy, 24.9% of chemistry, and 22.1% of law (26% by 1929) at all Polish universities.

Although many Jews were well educated, they were nonetheless excluded from most of the governmental bureaucracy (Marcus, 1983). After the death of Marshall Pilsudski in 1935, anti-Jewish sentiment in Poland reached its zenith in the years leading to the Second World War. Between 1935 and 1937, seventy-nine Jews were killed and 500 injured in anti-Jewish "incidents." National policy provided that Jews who largely worked at home and in small shops were excluded from state welfare benefits even as the economy continued to deteriorate.

A national boycott of Jewish businesses and advocacy for their confiscation supported by Dmowski's *Endecja Party* introduced the term "Christian shop" into Poland. A national movement to prevent the Jews from kosher slaughter of animals, with animal rights as the stated motivation, was also organized (see Kopstein & Wittenberg, 2018). Violence was also aimed at Jewish stores, and many Jewish businesses were looted. These actions, coupled with the effects of the worldwide Depression on all Poles, reduced the standard of living of Poles and Polish Jews alike to the extent that by the end of the 1930s, a substantial portion of Polish Jews lived in "grinding poverty."

A main strain of anti-Semitism in Poland during this time was largely attributed to extreme positions taken by some members of the Polish clergy (Modras, 1994). Cardinal Augustus Hlond, the Polish Primate, although not counseling violence against Jews, had issued a pastoral letter in 1936 which said that "a Jewish question exists and there will be one so long as the Jews remain Jews," and which attacked Jews as enemies of the Catholic Church (see Fox, 1997).

"It is an actual fact that the Jews fight against the Catholic Church, they are free thinkers, and constitute the vanguard of atheism, Bolshevism and revolution," the Cardinal wrote. "The Jewish influence upon morals is fatal, and the publishers spread pornographic literature. It is also true that the Jews are committing frauds, practicing usury, and dealing in white slavery. It

is true that in the schools, the Jewish youth is having an evil influence, from an ethical and religious point of view, upon the Catholic youth." He added, at this point, that "not all the Jews are, however, like that."

The same pastoral letter advocated a boycott of Jewish-owned businesses. It said: "One does well to prefer his own kind in commercial dealings and to avoid Jewish stores and Jewish stalls in the markets, but it is not permissible to demolish Jewish businesses. One should protect oneself against the evil influence of Jewish morals, and particularly boycott the Jewish press and the Jewish demoralizing publications, but it is inadmissible to assault, hit, or injure the Jews."

This religious-based anti-Semitism was sometimes joined with an ultra-nationalistic stereotype of Jews as being disloyal to the Polish nation. On the eve of World War II, many Polish Catholics believed that there were far too many Jews in the country, and the Polish government became increasingly concerned with the "Jewish question." Some politicians openly favored mass Jewish emigration from Poland.

In January of 1937, Polish Foreign Minister Józef Beck declared that Poland could house no more than 500,000 Jews, and hoped that over the next 30 years, 80,000-100,000 Jews a year would leave Poland voluntarily (see Goda, 2016). As the Polish government sought to lower the numbers of the Jewish population in Poland through mass emigration, the government "embraced" **Ze'ev Jabotinsky**, the founder of the New Zionist movement, encouraged the formation of a distinct Jewish army to fight Nazi Germany, and pursued a policy of supporting the creation of a Jewish state in Palestine as an outlet for Poland's Jewish population (Marcus, 1983).

By the time of the German invasion in September of 1939, anti-Semitism was certainly escalating, and hostility towards Jews was now a foundation principle of the right-wing political forces in the post-Piłsudski regime, as well as in the Polish Roman Catholic Church. Discrimination and violence against Jews had rendered the Polish Jewish population increasingly destitute. Despite the impending threat to the Polish Republic from Nazi Germany, there was little effort seen in the way of reconciliation with Poland's Jewish population.

In July 1939, the pro-government *Gazeta Polska* wrote, "The fact that our relations with the Reich are worsening does not in the least deactivate our program in the Jewish question—there is not and cannot be any common ground between our internal Jewish problem and Poland's relations with the Hitlerite Reich" (Quoted in Eibuszyc, 2015). Escalating hostility towards Polish Jews and an official Polish government desire to remove Jews from Poland continued until the German invasion of Poland.

2. World War II and the Destruction of Polish Jewry (1939–45)

The number of Jews in Poland on September 1, 1939 amounted to about 3,474,000. One hundred thirty thousand soldiers of Jewish descent were serving in the Polish Army at the outbreak of the Second World War, and thus were among the first to launch armed resistance against Nazi Germany (Krakowski, 1977). During the brief "September Campaign," some 20,000 Jewish civilians and 32,216 Jewish soldiers were killed, while 61,000 were taken prisoner by the Germans. Private property—crucial to Jewish economic life—and private businesses were nationalized; political activity was delegalized, and thousands of people were jailed, many of whom were later executed by Nazi authorities.

As a result of the secret **Molotov-Ribbentrop Pact**, Russian troops entered Poland in September of 1939 (see Benn, 2011). In the eastern part of Poland, now occupied by Soviet forces, any discussion of Zionism, which was designated by the Soviets as "counter-revolutionary," was also forbidden. In just one day, all Polish and Jewish publications and media were shut down and replaced by the new Soviet press. Within weeks of the invasions by Germany and Russia, 61.2% of Polish Jews were under German occupation, and 38.8% were in Polish territories annexed by the Soviet Union.

Initially, synagogues and churches in the Russian-controlled area of eastern Poland were not immediately closed, but were instead heavily taxed. Since the Jewish communities tended to rely more on commerce and small-scale

businesses, the confiscation of property affected the Jewish population to a greater degree than the general Polish populace.

The issue of supposed Jewish collaboration with the Soviets in the Russian occupied part of Poland remains controversial. Some commentators and historians have noted that while not pro-communist, many Polish Jews saw the Soviets as the lesser threat to Jewish interests compared to the German Nazis (Polonsky, 2011). Many, however, stress that stories of Jews welcoming the Soviets on the streets with bouquets of flowers, vividly described by many Poles living in the eastern part of the country, have been found to be exaggerated or simply not reliable proof of the level of Jewish support for the Soviets. Whatever initial support for the Soviet occupation Jews might have initially felt was soon dissipated upon feeling the impact of the suppression of the Jewish population by Russian occupiers.

It is certainly true that a number of younger Jews were sympathetic to communism on philosophical grounds, accepting Marxism as an organizing principle in society. As a result, many found it easy after 1939 to participate in the Soviet occupation administration in eastern Poland, and briefly occupied prominent positions in industry, schools, local government, police and other Soviet-installed institutions. The concept of "Judeo-Communism" was reinforced during the period of the Soviet occupation (Michlic, 2007). The tensions between Poles and Jews generated as a result of this period has, according to some historians, taken a toll on relations between Poles and Jews, creating until this day, an impediment to Polish-Jewish "rapprochement" in the minds of many Poles (Piotrowski, 1997).

On the other hand, there were also many Jews who assisted Poles during the Soviet occupation, among them the future Prime Minister of Israel **Menachem Begin**. The Cemetery of Polish soldiers who died during the Battle of Monte Cassino includes many headstones bearing a Star of David. A number of Jewish soldiers also died when liberating the Italian city of Bologna (reported in Meirchak, 1995).

Around **6 million Polish citizens perished during World War II: about one fifth of the pre-war population**. The official Polish government report on war damages prepared in 1947 put Poland's war dead at 6,028,000; 3.0 million [ethnic Poles](#) and 3.0 million Jews, not including losses of Polish citizens from [Ukrainian](#) and [Belarusian](#) ethnic groups.

While Poland's non-Jewish community was certainly subjected to atrocities during German occupation, Poland's Jewish community suffered the most in the Holocaust or the **Shoah** (in Hebrew). Poland was the location of the German program of extermination of Jews, where the "Final Solution," enunciated at the infamous *Wannsee Conference* held in January 1942, was to be carried out (Longerich, 2022). The Germans ordered that all Jews be registered, and the word "*Jude*" was stamped in their identity cards. Numerous restrictions and prohibitions targeting Jews were introduced and brutally enforced. For example, Jews were forbidden to walk on the sidewalks, to use public transport, and to enter places of leisure, sports arenas, theaters, museums and libraries. On the street, Jews had to lift their hat to passing Germans. By the end of 1941 all Jews in German-occupied Poland had to wear an identifying badge with a blue Star of David. Rabbis were humiliated in "spectacles organized by the German soldiers and police" who used their rifle butts "to make these men dance in their praying shawls."

Sadly, all but some 300,000 of the Jewish population were murdered at Nazi extermination camps at Auschwitz, Treblinka, Majdanek, Belzec, Sobibór, and Chełmno (see Arad, 2018) or starved to death in the ghettos. By war's end, almost all the synagogues in Poland had been completely destroyed.

Some historians have written of the negative attitudes and outright hostility of some Poles towards Jews during the Holocaust. A book published by Jan Gross (2002), referred to as "*Neighbors*," recounted the murder of Jews by their Polish neighbors in the city of Jedwabne in 1941. Whether such incidents were widespread among the general Polish population or isolated to a few hooligans or social miscreants remains controversial until today (Polonsky & Michlic, 2003; Cienciala, 2003).

While members of Catholic clergy certainly risked their lives to assist Jews, their efforts were sometimes made in the face of anti-Semitic attitudes from the church hierarchy. Anti-Jewish attitudes also existed in some of the members of the London-based Polish Government-in- Exile (Engel, 1993; Pulawski, 2012) – although on 18 December 1942 the President-in-exile Władysław Raczkiewicz wrote a dramatic letter to Pope Pius XII, begging him for a public defense of both murdered Poles and Jews. In spite of the introduction of death penalty extending to the entire families of rescuers, the number of Polish **“Righteous Among the Nations”** (7,117) testifies to the fact that many individual Poles were willing to take risks in order to save Jews (Bauminger, 1990; *The Righteous Among Nations*, 2010).

2.1. *Ghettos and Death Camps*

Between October 1939 and July 1942 a system of ghettos was established for the confinement of Jews. The Warsaw Ghetto was the largest in all of World War II, with 380,000 people crammed into an area of 1.3 sq mi. The Łódź Ghetto was the second largest, holding about 160,000 prisoners. Other large Jewish ghettos in leading Polish cities included the Białystok Ghetto, the Częstochowa Ghetto, the Kielce Ghetto, the Kraków Ghetto, the Lublin Ghetto, the Lwów Ghetto in present-day Lviv, the Stanisławów Ghetto also in present-day Ukraine, the Brześć Ghetto in present-day Belarus, and Radom Ghetto, among others. Ghettos were also established in hundreds of smaller settlements and villages around the country. “The overcrowding, dirt, lice, lethal epidemics such as typhoid, and hunger resulted in countless deaths.”

During the occupation of Poland, German authorities used various official laws and edicts to separate ethnic Poles from Jews. The population was separated by putting the Poles into the "Aryan Side" and Jews into the "Jewish Side." According to laws promulgated by German occupiers, any Pole found giving aid to a Jew was subject to the death penalty (see Niewyk & Nicosia, 2000). In fact, Poland was the *only* occupied country during World War II where the Nazis imposed the death penalty for those found sheltering or aiding Jews (Polonsky, 2002). Another edict implemented by the Germans was that Poles were forbidden from buying from Jewish shops, and if they did, they were subject to execution (Pogonowski, 1998).

Since Nazi terror reigned throughout the Aryan districts as well, the chances of remaining alive depended on fluency with the Polish language and on having close ties with the non-Jewish community (see, e.g., Holmgren, 2014). Many Poles were reluctant to hide Jews who had escaped the ghettos or who were in hiding due to fear for themselves and for their families.

Hiding in a Christian society in which the Jews were only partially assimilated was a “daunting” and often impossible task (Facing History and Ourselves, 2022a; 2022b). Jews needed to quickly acquire not only a new identity, but also a whole new body of knowledge. Many Jews spoke Polish with a distinct Yiddish accent, used an entirely different nonverbal language, exhibited different gestures, and even recognizable facial expressions. These “quirks” were exploited by Nazi authorities when searching for Jews. Yet, it is estimated that 90,000 Polish Gentiles nevertheless aided Jews.

It is certainly true that some Poles blackmailed Jews and non-Jewish Poles hiding them (Flaws, 2011), and took advantage of their desperation by collecting money, or worse, turning them over to the Nazis for a reward. The Gestapo provided a bounty to those who informed on Jews hiding on the 'Aryan' side, consisting of cash, liquor, sugar, and cigarettes. Jews were robbed and handed over to the Germans by "*szmalcowniki*" or blackmailers (the 'shmalts' people, from shmalts or *szmalec*, Yiddish and Polish words for 'grease') (Piotrowski, 1998). The extortionists were officially condemned by the Polish Underground. The fight against informers was organized by the Armia Krajowa (the Underground State's military arm), with the death sentence being meted out on a scale unknown in the occupied countries of Western Europe.

2.2. *The Warsaw Ghetto Uprising*

The 1943 Warsaw Ghetto Uprising represents what is likely the most well known chapter of the wartime history of the Polish Jews (Gutman, 1998). The Warsaw Ghetto was established by the German Governor-General Hans

Frank on 16 October 1940. Initially, almost 140,000 Jews were moved into the ghetto from all parts of Warsaw. At the same time, approximately 110,000 Poles had been forcibly evicted from the area. The Germans selected **Adam Czerniakow** to take charge of the Jewish Council or *Judenrat* made up of 24 Jewish men (see Trunk, 1996). The *Judenrat* was ordered to organize Jewish labor battalions as well as the Jewish Ghetto Police which would be responsible for maintaining order within the Ghetto walls (Michman, 2007). Soon the Nazis demanded even more from the *Judenrat* and the demands grew much crueler. Death was the punishment for the slightest indication of noncompliance by the *Judenrat*. When individual refused to cooperate further, they were consequently summarily executed and replaced by a new group. Czerniakow committed suicide when he was forced to collect daily lists of Jews to be deported to the Treblinka extermination camp (Halasz, 2011).

The population of the Warsaw Ghetto had reached 380,000 people by the end of 1940, about 30% of the total population of Warsaw, although the Ghetto itself was only 2.4% of the size of Warsaw. The Germans closed off the Ghetto from the outside world, building a wall around it by 16 November 1940. During the next year and a half, Jews from smaller Polish cities and villages (“*na wsi*”) were brought into the Warsaw Ghetto, while diseases (especially typhoid) and starvation kept the inhabitants at about the same number. Life in the Warsaw Ghetto was chronicled in the movie “The Pianist” starring Adrian Brody.

In 1942, the Council for Aid to Jews—known by the cryptonym *Zegota*—was created and it received substantial aid from the Polish Government-in-Exile in London (see Kermish, 1977; Engel, 1987; 1993). *Zegota*’s assistance consisted of providing shelter, food and medical assistance, false identity cards, work cards, employment certificates, birth certificates, and marriage certificates. Stated Kermish (1977):

“Shortly after its establishment in December 1942, the Council for Aid to Jews (known by its code-name “*Zegota*”) became one of the most active and dedicated organizations operating in the underground in occupied Poland. In spite of the grave dangers which its workers faced daily, and the frequent crises as a result of the discovery of the Council’s clandestine apartments, the arrest of its leaders and workers, and the constant fear of the Gestapo, the Council was able to extend aid to Jewish survivors, and the cooperation between the Polish and Jewish members of the Council was very close. Thousands of Jews were saved from death as a result of the systematic and ramified work carried on by the Council until the liberation, and its cooperation with the Jewish National Committee and the Bund.”

Zegota also carried on an active campaign against blackmailers, informers, and propagandists and the Justice Department of the Polish Underground severely punished anyone who betrayed Jews.

On 22 July 1942, the mass deportation of the inhabitants of the Warsaw Ghetto began. During the next fifty-two days (until 12 September 1942) about 300,000 Jews were transported by freight trains to the Treblinka extermination camp, often departing from the now infamous Umschlagplatz train station, escorted by the Jewish Ghetto Police. The Ghetto Police were temporarily spared from the deportations until September 1942 in return for their cooperation, but afterwards shared their fate with families and relatives who were sent to Auschwitz or Treblinka.

The decision to begin the Uprising was not met with universal support. Opposition to an active uprising was voiced by some who argued that resistance would mean the destruction of the entire population of the Warsaw Ghetto. Said one individual, “I believe in God and in a miracle. God will not let his people be wiped out”—while passivity would at least save a core of Jews from destruction. On 18 January 1943, a group of militants rose up and resisted German attempts at additional deportations to Auschwitz and Treblinka. The final destruction of the Warsaw Ghetto came four months later after the crushing of one of the most heroic and tragic battles of the war.

The Uprising was led by *Jewish Fighting Organization* or ZOB and the *Jewish Military Union*. More than 750 Jewish fighters participated, but the fighters lacked weapons: they had only 9 rifles, 59 pistols and a few grenades. A network of bunkers and fortifications were formed. Jews were forced to use home-made “Molotov Cocktails” and detonated crudely made mines. Jewish fighters also received support from the Polish Underground. The Polish Home Army (*Armija Krajowa*) supplied the resistors by providing 2 heavy machine guns, 4 light machine guns, 21 submachine guns, 30 rifles, 50 pistols, and 400 grenades. [The Poles themselves would take part

in the Warsaw Uprising in the summer of 1944, where an estimated 166,000 Poles were killed, including as many as 17,000 Polish Jews. Warsaw was almost completely razed to the ground and more than 150,000 Poles were sent to forced labor or concentration camps (see Kmetova & Symy, 2020).]

German forces, which included 2,842 Nazi soldiers and 7,000 security personnel, were not able to crush Jewish resistance in open street combat, and after several days, decided to switch their strategy by setting buildings on fire in which the Jewish fighters were hiding. The commander of the ŻOB, **Mordechai Anielewicz**, died fighting on 8 May 1943 at the organization's command centre on 18 Mila Street. **Aryeh Wilner**, who represented the Jewish National Committee, stated: "We do not wish to save our lives. None of us will come out alive. We wish to save our human dignity." Some 6,065 Jewish fighters were reportedly killed during the uprising.

The fate of the Warsaw Ghetto was similar to that of the other ghettos in which Jews were concentrated. With the decision of Nazi Germany to begin the "Final Solution," the destruction of the Jews of Europe, known by the code name **Aktion Reinhard**, began in 1942, with the opening of the extermination camps of Belżec, Sobibór, and Treblinka, followed by Auschwitz-Birkenau, where people were murdered in gas chambers and mass executions. Many died from hunger, starvation, disease, torture or by pseudo-medical experiments—most notable those conducted of the infamous Dr. Joseph Mengele at Auschwitz. The mass deportations of Jews from ghettos all over Poland to these camps soon followed. More than 1.7 million Jews were killed at the camps by October 1943 alone. For historical context, an important question has been raised: Why didn't Western powers do more to prevent this catastrophe? Many of President Roosevelt's closest advisers (including Robert Morgenthau and Samuel Rosenman, themselves Jews) were initially skeptical of German intentions and were later preoccupied with opening a second front in the West against Germany. However, after the mission of Jan Karski who infiltrated the Warsaw Ghetto in October of 1942, and who also managed to sneak into the Belzec Death Camp, there was no doubt as to the intentions of the Nazis (Huttenbach, 2001; Wood & Jankowski, 2014).

Jewish leaders in London asked for direct action against German cities, including bombing rail lines, and even urged the public execution of German prisoners-of-war. While allied leaders now publicly acknowledged the Nazis' plans to exterminate the entirety of the Jewish population of Europe, the fate of Europe's Jews had already been sealed. Whatever was done was certainly "too little, too late" (see Rosen, 2006). The exterminations would continue and accelerate until early in 1945. The ovens at Auschwitz now operated 24 hours a day.

3. Communist Rule: 1945–1989

From a pre-war population ranging from slightly under 3 million to almost 3.5 million, the number of Polish Jews who survived the Holocaust is difficult to ascertain. The majority of Jewish survivors were individuals who were able to find refuge in the territories of Soviet Union that were not overrun by Germans, and thus safe from the Holocaust. It is estimated that around 200,000 Polish Jews survived the war, out of which around 100,000 were survivors from occupied Poland, and the remainder from the Soviet Union (approximately 136,000).

Following World War II, as a result of the deliberations conducted at the **Yalta Conference**, Poland became a satellite state of the Soviet Union, with its eastern regions annexed to the Soviet Union (actually to Belarus and the Ukraine), and its western borders expanded to include former German territories east of the Oder and Neisse rivers. This forced millions of Poles to relocate. Jewish survivors returning to their homes in Poland found it nearly impossible "to reconstruct their pre-war lives." Due to shifting borders, some Polish Jews found that their homes were now located in the Soviet Union or in Belarus or the Ukraine; in other cases, returning survivors were German Jews whose homes now fell under Polish jurisdiction. Jewish communities and Jewish life as it had existed was gone, and Jews who somehow survived the Holocaust often discovered that their homes had been looted, destroyed, or taken over by others.

Some returning Jews were met with anti-Semitism in employment and education (Engel, 1998; Gross, 2007). Post-war labor certificates contained markings distinguishing Jews from non-Jews. Anti-Jewish violence in Poland took the form of a series of incidents that immediately followed the end of World War II in Europe. These attacks occurred in an atmosphere of violence, instability, and near anarchy across the country, caused by the resistance of

some Poles to the Soviet-backed communist takeover of Poland and unfortunately to lingering anti-Semitism among some in the general population. The exact number of Jewish victims during this period is a subject of debate (see Chodakiewicz, 2003) – however, 327 cases were officially documented. The incidents ranged from individual attacks to more organized pogroms.

The best-known case is the **Kielce pogrom** of 4 July 1946 (Pogrom Kielecki, 2022), in which thirty-seven Jews and two Poles were murdered after a rumor spread that Jews had “killed a Polish boy to use his blood in religious rituals.” The Kielce rioters killed 41 people and wounded 50 more. Following an investigation, the local police commander was found guilty of inaction. Nine participants of the pogrom were sentenced to death; three were given lengthy prison sentences. In a number of other instances, returning Jews met with threats, violence, and murder from their Polish neighbors, occasionally in a deliberate and organized manner. Polish residents frequently were shown to have had knowledge of these actions and turned a blind eye or held no sympathy for the victims. Jewish communities responded to these incidents by reporting the violence to the Ministry of Public Administration, but were granted little assistance or protection.

Even though very few Jews remained in postwar Poland, many Poles believed that Jews dominated the communist authorities—a belief expressed in the term *Żydokomuna* (Judeo-communist), a popular anti-Jewish trope (Shore, 2005).

It is true that some Poles of Jewish descent actively participated in the establishment of the communist regime in the People's Republic of Poland between 1944 and 1956. These individuals were hand-picked by Joseph Stalin and were consequently isolated from the general Polish population. Prominent Jews held posts in the Politburo of the Polish United Workers' Party, most notably Jakub Berman, head of state security apparatus, and Hilary Minc responsible for establishing a communist-style centrally-planned economy (see Hunter & Ryan, 1997). But the great bulk of communist authorities were not Jews. Constant tensions led to a decision by many Polish Jews to leave the country in the immediate post-war period. In fact, in the midst of these contradictions, between 1945 and 1948, it is estimated that 100,000–120,000 Jews left Poland.

A second wave of Jewish emigration (about 50,000 in number) took place during the limited liberalization of the communist regime between 1957 and 1959 in the period following the death of Stalin and the public denunciation of Stalinist crimes by Nikita Khrushchev. After 1967's “Six-Day War,” in which the Soviet Union supported the Arab side, the Polish Communist Party engaged in a ferocious “Anti-Zionist Campaign” (Kunicki, 2015) which in the years 1968–1969 led to the last mass migration of Jews from Poland (Rozenbaum, 1978; Stola, 2006). In fact, the campaign resulted in the expulsion of Jews from the Polish United Worker's Party (Poland's version of the Communist Party) and from teaching positions in Polish schools and universities—although First Secretary Gomulka's wife was herself Jewish.

During the late 1970s, as a prelude to the Solidarity Movement, some Jewish activists were engaged in anti-communist oppositional groups. Most prominent among them, Adam Michnik was one of the founders of the Workers' Defence Committee (KOR) and was later active in the Solidarity Movement as well.

By the time of the fall of communism in Poland in 1989, however, only 5,000–10,000 Jews remained in Poland, many of them, including Adam Michnik, preferring to conceal their Jewish origin or who claimed to be non-religious (see Michnik, 2001; Berendt, 2006).

A second more mercenary reason for Polish antipathy towards Jews may have stemmed from the fear expressed by many Poles that Jewish survivors of the war would undertake legal actions to recover properties that had been confiscated by Nazis or communist authorities (see Beker, 2001; Weizman, 2015). While a law was enacted to allow the Catholic Church to reclaim properties confiscated by communist authorities, Denberg (1998, p. 233) writes; “Unlike the restitution of Church property, the idea of returning property to former Jewish owners has been met with a decided lack of enthusiasm from both the general Polish population as well as the government.”

In 1997 the **Law on the Relation of the State to Jewish Communities** was enacted, which allowed Jewish communities to apply for restitution of communal properties until the deadline in September of 2002. Once approved by the Regulatory Commission on Jewish Restitution, which had the final say on communal applications, properties were designated as “common heritage” and would be managed by the Foundation for the Preservation of Jewish Heritage in Poland. However, a member of the Regulatory Commission, Monika Krawczyk, noted: “After a difficult application process demanding lengthy research of state archives and substantial funds, this from local Jewish communities with very limited resources, only 22% of the 5,814 communal cases have been settled. Roughly half of this 22% have been historic cemeteries, half have been cash compensations” (quoted in Minckier & Mitura, 2008).

Decades later, efforts at reclaiming private property (including valuable works of art) by Jewish citizens would lead to a number of heated controversies, and the matter is still debated by media and scholars in Poland. The United States and several other nations have voiced serious concerns about the process (United States Department of State, 2021). From the Jewish perspective: “We expect that a nation like Poland, which suffered so much during the Nazi and Communist eras, would understand the suffering of other people,” said **Jehuda Evron**, Chairman of the Holocaust Restitution Committee, in 2005. He continued: “The passage of 15 years since Poland has achieved democracy without addressing the basic human right of ownership is inexcusable. Poland still doesn’t understand that for us, the survivors, restitution is not an issue of money, but of justice, and we have waited long enough” (quoted in Minckier & Mitura, 2008).

In fact, Poland remains as the only country in the European Union that has not passed comprehensive national legislation to return or provide compensation for private property confiscated by the Nazis and later nationalized by the communist regime in Poland. Rather, “a patchwork of laws and court decisions promulgated from 1945-present” exists (Stola, 2008; Bazler & Gostynski, 2018). Individual cases may be litigated but major problems relating to authentication of property deeds, the validity of any sale, and the identification of proper ownership have proved to be major obstacles. Ironically, the boyhood apartment of John Paul II in Wadowice was one of the properties returned to its original Jewish owners but was later purchased by the state to serve as a museum (Tzur, 2012; Scammell, 2015).

Two other events have damaged Polish-Jewish relation: the planting of more than 300 crosses and the erection of a Convent on the edges of the Auschwitz Concentration camp by Carmelite nuns. The Carmelites maintained that their only purpose was to provide a place of contemplation and prayer for all of the victims who perished at Auschwitz. It is important, however, to try understand the nature of the controversy from the Jewish perspective. The fact that so many Jews survived Auschwitz (58,000 inmates were evacuated on January 18, 1945 and another 5 to 6,000 sick inmates and children were left in the camp and were liberated by the Soviet Army on January 27, 1945), and the fact that so many Jews perished in the crematoria and ovens at Auschwitz have contributed to the emergence of Auschwitz as the main symbol of the Jewish nation as the “graveyard of European Jewry.” These seemingly benign actions blossomed into great controversies and were only resolved through extensive international pressures, the intervention of the Polish Catholic Church, and the personal intervention of Pope John Paul II, amid much negative comment in the Polish press (Suchecky & Dobia, 1994; Perlez, 1993).

4. Polish-Jewish Relations Today

Despite this tragic history and recent events, with the fall of communism in Poland, Jewish cultural, social, and religious life has been undergoing a surprising revival (see Krajewski, 2005). Jewish religious life has been revived with the help of the **Ronald Lauder Foundation** and the **Taube Foundation for Jewish Life & Culture**. There are now several rabbis serving the Polish-Jewish community, including Michael Schudrich as Chief Rabbi of Warsaw; several Jewish schools and associated summer camps, as well as several periodical and book series, are sponsored by the above foundations and other similar academic and religious groups. Jewish studies programs are offered at major universities, such as Warsaw University and the Jagiellonian University in Krakow. (I attended one of the first summer school programs in Krakow in Polish-Jewish relations in the summer of 1994.) The Union of Jewish Religious Communities in Poland was founded in 1993. Its purpose is the promotion and organization of Jewish religious and cultural activities in Polish communities.

The **Stara Synagoga** ("Old Synagogue") in Kraków, which now hosts a Jewish museum, was originally built in the early 15th century and is the oldest synagogue in Poland. There are also several Jewish publications, although most of them are in Polish and no longer in Yiddish. Active institutions include the **Jewish Historical Institute**, the **E.R. Kaminska State Yiddish Theater** in Warsaw, and the **Jewish Cultural Center**. The **Judaica Foundation** in Kraków has sponsored a wide range of cultural and educational programs on Jewish themes for a predominantly Polish audience. Each summer there is a festival of Jewish Cultural Life in Krakow in the Kazimierz District, an area which was featured prominently in the movie *Schindler's List* as well.

Of special note is the **POLIN Museum of the History of Polish Jews**, on the site of the former [Warsaw Ghetto](#). The museum's cornerstone was laid in 2007, and the museum opened on 19 April 2013. The core exhibition opened in October 2014 and features a multimedia exhibition about the Jewish community that flourished in Poland for a thousand years up to the [Holocaust](#).

Former extermination camps of Auschwitz-Birkenau, Majdanek and Treblinka are open to visitors. At Auschwitz, the **Oświęcim State Museum** currently houses exhibitions on Nazi crimes with a special section (**Block Number 27**) specifically focused on Jewish victims and martyrs. Objects preserved include 800 square feet of shoes, irons and cutlery; 2,479 kilograms of glasses, razors, and buttons; 3,500 suitcases—many with distinctive Jewish names; 29,000 toothbrushes; 460 prosthetic limbs; 150 prayer shawls; and thousands of other objects. At Treblinka, there is a monument built out of many shards of broken stone, as well as a mausoleum dedicated to those who perished there. A small mound of human ashes commemorates the 350,000 victims of the Majdanek camp who were killed there by the Nazis. The Jewish Cemetery in Łódź is one of the largest Jewish burial grounds in Europe. Artifacts from these core places are often loaned to national museums throughout the world to serve as potent reminders of the evils perpetrated against Jews during the Holocaust.

There have been a number of specific Holocaust remembrance activities in Poland in recent years that have attracted both old and young—but especially young people—from around the world.

In September 2000, dignitaries from Poland, Israel, the United States, and other countries (including Prince Hassan of Jordan) gathered in the city of Oświęcim (Auschwitz) to commemorate the opening of the refurbished **Chevra Lomdei Mishnayot** synagogue and the Auschwitz Jewish Center. The synagogue, the sole synagogue in Oświęcim to survive World War II, and an adjacent Jewish cultural and educational center, provide visitors a place to pray and to learn about the active pre-World War II Jewish community that existed in Oświęcim. The synagogue was the first communal property in the country to be returned to the Jewish community under the 1997 law allowing for the limited restitution of Jewish communal property described above.

The March of the Living is an annual event in April held since 1988 to commemorate the victims of the Holocaust. It takes place from Auschwitz (the administrative camp) to Birkenau and is attended by many people from Israel, Poland, the United States, and other countries.

5. Some Conclusions or Rather Observations

In my view, many of the controversies which have characterized relations between Poles and Jews may be unresolvable—first in our lifetime and perhaps for all times. The immense hurt and the overwhelming evil of the Holocaust is still too present for too many. It has been only a little more than 75 years since “the unspeakable” was done. Memories and stories are still too strong; lives lost are still too present; passions are still too inflamed. What is undeniably true, however, is that the dialogue between Poles and Jews will continue. The history of Jews in Poland can not be eradicated

Let me conclude with the words of a Polish poet and human rights activist, Antoni Slonimski, a man of Jewish origins, but who was baptized as a Christian (quoted in Peck, 1999):

“Gone now are those little towns where the shoemaker was a poet,
The watchmaker a philosopher, the barber a troubadour.

Gone now are those little towns where the wind joined
 Biblical songs with Polish tunes and Slavic rue,
 Where old Jews in orchards in the shade of cherry trees
 Lamented for the holy walls of Jerusalem.
 Gone now are those little towns, through the poetic mists,
 The Moons, winds, ponds, and stars above them
 Have recorded in the blood of centuries the tragic tales,
 The histories of the two saddest nations on earth.”

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Analysis of Digital Influencer Characteristics in Building Digital Engagement Through @byu.id Instagram Account

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Abstract

The existence of digital influencers in the past years has grown very rapidly due to changes in the characteristics of social media users. Social media users prefer things that are collaborative, original and community. This is due to the variety of social media platforms available and by presenting tools that make users more creative. This provides opportunities for various brands to collaborate with Digital Influencers to increase engagement on social media that can affect sales. by.U as the first all-digital provider in Indonesia took advantage of this opportunity to build engagement on social media. The selection of KOL is based on the Pillars of Influence theory which includes Reach, Relevance and Resonance. This study aims to find out how the role of digital influencers in building digital engagement for the @byu.id account. The results of this study indicate that digital influencers have a role that can build digital engagement with these three aspects which are supported by content creation & personal branding that results in audience participation so that digital engagement is formed.

Keywords: Interaction, Personal Branding, Campaign

1. Introduction

The existence of *digital influencers* in the past three years has grown very rapidly due to changes in the characteristics of social media users. Social media users prefer things that are collaborative, original and community. The characteristic of digital users today is to make messages as a commodity based on *user generated content* where the content spread on social networks is user-generated and distributed to fellow users. On social media, the content is entirely owned by and based on the contribution of the user or account owner. UGC is a symbiotic relationship in a new media culture that provides opportunities and flexibility for users to participate (Prasetyo, et al., 2022, p. 317).

The growth of digital influencers is also caused by other factors, namely the increasingly diverse social media platforms available and by presenting tools that make users more creative. Thus, paving the way for those who are smart to take advantage of opportunities to become digital influencers. Digital influencers have various categories, starting from discussing content about food, make-up, comedy, gadgets and automotive. This provides

opportunities for various brands to collaborate with Digital Influencers to increase engagement on social media that can affect sales.

Business marketing in the digital world is increasingly diverse. From using advertisements on social media to using *Key Opinion Leaders*. A *Key Opinion Leader* is a person who is considered credible in leading public opinion, is fairly active on social networks and can attract public attention. The marketing phenomenon using the *digital influencer* has the same concept as the *word of mouth*.

As reported by the We Are Social in 2022 (datareportal.com), social media users in Indonesia have reached a total of half of the total population, namely 191.4 million active users of social media out of 277.7 million total population. The use of social media is not only limited to self-existence and information dissemination, but its use can be used as a business medium. The owners of the company or business see this opportunity as a promising prospect because most potential customers must have social media. Therefore, many companies are starting to build their social media. The reason is to build digital engagement and brand awareness of potential consumers on their social media. Social media is a marketing communication media that uses online media to attract consumers or companies in various forms (images, writings, etc.) to increase awareness, corporate image and to increase sales. (Indika & Jovita, 2017).

By.U is a subsidiary of Telkomsel Group in the provider industry. Released in 2019, by.U was developed specifically with the target audience of Gen Z and adapting Gen Z characters who are independent, creative, constantly online, and prioritize freedom. These characteristics underlie the three main values of by.U development, specifically in digitization, personalization, and transparency.

In the concept of digital influencers, there are three aspects that can be categorized as successful when working with digital influencers, namely reach, relevance and resonance, known as Pillars of Influence (Solis, 2012). These three aspects are closely related to digital engagement on social media. Digital Engagement is a measure of the interaction that results from managing content on social media, because the value of having a social media platform lies in the participation of its users. In this study, 3 aspects of the role of digital influencers in building digital engagement will be investigated in collaboration with by.U in marketing products in a creative campaign..

2. Conceptual Framework of The Study

2.1 Digital Communication

Digital communication focuses more on the use of text, both in its actual form and in the form of symbols. This computer and internet-based communication is also known as CMC (Computer Mediated Communication) which is a communication process that includes audience participation, has a certain context that uses media to achieve certain goals (Nasrullah, 2014).

2.2 New Media

The new media environment or known as cyberspace has brought new ideas to the media that are not only focused on messages alone, but have begun to involve communication technology itself. Not only can it be seen as a media in terms of technology alone, but also other meanings that arise such as culture, politics and economics (Meyrowitz, 1999). The presence of new media gave rise to a new era in communication, namely the presence of social media. The use of social media is not only limited to self-existence and information dissemination, but its use can be used as a business medium. There has been a shift in the method of marketing a product since social media has become phenomenal. The owners of the company or business see this opportunity as a promising prospect because most potential customers must have social media.

2.3 Social Media

The presence of social media raises new characteristics that occur with its users, including the emergence of the term user generated content where social media users share their experiences when consuming something. The review will be distributed to their circle of friends where this content can be expanded to be even wider outside of the circle of friends. The second characteristic found in social media is related to interactions between users. The interactions that occur on social media are at least in the form of commenting on each other or giving signs. (Nasrullah, 2015). This interaction is a form of simulation of communication that exists in the real world, what determines it is that this interaction occurs in new media.

2.4 Instagram

In managing social media, there is content that can at least make the audience understand the product information offered by the company/business. Content on Instagram is not only produced in terms of text, but also includes audio, video, and audio-visual. The costs incurred in managing Instagram accounts for businesses can be minimized rather than promoted by the traditional way. The level of its effectiveness can also be continuously monitored by the company. In terms of audience, the use of business social media will also reach wider audiences and can be accessed anytime and anywhere.

2.5 Digital Influencers

Digital influencers are those who have a great influence on social media and their opinions can have an excellent impact online (Ryan & Jones, 2009). Digital influencers are divided into three categories based on the number of followers on social media (1) Mega Influencers with more than one million followers; (2) Macro Influencers with 100,000 – 1 million followers; (3) Micro Influencers with 1000 – 100,000 followers. There are 3 factors that a social media influencer must have, namely Reach - Ability to deliver content to the target audience. Relevance - the connection to the brand or topic. Resonance - The ability to direct the desired behavior of the audience. (Elli, 2017).

These three aspects can be used as a reference for choosing digital influencers who will work with brands, namely reach, relevance and resonance. Reach means how far digital influencers can reach an audience when conducting a collaborative campaign. Popularity and uniqueness of a digital influencer are one of the main factors that become an indicator of reach and are shown by the number of followers on social media. The second aspect is Relevance, compatibility of personal branding of digital influencers with the concept of a brand, because it can affect the target audience. The trust factor from the audience is also an important part of relevance, this can be obtained by digital influencers by having a competence, uniqueness and special expertise in their field. Finally, Resonance represents the engagement that digital influencers can generate with audiences similar to the brand. A large number of followers is meaningless if those followers are not actively providing feedback or are interested in the content shared by digital influencers.

2.6 Digital Engagement

Digital engagement is the involvement formed by internet users towards content that exists in cyberspace. There are three interaction features on social media (Kaushik, 2011), namely (1) Conversation signifies conversational activity between users; (2) Amplification signifies the spread or expansion of the message and; (3) Applause as a short response through features such as like, love, emoji, and click. In addition, Digital Engagement can be measured through 5 types of measurements, namely; follower growth, Engagement rate, top & worst post, sentiment and top issue/ FAQ (frequently asked question).

3. Method

This research uses a qualitative approach with a case study method. The case study research method is a research design that is comprehensive, intense, detailed, and in-depth, and is more directed as an effort to examine contemporary problems or phenomena (limited by time) (Herdiansyah, 2015) The data in this study were collected using interview techniques, observation and case studies. Interviews were conducted with key informants from the

marketing team by.U and also three influencers with different categories, namely @alfysaga, @dzawin_nur, @oomleo and the Instagram account @byu.id

4. Result and Discussion

4.1 Digital Influencer

A digital influencer or also often referred to as a Key Opinion Leader is a person with the ability to influence, change opinions and behavior online, generally through social networking. The Marketing Team from by.U also chose the Key Opinion Leader as a marketing strategy by objectively looking at the value to be achieved.

The characteristics of digital influencers to influence people's opinions also had a great impact on the dissemination of information related to the products owned by the brand. In one of the campaigns in February 2022, which about the promotion of TikTok Everyday which got the best engagement rate for 6 months, by.U used the concept of viral communication in which they collaborated with Ghozali Everyday, an NFT animator who had gone viral and use him as a brand ambassador. This makes the Instagram account @byu.id get an engagement rate of 7.88% in February 2022.

In choosing digital influencers or key opinion leaders as liaisons between brands and consumers, digital influencers must have a personal branding relationship with the company's brand identity. This is in line with the Pillars of Influence theory which includes aspects of Reach, Relevance and Resonance of a digital influencer. Similarities and differences between your results and the work of others should be used to contextualize, confirm, and clarify your conclusions. Do not simply reformulate and repeat points already made; each new statement should contribute to your interpretation and to the reader's understanding of the problem.

4.2 Reach Aspect

Reach means the capability of digital influencers to reach an audience when conducting collaborative campaigns. In this aspect, the popularity of digital influencers plays an important role in growing digital engagement on social media. The use of Mega Influencers is considered wider to reach the audience, but engagement with the audience is weak. In contrast to Macro and Micro Influencers who also have a strong community base, the engagement will increase further. The use of Macro and Micro Influencers is considered more effective for recall and reach audiences that are not reached by Mega Influencers.

To determine the number of influencers who will work together in a campaign, by.U first specifies the targets and objectives of the campaign. After that, is the determination of the campaign area and the number of target markets or interest points. Estimated viewers of each influencer are one aspect of consideration in determining the number of influencers who will work together. After determining the goals and estimated viewers, the by.U team will create a list of influencers based on the Mega, Macro, to Micro scales that match the by.U brand identity.

4.3 Relevance Aspect

Relevance related to the personal branding compatibility of digital influencers with the campaign concept of a brand. This likeness will affect the communication that will be formed between the brand and the audience assisted by digital influencers as third parties from a campaign. The things to consider in the selection process of key opinion leaders conducted by by.U are personal branding from digital influencers, audience profiles from digital influencers and audience trust in those digital influencers and the strategy for planning messages to be conveyed in the campaign.

The digital influencers studied in this study are @alfysaga, @dzawin_nur and @oomleo, all of them have something in common regarding their personal identity such as being creative, always online, and prioritizing freedom while making content on social media. Audience trust is an important part of digital influencer relevance. This comes together with the credibility that is built from the interactions that occur on social media between

digital influencers and their audiences. This interaction is a form of simulation of communication that exists in the real world, what determines it is that this interaction occurs in new media.



Figure 1: *Digital Influencer Selection Flowchart*

Source: Results of Data Processing by Researchers

4.4 Resonance Aspect

Resonance represents the engagement that digital influencers can generate with audiences similar to the brand. A large number of followers is meaningless if those followers are not actively providing feedback or are interested in the content shared by digital influencers.

In one example of the “MenDUA ke by.U” campaign, Andre Taulany's YouTube channel was chosen to be KOL on the scale of mega influencer. In his YouTube video, he briefly explains the advantages of by.U compared to other providers. This video got high views and managed to become trending on YouTube. In the opinion of by.U's team representatives, this significantly increased by.U's share of voice on social media that week. They mentioned that it is related to the share of voice which is also a form of resonance from the campaign on social media. Share of voice signifies the visibility of a brand on social media.

Based on interviews with informants and sourced from examples of campaign cases, the use of mega influencers who have a large number of followers does not guarantee high engagement and does not guarantee the campaign will be successful. In fact, social media accounts that have few followers are also likely to get high engagement and this can affect sales directly or indirectly. The strategy used when by.U first appeared was to use contributions from Mega Influencers who worked together to spread the campaign message. After that, by.U invited nano-scale influencers to spread information about the product as if it were a form of honest review. This is a form of implementation of the concept of word of mouth. It can be concluded that aspects of Pillars of Influence which consist of Reach, Relevance and Resonance are aspects that are considered in choosing digital influencers by.U which can be seen visually in the following chart,

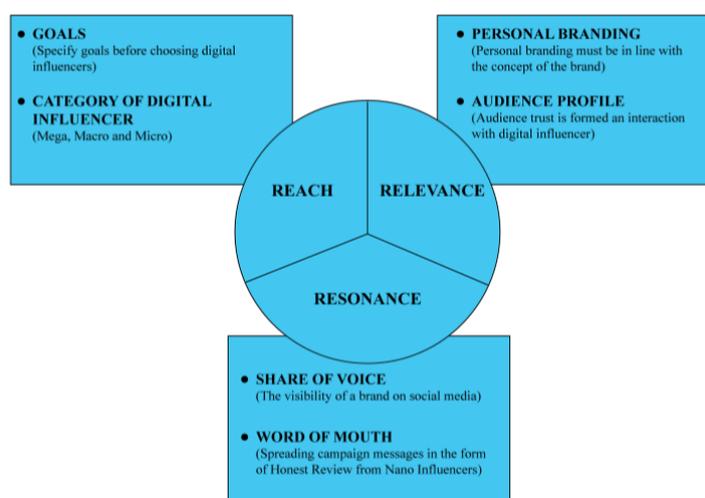


Figure 2: *Pillars of Influence Aspects*

Source: Results of Data Processing by Researchers

4.5 Digital Engagement @byu.id Instagram Account

Followers Growth on the @byu.id account increased drastically in April 2022. This was partly due to the existence of a campaign during Ramadan in the form of a mini-comedy skit which was divided into several episodes with hashtags #parapencaritakjil, #kuenyangbarengbyu, #semuanyasemaunya.

Top & Worst uploads on Instagram by.U accounts for a six months period (January – June 2022) are analyzed based on the calculation of the engagement rate. The post with the best content fell in February which got 42,606 likes and 392 comments. The content message is about information related to the TikTok Quota campaign with the hashtag #tiktokeveryday. Meanwhile, the upload with the worst engagement rate fell in April which got 162 Likes and 4 Comments. This content contains information about tournament leagues hosted by by.U.

Sentiment is a measurement to see how the audience in one post is divided into negative/neutral/positive sentiments. The comments for the best upload in six months was filled with 392 comments of which 151 were neutral, 118 were positive and 123 were negative.

Top Issues or Frequently Asked Questions filled with comments from audience who had trouble and complaint when using by.U. The problems that are often encountered are regarding the Network, Quota and SIM Card Purchases, Testimonials and Customer Service.

4.6 Digital Engagement Digital Influencer Instagram Account

Conversation is the activity contained in the comments section of an account is a Conversation Engagement that is formed from content that can attract the audience to talk about it to fellow social media users. There are similarities between audiences' comments from 3 different scales of digital influencers, that is audiences who feel connected to the content created by digital influencers. This is the audience's effort to show their attitude towards a message that has been conveyed by the Key Opinion Leader. This intensifies the role of social media users who interact with new media.

Amplification means that spread and expansion of messages does not depend on visual content alone. In Instagram, there is a caption section filled with text to support the intent and purpose of the visual content. This also emphasizes the function for message distribution. There is a unique feature in the caption section, namely the use of hashtags that are useful as markers so that uploaded content can appear in a group with the same hashtag.

Hashtags also function as branding identities on social media to be known globally. From the results of the research, the three contents uploaded by three different influencers have similar captions, which are both starting with the same little explanation as what has been displayed on the audio-visual content. They use hashtags in the middle and end of the caption. Some of the hashtags used are #EverythingSemaunya, #AnakbyU, and #KuenyaaangBarengbyU.

Applause is one of the Digital Engagement activities consisting of responses from the audience through features such as likes, love, emojis and clicks. From two of the three influencers studied, there is one influencer who indicates that the engagement rate is not good or does not match the indicators.

Based on research conducted by analyzing interview data and social media observations, it is said that the characteristics of digital influencers will always go hand in hand with digital engagement which consists by the content created by digital influencers & the personal branding of digital influencers had result in the participation and interaction of audience and also collaboration between fellow social media users which will build engagement on social media.

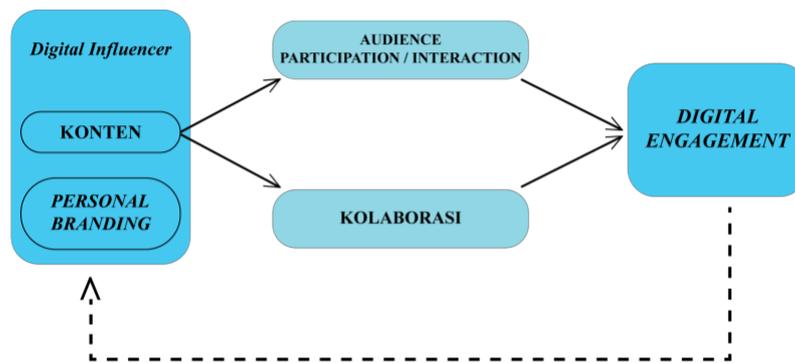


Figure 3: *Digital Influencers in Building Digital Engagement*

Source: Results of Data Processing by Researchers

5. Conclusion

Based on the results of research and analysis conducted by researchers, the characteristics of digital influencers in building digital engagement through the @byu.id Instagram account can be concluded as follows:

- a. The characteristics of digital influencers to influence opinions has a great impact on the dissemination of information related to the products owned by the brand.
- b. To determine the number of influencers who will work together in a campaign, by.U first specify the targets and objectives of the campaign. After that, determine the campaign and interest points then make a list influencers that match the brand identity by.U
- c. The things to consider in the selection process of key opinion leaders conducted by by.U are personal branding from digital influencers, audience profiles from digital influencers and audience trust in those digital influencers and the strategy for planning messages to be conveyed in the campaign.
- d. Resonance represents the engagement of a digital influencer with an audience similar to that of the brand. A large number of followers will not be effective if those followers are not actively providing feedback or are interested in the content shared by digital influencers. In fact, social media accounts that have few followers are also able to get a share of voice.

6. Recommendation

From the research that has been conducted by the author, the recommendations that will be given include:

- a. Researchers realize that there is still a lack of data related to digital engagement, therefore further research is needed related to sentiment on social media using more detailed quantitative data and with software that is specifically used to calculate sentiment comments on social media
- b. To develop audience's interaction, Key Opinion Leaders must be more active in utilizing the features available on Instagram social media
- c. For Key Opinion Leaders or Digital Influencers to collaborate more to create more creative content and reach wider audiences

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Parasocial Interactions: JKT48 Fans in Forming Relations with Idols and Social Environment

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Abstract

JKT48 is the first idol group in Indonesia, founded in 2011, and the sister of the Japanese idol group, AKB48. JKT48 is also known as one of the popular music in Indonesia with fans who are still active until now. With the concept they have, namely "Idol You Can Meet," fans can directly interact with the JKT48 members they like. In this article, researchers will analyze the relationship between JKT48 fans' parasocial interactions with idols and their social environment. To understand the motives, motivations, and experiences of JKT48 fans, this study uses a qualitative-phenomenological model with Alfred Schutz's model. The results of this study found that JKT48 fans are loyal to JKT48 members with different motives and motivations in supporting JKT48 members they like, so they can spend tens to hundreds of millions of rupiah to support JKT48. In addition, fans are also closed to their true identities as JKT48 fans, such as in the family, friends, and office, because being a fan of JKT48 is still taboo in society.

Keywords: Parasocial Interaction, JKT48 Fans, Fandom, Popular Music

1. Introduction

Almost everyone has a sense of interest and liking for idol figures who are celebrities, singers, basketball players, football players, and others. JKT48 fans love the figure of the idol group JKT48 who has been in the world of music and entertainment in Indonesia for almost 10 years since 2011. Parasocial interactions depict from the side of fans with idols in JKT48 by looking at their idols who are at the JKT48 Theater. Not only interacting, but fans can also participate and interact with idols they like.

JKT48 is a sister group of AKB48 and JKT48 is the first idol group in Indonesia. JKT48 fans also interact with JKT48 idols that they like, and they can meet their idols at the JKT48 Theater, Mall Fx Sudirman, F4 Floor. JKT48 originated from the existence of AKB48 which debuted in 2005 and had fairly high popularity in Japan from 2005 until now (2022). This AKB48 Idol Group is produced by Yasushi Akimoto; in addition to showing singing and dancing skills, AKB48 also has the concept of "Idol You Can Meet."

JKT48 Theater is used to watch the JKT48 Theater setlist presented by 16 members and is also a means for fans to meet JKT48 members who they like at JKT48. With the same concept as AKB48, JKT48 fans can directly meet

the idols they like. They can also immediately see the development of their idols at JKT48 by visiting it at the JKT48 Theater located at Mall Fx Sudirman, 4th Floor, South Jakarta.

JKT48 activities organized by JKT48 are a way for fans to live a good relationship with idols and know the development of JKT48 members they like. Even during the COVID-19 pandemic, fans can still support and meet JKT48 members who they like with activities online media carried out by JKT48.

JKT48 fans are also someone who enthusiastic about JKT48, such as participating in JKT48 activities from attending the JKT48 Theater, JKT48 Handshake Event, JKT48 Video Call, and JKT48 Concerts. Also, they can buying merchandise related to JKT48, such as JKT48 Photo Packs, JKT48 T-Shirts, JKT48 Lightstick, JKT48 TwoShots, and others. JKT48 fans are usually referred to by the term "wota" or "wota JKT48" in general, but actually, the call or designation for JKT48 fans is "JKT48 fans".

Donald Horton and Richard Wohl said: "They give the illusion of a face-to-face relationship with the performer. The conditions of response to the performer are analogous to those in a primary group. The most remote and illustrious men are met as if they were in the circle of one's peers; the same is true of a character in a story who comes to life in this media in an especially vivid and arresting way. We propose to call this seeming to the face-to-face relationship between spectator and performer a para-social-relationship." (Barron, 2015). JKT48 looks like it has its way of responding to its fans by bringing together its fans and idols so that conditions occur in the same environment. The face-to-face relationship between the fan and the idol is a parasocial interaction.

The researcher chose JKT48 fans as the object of research because JKT48 is an Idol Group that appeared for the first time in Indonesia and has a concept that can allow their fans to meet the idols they like at JKT48 even in the era of the COVID-19 pandemic in Indonesia. Also, what kind of relationship JKT48 fans expect from their idols, and how do JKT48 fans position themselves in their social environment as JKT48 fans.

In conducting this study, the researcher set the focus of the study on the following:

1. What are the underlying motives for parasocial interactions among JKT48 fans?
2. What is the relationship between JKT48 fans and JKT48 members they like and the social environment of JKT48 fans during activities in the era of the COVID-19 pandemic?
3. What is the experience that JKT48 fans get?

1.1. Conceptual Literature Framework of the Study

1.1.1. Relational Maintenance Communication

Relational communication theories focus on the combined views or actions of the relationship members that provide a mutually produced description of their relationship. Relationship maintenance generally refers to a group of behaviors, actions, and activities that individuals use to sustain desired relational states (e.g., closeness and/or intimacy) and definitions (e.g., dating, best friends). Individuals in romantic relationships, cross-sex and same-sex friendships, family relationships, and even work relationships routinely use these behaviors to maintain their relationships. (Stephen & Karen, 2009). Relational communication is communication that has a relationship with each other and carries out this relationship through communication behavior or the results of mutual interaction.

1.1.2. Parasocial Interaction

According to Rubin and McHugh in 1987, fans have three main motivations for being interested in celebrity figures, and the most referring factors include social, physical, and motivational factors for working on tasks (Stever, 2009). Fans have several factors that influence them why they idolize their idol, such as the social, physical and motivational factors of the idol they like.

Table 1: Factor Motivation for Parasocial Interaction (Stever, 2009).

No	Factor	Keywords	Description
1	Task Attraction	Talented, musical, creative, artistic, entertainer, expressive.	Shows a clear appeal based on the talents and abilities possessed by the celebrity.
2	Romantic Attachment	Sexy, good-looking, attractive, dress neatly, strong, athletic.	Shows a clear attraction based on the target's physical characteristics or has the potential to be a romantic partner. References are made to create a relationship, marriage, sexual or physical attractiveness, or other attractive indicators of personal relationships.
3	Identificatory Attachment A	Role model, honest, generous, considerate, thoughtful, wise, religious, and others.	Want to be a figure like that celebrity.
4	Identificatory Attachment B	Connecting celebrities with themselves.	The celebrity is like a fan's self.
5	Filial Attachment	Friends, sister/brother and family.	Interested in considering the celebrity to be a friend or family figure without any romantic relationship.
6	Coworker Attachment	Collaboration or co-worker.	Want to collaborate or become a co-worker and be involved in working together for the creative world.
7	Hero Worship	Heroes, legends, etc.	The celebrity has a heroic status in the discourse regarding the legendary superstar and is more than just an ordinary person.
8	Infantile Attachment	Strong, exceeding others, meeting needs.	Celebrities meet unmet needs in the lives of fans.
9	Parental Attachment	Protective, protecting/nurturing.	Fans are protectors and nurture or parents against celebrities.

The characteristics of the figure of a fan have some similarities, especially in parasocial interactions. Characteristics are also given 2 levels, such as the level of prosperity of a fan in their finances and also the socialization of fans with the community of fellow fans. In addition, fans have begun to actively use the internet as a place to gather and have the motivation to meet their idols in person.

1.1.3. Symbolic Interaction

Symbolic interactionism is a way of thinking about the mind, self, and society that has contributed significantly to the socio-cultural tradition of building communication theory. George Herbert Mead as a builder of this symbolic interaction. He teaches that meaning arises from interactions among human beings, both verbally and non-verbally (Morissan & Wardhany, 2009). At the same time, the 'mind' and 'self' arise in the social context of society. The mutual influence between society, individual experience, and interaction became material for theoretical study in the tradition of theories of symbolic interactionism, such as the following Holstein and Gubrium (2001) compendium, "the theory of symbolic interactionism is oriented towards the principle that people respond to the meaning they construct insofar as they interact with each other. Each individual is an active agent in the social world, which of course, is influenced by culture and social organization. He is also an important instrument in cultural products, societies, and meaningful relationships that affect them." (Ardianto & Q-Aness, 2009, pp. 135-136). In this case, it can be seen that the existing meaning of the interaction is established due to the existence of thought processes that influence the individual figure to accept the meaning of the results of interaction with others. There is a self that is seen as how the individual self-figure understands himself, then the existence of an existing society can affect oneself because of the process of social interaction.

2. Method

The phenomenological tradition assumes that people actively intersperse their experiences and try to understand the world with their personal experiences (Littlejohn & Foss, 2009). In this case, the researcher uses qualitative - phenomenology to find out how the experiences that a person makes in doing something event or event. The

research uses a phenomenological method with the Alfred Schutz model, where researchers will typify fans by forming categories of parasocial interaction and fan experiences because they discuss the personal experiences of JKT48 fans.

2.1. Participant Characteristics

Table 2: Participant Characteristics

No	Name	Age	Gender	Job	Educational Stage	Being a JKT48 Fans	Spending Money to JKT48
1	Alif	26 years	Man	Entrepreneur	Bachelor Degree	11 Years	IDR 600.000.000
2	CC (Initial)	31 Years	Woman	HR Coordinator	Master Degree	10 Years	IDR 157.000.000
3	Tantowi Jauhari	30 Years	Man	Employee	Bachelor Degree	10 Years	IDR 140.000.000
4	A. Zahra Annisa	21 Years	Woman	Student	Bachelor Degree	9 Years	IDR 20.430.000

2.2. Data Collection

A depth interview is a way of collecting data or information by directly meeting face to face with informants in order to get complete and in-depth data. In this in-depth interview, the interviewer has relatively no control over the informant's response, meaning that the informant is free to give answers (Kriyantono, 2009). Observation can help researchers to understand the context that explains what people are doing. But observation can't help researchers understand why people do an activity, what motivates them and what their desires are (Kriyantono, 2009). In addition to using in-depth interviews, researchers will obtain other primary data using observations to the research site using participant observations. Also, using literature from journals, books, or articles for the secondary data.

3. Result

3.1. JKT48 as Popular Music Culture in Indonesia

Popular culture is defined by beliefs and values, behavior and values, and by an understanding of history and difference. All of these things belong to a particular social group (Burton, 2008). KT48 is one of the popular cultures that entered popular music in Indonesia by bringing an "idol" mechanism system like AKB48. In this case, popular culture is one of the places to provide a means or place that makes a person channel their expressions and feelings through things he likes and interests. JKT48 fans make this activity a way to channel their expressions and feelings.

Popular music has always been a music idol. A good-looking look always sells well, whether in a live theater or on television broadcasts. Popular music magazines and posters have spread seductive images of popular music performers since the beginning of popular music. As a culture industry geared towards making a profit, the emphasis has always been on seductive sheen rather than artistic aesthetics and aesthetic prowess. And more directing to the visuals in the presence of television. While the appreciation of popular music was essentially in sound (which was transmitted via radio or recording) before the advent of television, small screens featured visual elements of performers and performances (Lie, 2019). JKT48 is one of the popular music that currently exists in Indonesia by providing the JKT48 Theater as a place to offer concerts and music and dance performances from JKT48 members that can be directly watched by JKT48 fans almost every day, just like AKB48, which provides theater as a meeting place between fans and their idols.

According to Mulyana, JKT48 is one of the ways of transnationalization carried out by AKB48 in Indonesia. The emergence of JKT48 in the realm of the country's entertainment industry is a process of globalization of Japanese culture in Indonesia. Homogenization of Japanese culture starts from the concept, the appearance of members, costumes, and song lyrics to product sales. Hall (1992) explains that it is related to popular culture, where culture in everyday life is given to everyone more than just entertainment. Such as performances, expressions, and symbols that spread to human culture (Mulyana, Briandana, & Ningrum, 2019). By applying the concept of "Idol You Can Meet" from JKT48 as their marketing concept, fans can meet their idols directly at the JKT48 Theater by visiting and watching the setlist, but not only in terms of the appearance of the members given by JKT48. But there are also products offered by JKT48, namely selling CDs, music albums, and download cards from JKT48, which will get handshake tickets to shake hands and interact with JKT48 members they like, JKT48 Digital Photobook which contains photos of JKT48 members, and tickets for video calls with JKT48 members.

3.2. JKT48 Fans & Fandom

JKT48 fans are refer to as "JKT48 Fans". For JKT48 fandom, in general, ordinary people only know the designation of JKT48 fans as "Wota."

Loyal fans of idols who repeatedly go to the same show are commonly known as Wota (ヲタ). The term of this *spin-off* is from *Otaku* (御宅). The main sign of being a Wota is that he invests a lot of time and money in their favorite female idol. Otaku and Wota are sometimes associated with negative images such as anti-social behavior, social incompetence, obesity, and others (Xie, 2014). . Although JKT48 has been around since 2011 and until now (2022), this fandom doesn't have a specific naming in it for its fans and only uses "JKT48 Fans".

Jenkins explains about participatory cultures that there are unique relationships or interests and expressions within fandoms or groups of fans (Lies, Khairul, & Rusmana, 2019). This fandom contains "Idols," idol characters who are identified as well-known people, intelligent, and experts in their fields (Dariyo, 2004). Idols or called "Aidoru," are also used in Japan as something that exists in individuals who can become singers, models, and personalities that can be produced and promoted to an audience (Galbraith & Karlin, 2012). However, JKT48 has been around since 2011, and until now (2022), this fandom doesn't have a specific name.

3.3. Concept of "Idol You Can Meet" JKT48

The concept of "Idol You Can Meet" is also carried by AKB48 sister groups such as JKT48. This concept is a way to bring fans together with their idols so that their fans can see firsthand the development and appearance of the idols they like at JKT48, located at the JKT48 Theater, Mall Fx Sudirman 4th Floor, South Jakarta. Currently, several activities are still actively carried out by JKT48 to bring together idols and their fans, including:

1. Setlist JKT48 Theater: Presenting performances such as singing, dancing, and MC performances performed by JKT48 members. The theater setlist will be divided into per teams, namely Team J, Team KIII, and Team T, and also assisted by JKT48. The core members who will be present in the theater setlist show are 16 members, and the schedule of the setlist and members present has been arranged by JKT48 management. To watch the JKT48 theater setlist, fans must pay a fee of IDR 60.000- to IDR 120.000- by ordering through the website or on the spot. The JKT48 operational system creates an attendance count system for fans who come to the JKT48 theater setlist. Fans who have attended attendance 100 times multiples will get an MVP (Most Valuable Participants) reward so that they can hold their attendance with their favorite members in the theater. However, during the COVID-19 pandemic, the JKT48 theater setlist can only be ordered through the website, and fans who already have an ID Card, such as OFC (Official Fans Club) JKT48, need to pay IDR 200,000 - one time to come to watch the setlist and also there is a limit on the attendance of the audience, which is a maximum of 26 people due to certain protocols during the COVID-19 pandemic.
2. Handshake Event JKT48: an event where fans can shake hands with the JKT48 members they want. Tickets to participate in this event can be obtained as a bonus by purchasing the JKT48 CD. With activities such as the Handshake Event, fans can chat, talk and hopefully get to know the members better. (JKT48, 2020) Fans who participate in this activity can immediately interact with their idols by spending

IDR 35,000-/ticket or 1 CD, and 1 ticket is valid for 10 seconds talking to JKT48 members during the activity.

3. Video Call JKT48: a service that fans can do to interact with JKT48 members (JKT48, 2020). During the COVID-19 pandemic, the handshake event was replaced with a JKT48 video call activity so that fans could still interact with idols they liked. To participate in this activity, JKT48 fans must spend IDR 100,000/50 seconds.

4. Discussion

JKT48 fans like JKT48 because of environmental factors such as being influenced by other people such as ex-girlfriends or school friends. In addition, some fans are interested because they have followed other idols such as AKB48 and K-Pop, which caused them to find out about the existence of JKT48 in Indonesia.

JKT48 fans don't mind the conditions during COVID-19, so during this COVID-19, fans can still participate in JKT48 activities. Even for far fans, it seems that the activities held online are helpful because they can interact with JKT48 members. After all, several events, such as video calls and theater, are also held online.

JKT48 fans can also choose the JKT48 fan environment around them to make friends and socialize. Some fans enter communities such as the fanbase to support the JKT48 members with other fans or join JKT48 fan associations because they both like JKT48 without any differences between the supported JKT48 members. In addition, JKT48 fans also found that the results of the social facilities they got while participating in JKT48 activities also gave them new friends who have different experts and professions. To interact with other JKT48 fans or fans with JKT48 members. Now, JKT48 fans can gather with social media applications such as Line, WhatsApp, Instagram, Twitter, Zoom, and Showroom.

The motivation of JKT48 fans to meet and interact is due to a sense of longing because they feel that meeting the JKT48 members they like can give them enthusiasm. Fans think that meeting JKT48 members can also relieve stress caused by the work and college environment and make the JKT48 members like recognize themselves as a person who supports the JKT48 member.

The motivations of JKT48 fans are:

1. Can be considered as a figure of brother/sister (filial attachment)
2. The figure of a parent or who is considered a protector/caregiver due to a large age difference (parental attachment)
3. Considers that JKT48 members are talented and can be developed by JKT48 fans (task attraction)
4. Consider themselves to be like the JKT48 members because of the similarities in their nature and character (identificatory attachment)
5. Interested in a special relationship with JKT48 members, such as dating (romantic attachment).

Fans interpret that spending from tens to hundreds of millions of rupiah is expecting to get feedback from their idols, such as the JKT84 member knows them as his fans, the JKT48 member can enter the senbatsu list, and provide exposure for the fans.

While participating in JKT48 activities, fans have their own influence from the results of their interactions with JKT48 members, such as feeling that they can be more enthusiastic and have good changes in carrying out their activities, such as on campus or at the office. In addition, JKT48 members also affect the pent-up feeling in fans, such as feeling homesick due to the lack of activity of JKT48 members on social media or not being able to meet JKT48 members they like and having new friends from the JKT48 environment. Even though fans have participated in JKT48 activities for more than 5 years, JKT48 fans are still not used to revealing their identity directly to the surrounding environment, such as campus, family, or co-workers.

Fans also get interactions that can be done through verbal and non-verbal communication as long as they have activities to become JKT48 fan figures. Fans can directly interact with JKT48 members and other JKT48 fans by

using offline and online media facilities. Longing and happiness, when encouraged, are non-verbal meanings found by fans when they want to meet or when they meet their idols at JKT48. In addition to factors in the JKT48 environment, JKT48 fans also have their own meaning in other social environments, such as not wanting to show themselves as a JKT48 fan figure in public directly because fans think that being a JKT48 fan is still taboo among the public.

5. Conclusion

In parasocial interaction, JKT48 fans can still interact with JKT48 members they like during the pandemic by participating in activities organized by JKT48 such as theater, online streaming, video calls, showrooms to other activities to keep meeting their idols. The interactions that can be carried out are direct communication and virtual or face-to-face meetings, even though they have to incur costs ranging from tens to hundreds of millions of rupiah to continue to support JKT48. The motives carried out by JKT48 fans in participating in JKT48 activities besides providing entertainment and fun, but some make this activity their existence among JKT48.

The relationship between JKT48 fans and JKT48 members during the COVID-19 pandemic still goes well. In addition, JKT48 fans have their expectations in having a relationship with the JKT48 member, such as wanting to be considered a sister, brother, or family figure, to wanting to be able to relate more like dating the JKT48 member they like. In addition to the relationships associated with JKT48 members, fans also establish social relationships with other JKT48 fans to join specific communities and the fanbase to support JKT48 members together.

While participating in JKT48 activities, fans have their own influence from the results of their interactions with JKT48 members, such as feeling that they can be more enthusiastic and have good changes in carrying out their activities, such as on campus or at the office. In addition, JKT48 members also affect the pent-up feeling in fans, such as feeling homesick due to the lack of activity of JKT48 members on social media or not being able to meet JKT48 members they like and having new friends from the JKT48 environment. Even though fans have participated in JKT48 activities for more than 5 years, JKT48 fans are still not used to revealing their identity directly to the surrounding environment, such as campus, family, or office, because being a JKT48 fan is still taboo in society.

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Land Ownership of Families in Son La: A View from Cadastral Records in the Minh Menh's Year

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Abstract

The issue of land is always a key issue when studying the feudal agricultural economy. Currently, in the economic structure of Son La province, the agricultural economy is still the main economic sector of most ethnic groups. Therefore, the study of issues on land and agricultural economy in the past is of greater significance. During the feudal period, the land ownership situation of Son La province was recorded in the original cadastral records kept at the National Archives No. 1 in Hanoi. Total 34 cadastral records in Sino-Vietnamese characters in Son La province are 34 “động” and communes at different times. In the Minh Menh's 21st year (1840), there were 11 cadastral records listing land area of 5 “châu” (Phu Yen, Thuan, Son La, Mai Son, Yen) with 11 communes which clearly showed the difference in land ownership among the families in Son La province.

Keywords: Land, Families, Son La, Cadastral Records, Minh Menh

1. Introduction

1.1 Introduce the Problem

There are not many studies researching issues on land and agricultural economy in a particular locality like Son La in the feudal period. With regard to foreign authors, there are mainly French studies on issues related to agricultural economy in Son La province at the end of the 19th century. Through careful research and examination of different sources in French, the author found that during the colonial period, there was no monograph on Son La in general and Son La agriculture in particular. This is quite special because many provinces in Tonkin often have geography books compiled by the French but Son La has so far not found any similar document. Because of the aforesaid reason, information about the socio-economic of Son La, especially the agricultural economy of this province, is mainly mentioned in some general studies on the Tonkin. First of all, there are records of the French during the invasion and pacification of the upstream Northern Vietnam in the late nineteenth century, such as Edouar Petit's research on "Le Tonkin", H. Lecène - H. Oudin - Éditeurs, Paris, 1887 (“Xứ Bắc Kỳ”) (Edouar Petit, 1887), or Philippe Henri d'Orléans' research on "Autour du Tonkin", Camann Lévy – Éditeurs, Paris, 1894 (“Vòng quanh Bắc Kỳ”) (Philippe Henri) d'Orléans, 1894).

In his records, Edouar Petit recorded quite in detail about the Da River region, agricultural, industrial and commercial products of Tonkin and of the upper Da River region in particular. However, information about Son La agriculture is very little and fuzzy. Philippe Henri d'Orléans focuses on the transport network from Hanoi to Vạn Bú by road and by waterway across the Da River. According to Philippe Henri d'Orléans, this is a lifeline of trade and economy of the upland region, including agricultural development and consumption of agricultural products of Son La. He also focused on population issues, ethnic groups in Vạn Bú province such as the Thái, Mán, Mèo, their cultural characteristics and their farming habits.

Regarding the establishment of infrastructure and transportation for economic development, including agriculture in the Northwest and Son La, this issue has also been mentioned in some studies such as that of KUNITZ. F, "La haute Riviere Noire. Ses voies de communication avec le haut Fleuve Rouge", Bulletin de la société de géographie de Rochefort, X, 1888-1889 (Upstream of the Da River: Roads connecting this region with the upper Red River region) (KUNITZ. F, 1889). This study mainly deals with the limitations and difficulties of traffic connecting Son La, Lai Chau, Dien Bien with other regions, especially the delta and upper Laos. Limitation on traffic is also the most difficult for economic development in general, agriculture in particular and commerce of this region. The authors also mentioned the colonial government's efforts to invest in renovating and renewing some connecting routes between Son La and Hanoi, Son La to other "châu," etc., in order to develop the colonization process.

With regard to domestic authors, the studies on the land issue of Son La in feudal period are mostly studies of ethnographers which mainly refer to the ownership of public fields by the Thái people in the Northwest region in general. Specifically:

When mentioning the land of Thái people, in the book named Ethnic groups in Northwest of Vietnam, a group of authors including Cam Trong, Bui Tinh, Nguyen Huu Ung affirms that "The mường's fields are generally public fields under the supreme management of the "tạo"" (Cam Trong, Bui Tinh, Nguyen Huu Ung, 1975, page 111).

The author Khong Dien published the work named The socio-economic characteristics of the northern mountainous ethnic groups and also affirmed that "For the Thái people, until 1945, they did not have the concept of private land ownership. Land management concentrated on the aristocratic ruling apparatus in the "châu" of "mường" (Khong Dien 1996: 186).

Thus, from the perspective of ethnography, the aforementioned authors have sketched and reconstructed an overall picture of the agricultural economy of the Thái ethnic group in the Northwest and affirmed that the public ownership over the fields is typical of the land ownership of the Thái people in the Northwest, as well as confirmed the management role of the Thái people in this area.

In addition, some works mentioned the dominance of Thái noble families in Son La. For example, in the article "Initially research on social regimes in Tày, Nùng and Thái regions under French colonial rule," author La Van Lo affirmed: "In the Thái region, which is the Northwest region and the upper reaches of Thanh Hoa and Nghe An, the "phìa, tạo" regime was maintained until before the August Revolution. The aristocratic hereditary families dominated each region, such as the Đèo family in Lai Chau and Phong Tho, the Bạc – Cầm family in Thuan Chau, the Cầm family in Mai Son, the Sa family in Moc Chau, and the Hoàng family in Yen Chau (the Northwest autonomy area) ..." (La Van Lo, 1964, page 43).

Or when referring to the domination of the families of Thái people over the "châu" and "mường" in the feudal period, the work named 110 years of Son La Province (1895 - 2005) affirmed that "Power and authority in the "châu" in Son La are wholly owned by noble families: the Cầm family and the Lò family in Mai Son, Muong La and Phu Yen; the Hoàng family in Yen Chau, the Sa family in Moc Chau; the Bạc family in Thuan Chau" (Provincial Party Committee - People's Council, People's Committee of Son La province, 2005, page 43).

Recently, author Nguyen Thi Thu Thuy has researched on the land ownership of the families in Son La province in the feudal period through the article named "The situation of land in Son La through the view of the cadastral records in the Gia Long's 4th year (1805)". Through the analysis of 16 cadastral records of Son La province under Gia Long reign when referring to land ownership of the families, the author has commented: "The disparity in the

number of landholders, the average land of landholders, land area and among families in Son La also show the position of families in Son La. In which, the position of families of Thái people such as Cầm, Lò, and Hà is quite significant” (Nguyen Thi Thu Thuy, 2018, page 59).

It can be seen that most of the above works just refer to the role of public land as well as the role of Thái aristocrats in the society in Son La but not study the issue of land ownership of the families. Even if it is mentioned, they just point out the disparity in land ownership of the families in Son La but not explain the relationship in land ownership of the families in order to clarify position and role of the families of Thái people in the economy, politics and society in Son La.

On the basis of inheriting the results from previous studies and studying the cadastral records in the Minh Menh’s 21st year (1840) of 11 communes in 5 “châu” in Son La province today, the article focuses on clarifying land ownership of the families or in other words, the disparity in quantity, level, scale, etc. in land ownership among the families in Son La under Minh Menh reign and almost maintained until the end of the 19th century. On such basic, to a certain extent, the author will explain the causes leading to the disparity in land ownership among the families and point out impacts which are caused from the issue of land ownership of the families, especially the families of Thái people, on the agricultural economy, social issues and political institutions of Son La province during this period.

2. Overview about Son La and cadastral records in Minh Menh’s 21st year (1840) in Son La

In the list of cadastral records in the National Achieves No. 1, there are 11 cadastral records in Minh Menh’s 21st year (1840) belonged to territory of Son La Province today. Detailed list of cadastral records is as follows (Please see table 1).

Table 1: List of cadastral records of Son La in Minh Menh’s 21st year (1840)
(The National Achieves No. 1)

No.	Communes	Symbol	Number of pages
1	Tuong Phu	1911	14
2	Tuong Phong	1914	11
3	Khinh Khoai	1958	8
4	Nam Trinh	1960	8
5	Thanh Binh	1963	7
6	Bac Nhi	1885	16
7	Trinh Nho	1886	15
8	Nhan Ly	2059	8
9	Trinh La	2065	20
10	Dong Minh	2063	11
11	Lo Ty	1888	8

Resource: The author synthesizes based on the cadastral records in Minh Menh’s 21st year (1840) of 11 communes belonged to territory of Son La today

Regarding the territory of Son La province during Minh Menh reign, according to Dai Nam Nhat Thong Chi No. XXII, Hung Hoa province was recorded as follows: "In the 12th year of Minh Menh, the province was divided, changed to Hung Hoa province, Tam Nong district belonged to Son Tay province was merged to this province... In the 14th year of Minh Menh, Thanh Son and Thanh Thuy districts were separated... In the 1st year of Thieu Tri, “phủ” Dien Bien was added; in the 4th year of Tu Duc, Thanh Son district managed Thanh Thuy district, “châu” Moc managed “châu” Yen, “châu” Mai managed “châu” Da Bac, “châu” Quynh Nhai was merged to “phủ” Dien Bien and managed by “châu” Lai; in the 5th year of Tu Duc, “châu” Luan was merged to “phủ” Dien Bien and managed by “châu” Tuan Giao. Now there are 6 districts and 16 “châu” (Quốc sử quán triều Nguyễn, 1971, page 254). “Phủ” Gia Hung consists of 3 districts and 8 “châu”; 3 districts including Tam Nong, Thanh Son, Thanh Thuy, 8 “châu” including Phu Yen, Moc, Yen, Mai, Thuan, Mai Son, Da Bac, Son La.

In conclusion, in Minh Menh reign, territory of Son La belonged to “phủ” Gia Hung, Hung Hoa province, included 6 “châu”: Phu Yen, Moc, Yen, Son La, Mai Son, Thuan with 28 communes and “động.” However, as per cadastral records in Minh Menh’s 21st year (1840), only 5 out of 6 “châu” and 11 out of 28 communes were recorded, “châu” Moc were not recorded. It can be seen that land area of Son La province under Minh Menh reign is collected incompletely.

Through 11 cadastral records of Son La in Minh Menh’s 21st year (1840), it can be seen that there is a clear difference in the area of land among the communes. Trinh La commune had the largest land area with 418.7.09.7.0, successfully restored 313.0.09.7.0. Lo Ty commune had the least land area with 18.7.14.0.0 and all of which are cultivated fields. Besides, through the statistics table, all of Son La's land is a one-crop field. Please see table 2.

Table 2: Situation of land in Son La province from cadastral records in Minh Menh’s 21st year (1840)

o.	Commune	Private land	Cultivated land	Successful restoration	Level
	Tuong Phu	78.3.07.4.0	70.3.07.4.0	8.0.00.0.0	Tertiary
	Tuong Phong	66.8.13.2.0	60.8.13.2.0	6.0.00.0.0	Tertiary
	Khinh Khoai	19.9.04.8.0	6.7.04.0.0	13.2.00.8.0	Tertiary
	Nam Trinh	49.7.03.2.0	14.7.00.0.0	35.0.03.2.0	Tertiary
	Thanh Binh	61.6.12.6.0	13.3.05.0.0	48.3.07.6.0	Tertiary
	Bac Nhi	171.9.02.0.0	100.2.1.0.0	71.6.07.0.0	Tertiary
	Trinh Nho	182.2.05.9.0	100.2.0.9.0	82.0.05.0.0	Tertiary
	Nhan Ly	111.8.14.7.0	39.0.14.0.0	72.8.00.7.0	Tertiary
	Trinh La	418.7.09.7.0	105.7.0.0.0	313.0.0.9.7.0	Tertiary
0	Dong Minh	96.8.05.6.0	31.8.05.0.0	65.0.00.6.0	Tertiary
	Lo Ty	18.7.14.0.0	18.7.14.0.0		Tertiary
	Total	1277.0.03.1.01	561.8.1.3.5.0	715.1.0.4.6.0	

Resource: The author synthesizes based on the cadastral records in Minh Menh’s 21st year (1840) of 11 communes belonged to territory of Son La today

At the same time, we also see that the entire land area of 11 communes in 5 “châu” of Son La is private land, the successfully restored land accounts for a large proportion (56% of the total land), no land is uncultivated (See Figure 1).

¹ Stand for 1277 acres 0 poles 03 yards 1 dm 0 cm

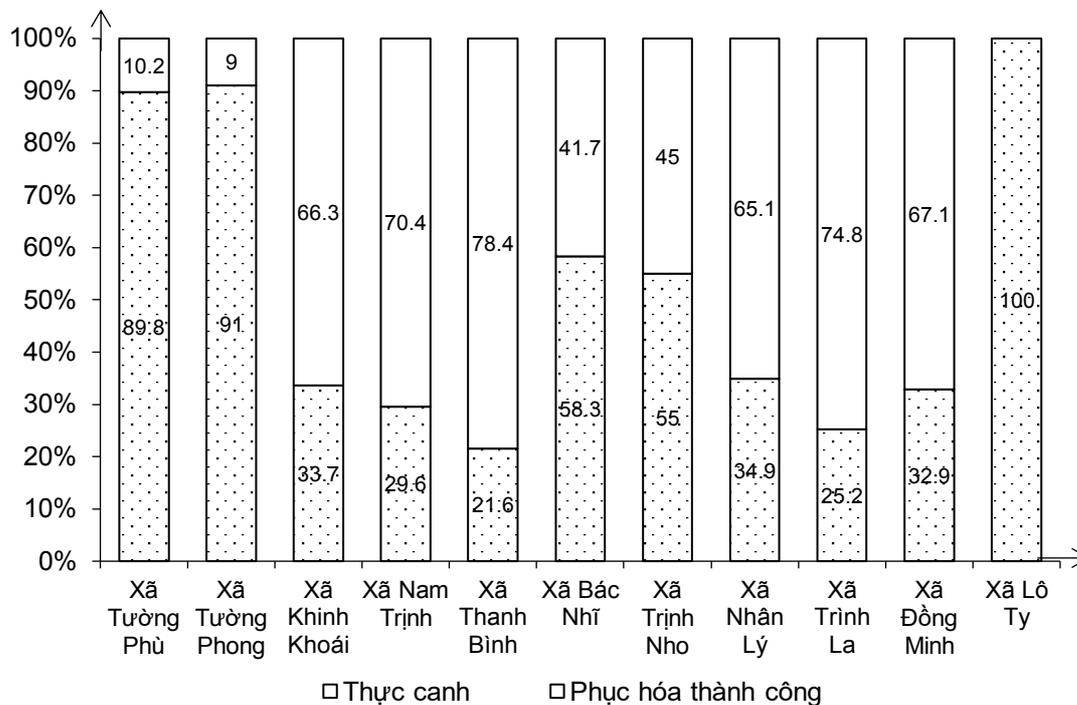


Figure 1: The percentage of cultivated land and successfully restored land in Son La through the cadastral records in Minh Menh's 21st year (1840) (%)

Resource: The author synthesizes based on the cadastral records in Minh Menh's 21st year (1840) of 11 communes belonged to territory of Son La today

3. Materials and methods

3.1. Background of the study area

In general, when studying the cadastral records of Son La in Minh Menh's 21st year (1840), it can be seen a clear disparity in land ownership among the families. The land of Son La through the cadastral records in Minh Menh's 21 year focuses on the ownership of a few large families. The total number of landholders is 228 belonging to 24 different families. In which, the families with a large number of landholders include the Lò family with 72 landholders, accounting for 374.1.01.7.0 (accounting for 29.30%), the Hà family with 38 landholders, accounting for 208.1.14.3.0 (16.30%). On the contrary, there are families with only one landholder such as the Lê family, the Đông family, the Lãng family, the Quảng family, the Vinh family, and the Phu family. In addition, none of total of 228 landholders is female and there are no sub-landholders. Please see table 3.

Table 3: Land ownership of families in Son La province through the view of the cadastral records in Minh Menh's 21st year (1840)

No	Family	Total of landholders		Owned land area	
			%		%
1	Lò	72	31.58	374.1.01.7.0	29.30
2	Hà	38	16.67	208.1.14.3.0	16.30
3	Cầm	21	9.21%	102.7.05.2.0	8.04%
4	Hoàng	18	7.89%	128.2.06.8.0	10.04
5	Lương	12	5.26%	44.1.12.1.0	3.45%

6	La	10	4.39%	97.0.00.0.0	7.60%
7	Bac	9	3.95%	50.0.08.2.0	3.92%
8	Danh	6	2.63%	31.0.00.0.0	2.43%
9	Tập	6	2.63%	49.4.11.1.0	3.87%
10	Tùng	5	2.19%	21.2.00.9.0	1.66%
11	Ma	5	2.19%	34.4.07.0.0	2.69%
12	Khuôn g	4	1.75%	16.6.00.0.0	1.30%
13	Đường	4	1.75%	24.5.02.0.0	1.92%
14	Bùi	3	1.32%	20.7.05.9.0	1.62%
15	Đình	3	1.32%	19.6.00.0.0	1.53%
16	Ngô	2	0.88%	8.2.00.0.0	0.64%
17	Nguyễn n	2	0.88%	6.5.02.5.0	0.51%
18	Lưu	2	0.88%	3.8.00.0.0	0.30%
19	Other families	6	2.63%	36.4.00.0.0	2.85%
Total		22	100%	1277.0.03.1.	100%
		8		0	

Resource: The author synthesizes based on the cadastral records in Minh Menh's 21st year (1840) of 11 communes belonged to territory of Son La today

3.2. Data and analysis

The present study uses the families survey in the original cadastral records kept at the National Archives No. 1 in Hanoi. The 6 families in the Son La were recoded, cross-sectional survey that was sampled using a multi-stage stratified cluster sampling. Details on the survey's methodology and sampling technique are included in Appendix A of the National Archives report. In the report's Appendix A, you can find the questionnaire as well as information about the variables' definitions and measurements. The National Archives is chosen because it is the largest, most comprehensive, and nationally representative survey that collects information on landownership in Vietnam. The level of land concentration according to the families in each commune is shown more clearly. There are communes with only 6 families owning land in a commune such as Bac Nhi commune ("châu" Yen), out of a total of 29 landholders, the Lo family accounts for 17 landholders. This situation is common in almost every "châu."

In addition to gender, age, ethnicity, and the highest level of education held by the family's head, the independent variables include family's size and families' socioeconomic status. Using STATA 21 software, data analysis was carried out using the Pearson Chi-square and logistic regression methods. Due to the binary nature of the dependent variable, logistic regression was used to identify the relevant predictors of land ownership among households (Gobin et al., 2002). To determine if the connections between the predictor and dependent variables are statistically significant, a p-value of at least 0.05 was used.

Table 4: Descriptive statistic of variables

Variables	Descriptio n	Mi n	Ma x	Mean	SD
Total family	Continuou s variable	0	12	2.261	1.376

Families' socioeconomic status	1 = poorest, 2 = poorer, 3 = middle, 4 = richer and 5 = richest	1	6	3.089	1.986
Total landholder	0 = No, 1 = yes	0	59	4.578	3.398
Gender of household head	1 = Male, 2 = Female	1	2	1.181	0.239
Age of family's head	Continuous variable	15	82	44.78	14.76
Families size	Continuous variable	1	68	4.987	3.987
Highest education level	0 = no formal education, 1 = primary, 2 = secondary, and 3 = higher	0	3	1.541	1.103
Ownership of livestock	0 = No, 1 = Yes	0	1	0.544	0.397

Resource: The author synthesizes based on the cadastral records in Minh Menh's 21st year (1840) of 11 communes belonged to territory of Son La today

4. Results and discussion

4.1. Land ownership of families

The results table 4 show that in Son La, land ownership is under the large families of Thái people such as the Lò family, Hà family and Cầm family. It is result of the fact that Thái people are the largest population in the province (until 1932, the Thái people accounted for 74.5% of population of Son La province)² and the historical nature when Thái people lived in Son La area in particular, the Northwest in general.

Table 5: Land ownership of families in each commune of Son La according to cadastral records in Minh Menh's 21st year (1840)

No.	Commune	Total family	Total landholder	The family with largest number	The highest number of landholders
"Châu" Phu Yên					
1	Tuong Phu	7	23	Lò	10
2	Tuong Phong	4	19	Cầm	7
"Châu" Thuan					
3	Khinh Khoai	5	6	Luu	2
4	Nam Trinh	3	8	Bạc	5
5	Thanh Binh	6	10	Bạc, Lò	3
"Châu" Yen					
6	Bac Nhi	6	29	Lò	17

² See more at: Tong Thanh Binh, 2017, page 82

7	Trinh Nho	11	29	Lò	10
"Châu" Son La					
8	Nhan Ly	5	16	Lò	6
9	Trinh La	12	59	Lò	15
10	Dong Minh	5	19	Hà	10
"Châu" Mai Son					
11	Lo Ty	4	10	Lò	5

Resource: The author synthesizes based on the cadastral records in Minh Menh's 21st year (1840) of 11 communes belonged to territory of Son La today

During the period from the 9th to the 13th centuries, the Thái people in the Tibetan Plateau (Tibet - China) for various reasons sought to migrate to the south to the Northwest. According to Quam tô mường Mường La (The story of "bản mường" of Muong La) tells about the process of Lang Chuong and a part of Thái people going to Son La, Lai Chau, the first place Lạng Chuợng came to occupy was Muong La (Son La). When he came here, there was a conflict with the Xá people in Muong La: "Here the "Chúa" had to fight with the Xá people led by General Khun Quảng. The "Chúa" won in the end, but Muong La's land was too narrow and "bản, mường" was so small that it couldn't be taken". Therefore, Lạng Chuợng pulled his army to Muong Muoi (Thuan Chau), forcing the Xá leader named Ắm poi to pay taxes to the "Chúa". The wars of the Thái with other ethnic groups, especially the Xá, created their new land areas or the establishment of "bản" and "mường". After the "bản" and "mường" of the Thái people are formed, they will be ruled by the "Chúa" (refer to the landlord, the Thái people call it as "Châu" or "Pú Châu"). "Chúa" sent his descendants to different lands to establish "bản", "mường" and take over new lands. Since then, the whole land has been under the common ownership of the "bản mường" and the head is "Chúa". All fields, regardless of the source (collectively exploited during the war, won by local residents, further exploited, etc.) of anyone later on are fields of "mường" (public fields). "Private field here is almost nonexistent or even insignificant and is considered as illegal" (La Van Lo, Dang Nghiem Van, 1968, page 215).

After holding a dominant position in the "châu mường", the Lò Cầm aristocracy took the public surnames: Cầm (or Khảm), Bạc Cầm, Hoàng, Đèo (or Điều Khảm), Tao (or Đèo, Đào). Quam tô mường Mường Chanh- Mai Son (the story of muong village of Mường Chanh - Mai Son) has a passage that says: "When the Thái people came to Mường Lò, the families of Lò, Lường, Cà, Vi, Mè, Lêm, etc., worshiped the Lường family as "mo" and the Lò family as "tạo". The development history of Northwestern society has progressed on an extremely complicated process and finally a branch of the Lò family has occupied a dominant position. One branch of the Lò family has become aristocracy, recognized by the society with an expression "they were born to own the golden land" (in Thái language: "họ bầu chầu cắ"). The Lò Cầm (or Khảm) family, which means Lò Vàng, was separated from the Lò family, so people named them Lò Luông, which means Lò Bé, and Lò Lặc, which means Lò with the custom of "stealing"". In the aristocratic genealogy, the family name Lò Cầm (or Khảm) is still recorded. In Son La, the "châu mường" are ruled by aristocratic families: the Cầm family, the Lò family in Mai Son, Muong La, and Phu Yen; the Hoàng family in Yen Chau, the Sa family in Moc Chau; Bạc family in Thuan Chau (Provincial Party - People's Council, People's Committee of Son La province, 2005, page 43).

According to customary law, aristocrats must hold the top positions of the "mường" on the principle that "the title of landlord belongs to a certain aristocratic family, hereditary. People cannot be lords under any circumstances. If the aristocratic family dies or is punished for their crimes against the state, the people have to look for the lord elsewhere to replace" (Dang Nghiem Van 1987: 29). As is the case in Muong Mua (Mai Son) "Cầm Phần died with no inheritance. The "toàn mường" elder had to go and pick up his brother, Mr. Cầm Nguyên from Muong Chanh (an outer village of Muong Mua) to replace" (Ngo Duc Thinh, Cam Trong 1999: 192). Therefore, the noble family is responsible for managing the "bản mường." Representing the aristocratic family is a landlord "the landlord is head of the ruling apparatus in terms of military, economic, cultural and even religious aspects" (La Van Lo, Dang Nghiem Van 1968: 219).

4.2. Regarding ownership scale

In consideration of the average land ownership of the families, the families with the largest land area such as the Lò family and Hà family, the average land area is not large. Each landholder of the Lò family owns 5.20 acres of land at average, each landholder of the Hà family owns 5.48 acres on average. Meanwhile, each landholder of the La family owns 9.7 acres on average, each landholder of the Xí family owns 8.23 acres on average, etc. There are also families where the ratio of the number of landholders and the average land is low such as Lru family with 2 landholders and an average of 1.90 acres per landholder. To see the difference in average land ownership among families in Son La, please see Figure 2.

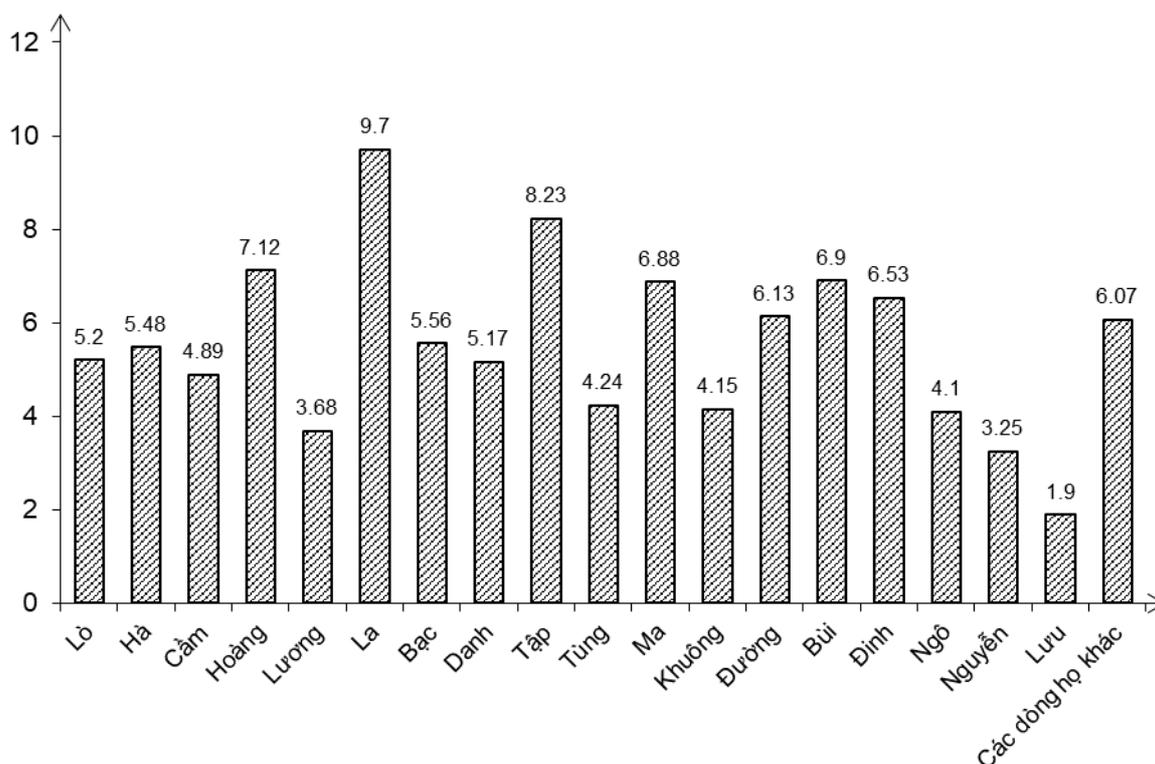


Figure 2: Average land ownership among families in accordance with cadastral records in Minh menh's 21st year (1840)

Resource: The author synthesizes based on the cadastral records in Minh Menh's 21st year (1840) of 11 communes belonged to territory of Son La today

Within large family-based landholders in Son La, there is only one landholder who own the highest land area of 14.7.00.0.0, it is Lò family. Most of the family-based landholders are small and medium landholders. Let take a case of the Lò family as an example. Under Minh Menh reign, 72 landholders of Lò family own a field area of 374.1.01.7.0. On average, each landholder owns about 5.20 acres of land. In which, the landholders of less than 6 acres are quite large, including 56 landholders, accounting for 77.78%, owning a land area of 214.0.00.5.0 (accounting for about 57.17% of the total land area). There were 6 landholders who own more than 6 acres, accounting for 8.33%, owning the land area of 64.0.01.2 (accounting for 11.76% of the total land area). There were 8 landholders who own more than 10 acres, accounting for 11.12%, owning a land area of 96.1.00.0.0 (accounting for 25.69% of the total land area). The biggest landholder owns land area of 14.7.00.0.0, the smallest landholder owns land area of 1.1.03.0.0. Please see Table 5.

Table 6: Land ownership scale of Lò family in son La according to cadastral records in Minh Menh's 21st year (1840)

Ownership scale	Number of landholders		Owned land area	
1 – 2 acres	3	4.17%	5.0.03.0.0	1.34%
2 – 3 acres	11	15.28%	27.3.10.8.0	7.30%
3- 4 acres	18	25.00%	66.5.00.7.0	17.78%

4 – 5 acres	18	25.00%	81.4.02.0.0	21.76%
5 – 6 acres	6	8.33%	33.6.14.0.0	8.99%
6 – 7 acres	1	1.39%	6.2.00.0.0	1.66%
7 – 8 acres	5	6.94%	37.8.01.0.0	10.10%
8 – 9 acres	0	0.00%	0	0%
9 – 10 acres	2	2.78%	20.0.00.0.0	5.35%
10 – 11 acres	4	5.56%	41.6.00.0.0	11.12%
11- 12 acres	0	0.00%	0	0.00%
12- 13 acres	2	2.78%	26.0.00.0.0	6.95%
13 – 14 acres	1	1.39%	13.8.00.0.0	3.69%
14 – 15 acres	1	1.39%	14.7.00.0.0	3.93%
15 – 16 acres	0	0.00%	0	0,00%
Total	72	100%	374.1.01.7.0	100%

Resource: The author synthesizes based on the cadastral records in Minh Mennh's 21st year (1840) of 11 communes belonged to territory of Son La today

Thus, in the land ownership structure of the families in Son La, there were mainly small and medium landholders, few large land landholders, and no female landholder. In case of the Lò family who owns the largest land area of 374.1.01.7.0, there are only 8 landholders who own more than 10 acres, accounting for 11.12%, owning a land area of 96.1.00.0.0 (about 25.69% of the total land area). The main reason is the land in this period was under the management of Thái aristocrats and it was the common land of the “mường” (“ruộng toàn mường”). The existence of the public field system is recognized by Thái customary law. Through the study of "Traditions of Black Thái people in Thuan Chau" and "Luật lệ bản mường Mai Sơn" in Thái customary law in Vietnam by author group of Ngo Duc Thinh and Cam Trong, the entire content of the laws does not mention any type of private field, but only refers to the division of public land or the Thái people called it as the “ruộng toàn mường”. The “phia tạo” and the servants in the “bản, mường” divide common land to the people depending on their status in society. As a result, the area of land to be divided has been specified into "parts" corresponding to the position of the divided people in society and the area of land in the “bản, mường”. Therefore, there are disparities in land ownership among Thái families and within Thái families themselves, and most of them are small and medium landholders³.

5. Conclusion

The difference in land ownership among families in Son La through the study of cadastral records in Minh Mennh's 21st year (1840) has shown the process of land concentration in some families and in most localities in Son La during that time, the land was held by certain families, all of them were Thái people: Lò, Hà, Cẩm, etc. There were localities where only 3 families hold all the land. The disparity in land ownership proves the different degrees and ability to influence among the families on economic and social issues in Son La during this period.

First of all, regarding the agricultural economy: In land ownership in Son La province, it could be seen the important role of Thái people, especially Thái aristocratic families and servants worked in the government apparatus. The role of this aristocracy is more clearly shown through the customary laws of the Thái people. In general, the land belongs to the common ownership of the “bản, mường” managed by the Thái nobles (“Phia, tạo, chầu mường”) and then divided to the villages. In the villages, there is a system of servants taking care of different fields and continue to divide the land for different segments of the population (including the Thái people as well as other ethnic groups). Thus, the division of “ruộng toàn mường” to the aristocracy, to the servants, to the peasants led to the appearance of many types of land. Each type of and corresponded to a specific population in society. In particular, in order to maintain the domination apparatus, the “phia tạo” and servants relied on the “ruộng gánh vác” or exploitation of the free peasants in the “bản, mường” as the basis for their existence. And the part of Thái free peasants accepted the obligation of taking care of “bản, mường”'s jobs to receive cultivated land, complying with customary laws set forth by the domination apparatus. The division of land and the organization of farming on different types of land as in Thái customary law made agricultural production fragmented and small, agriculture

³ See more at: The method of dividing land of Thái people to servants (Ngo Duc Thinh, Cam Trong, 1999, pages 72-98).

can only partially meet local needs without regular exports. In other words, agricultural production in this period was self-sufficient.

Ethnic groups in Son La rely on farming as their main support, including wet farming and upland cultivation. The characteristics of the wet-agricultural economy led the Thái people to soon settle in lowland areas, which are convenient for irrigation and production. Meanwhile, the Thái people was the majority of the population in Son La, the other ethnic groups especially Kháng, Xinh Mun, La Ha, and Khơ Mú are dependent on and have to work as “*cuông, nhóc, pua pái*” for the Thái people. The Mông people do not have to work as “*cuông*” but they also have to pay tax in kind for the “*chầu mường*”. The Chinese people and the Kinh people, if they live in the Thái villages, have to submit in kind when requested⁴. Therefore, although the fields of Thái people are not as large as upland fields, they are the basis for determining all social relations. In other words, from the basis of the field, it causes the society to be divided into the rich and the poor, the exploiters and the exploited, the rulers and the ruled.

Secondly, regarding political and social issues: The land ownership of the Thái family has led to the long-term existence of the regime of “*phia tạo*” in the “*bản, mường*”. The domination of Thái families as a result of land exploitation and establishment of “*bản, mường*” has led to the domination of the Thái families on the social structure of Son La province. Society has divided into two parts: one side is the ruling class represented by the nobility with responsibility for managing the “*bản, mường*”; one side is the ruled class including all farmers in the “*bản, mường*” with responsibility for working to take care of “*mường*”’s jobs. In comparison of the aristocracy in Thái society with the landlord class in feudal society, it can be seen that these are all parts that are capable of exploiting workers on the basis of land. Landlords are those who own a lot of land, ownership is determined in the documents, so they have the right to buy and sell land. Landlords distributed the fields to tenant, farmers and collect rents in return or because the tenant and farmers had very little or no land, had to farm and pay rent or pay in kind (rice, money) to the landlord. In other words, the landlords obtained the peasants' rents when the peasants received the land from the landlords. The relationship between landlords and tenants was only an economic exploitation relationship. On the contrary, the “*phia tạo*” does not take over the object of labor, but the working person. People are of the “*tạo*” because “*tạo*” represent the “*bản, mường*”. In other words, this is domination and exploitation of both body and soul. “*People live as serfs for them; When they die, they are still ruled by the "soul" of the landlord. Their lives depend entirely on the landlord*” (La Van Lo, Dang Nghiem Van, 1968, page 219). Thus, the Thái aristocrats relied on the management function of the “*bản, mường*” to obtain all labor and employee. A type of exploitation of the entire population “*by tribute and unpaid labor*” with various degrees applied to difference segments of the population, depending on their status in society as described above in terms of rights and obligations when receiving the “*ruộng toàn mường*”. According to Cam Trong, “*this is a very dangerous way of domination and exploitation. It affects directly the relationship between people and people. It directly forces people to bow their heads to injustice. It need not go from grasping the objects of labor to depriving labor, forcing workers to comply, because there is no object of production. It goes from the most common thing - the state, to using that common ground to deprive production power*” (Cam Trong, 1978, page 265).

However, the domination of Thái aristocrats with the “*phia tạo*” regime did not lead to severe social conflicts; until the French colonial invasion, there was no struggle of ethnic farmers against the “*phia tạo*” regime. This is due to some following reasons:

For the Thái people, they believe the “*phia tạo*” regime as supreme. “*Phia tạo*” are the people who led them to occupy land, build “*mường*”, help them have a stable life here. The Thái people think that customary law is the law, and they strictly comply with the customary law set forth by “*phia tạo*”. They think the exploitation of the “*phia tạo*”, the nobility, servants to the people as a duty. People have an obligation to repay the “*phia tạo*” for their establishment of the “*mường*” and government which help the people have a stable life. “*Mường and landlord are considered as an identical concepts. In order to establish a “mường”, there must be a “tạo”; the “mường” is stable when the “Chúa” is strong*” (La Van Lo, Dang Nghiem Van, 1968, page 218).

⁴ See more at: Regulations on “*cuông, nhóc*” in “*châu*” Thuan (Ngo Duc Thinh, Cam Trong, 1999, pages 134-138)

For other ethnic groups, especially the Khơ Mú, Kháng, La Ha, and Xinh Mun people, "almost none of them reside in an area which is concentrated and built into an administrative unit above "bản"" (Dang Nghiem Van, Nguyen Truc Binh, Nguyen Van Huy, Thanh Thien, 1972, page 27). They did not have a "mường", so they had to comply with the Thái feudal landlords, live in Thái domains and accept the unspecified labor and tribute of the Thái feudal class.

For the Mông people, they appeared in Son La later than other ethnic groups, the Thái people carried out different exploitation methods to the Mong people because the Mong village was more stable, the social organization was more clearly divided, the upland farming was more developed than the Khơ Mú, Kháng, Xinh Mun, and La Ha people. They are allowed to "... manage forests, upland fields and exploit local forest products. They organized their own villages led by their chiefs with their own rules and regulations" (Dang Nghiem Van, Dinh Xuan Lam, 1979, page 88). While the other ethnic groups collectively known as "Xá", have to work as "công, nhốc, pụa pải" for the ruling Thái class, the Mong people only have to pay taxes in kind. In the book named "Luật lệ bản mường Mai Sơn", it is stated: "The Mông people came here after the Thái people about 300 years. They cultivated in the high mountains, had not to work for any servant, but they had to pay tax to the court. Whenever the "mường" needs to do something like worship, they had to donate pigs and chickens. When the judge-built houses, they had to bring planks to make his doors, walls, and windows. They did not have to do other things" (Ngo Duc Thinh, Cam Trong, 1999, page 136).

Thus, as a result of the efforts of establishment of "mường", skillful governance policy applicable to each part of the population, the conflicts between the ethnic groups and the Thái people, as well as the conflicts between the residents in the Thái ethnic group does appear, of course, but not as profound as in other regions. Therefore, there was a few fluctuations, contradictions, conflicts in Son La. Later, when the French colonialists came to dominate Son La, they basically kept the old ruling apparatus under the "phịa tạo" regime because of these advantages.

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City Branding Bangkok as Creative City of Design

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Abstract

UNESCO announced on 30 October that Bangkok was designated as a 'Creative City of Design'. The important issue towards the strategic planning for developing economy of the country is the policy of Creative City. This important initiative or policy of the Creative City had driven from Creative Economy or the economy with creativity. The purpose of this study is to analyze city branding on Bangkok as Creative City. The result of the research express three main components of communication city branding in Bangkok as Creative city is primary communication, secondary communication and tertiary communication. Primary communication city branding through implementation of providing of landscape, infrastructure, and behaviour. Secondary communication city branding through implementation of promotional programs at some marketing and promotion, public relations, and design. Tertiary communication with the application of WOM at media.

Keywords: City Branding, Creative City, Bangkok, Creative City of Design

1. Introduction

Cities around the world today have come to the realization that to be able to effectively respond to the major challenges they face, a culture of creativity needs to be embedded in the process of city-making. Seen as the new currency of the global economy, creativity is more powerful than financial capital, as it can generate the ability to make money, while also helping solve problems and develop culture and identity. This driving force for sustainable development must be nurtured in an environment where open-mindedness and imagination are encouraged, and intercultural dialogue and cooperation are promoted (UNESCO 2020).

The important issue towards the strategic planning for developing economy of the country is the policy of Creative City. Bangkok had defined to be the original and the first prior Creative City of Thailand. This important initiative or policy of the Creative City had driven from Creative Economy or the economy with creativity. This is the focus of government policy and the goal is to attract creative ideas or different creative industries to reside and establish business in this city. However, the development of the city to attract creative companies to invest and do business, depending on cultural community is not enough, but needs facilities in order to create favorable business environment. In particularly knowledge and technology to support business growth, so if we focus on the development of the creative economy we must develop creative city and also extend our knowledge of physical

development and the networking of the business with communication; infrastructure; technology; and logistics which would be beneficial and advantageous to our life (Muaikapodok, 2019).

Although Thailand was featured has creativity city in various industries and fields for different cities but the important question arises that under which category does this creativity is counted for Thailand? Presently, only one international organization UNESCO, which is the only organization to certifies the assortment of creative cities into seven categories: (1) City of Design, (2) City of Cuisine, (3) City of the Film, (4) City of Music, (5) City of Media Arts, (6) City of Literature, and (7) City of Crafts and Folk Art. When considering the study of Office of the National Economic and Social Development Board (NESDB), also divided the industries with creative ideas into four groups: 1. Group of Cultural heritage and natural; 2. Group of Arts; 3. Group of Media, and 4; Group of Functional Creation and Design.

In this research, the measure of creative city of design has to be developed and measured. Based on the seven assesment framework of UNESCO as the main and important case study for Creative City of Design for Bangkok and assurance by UNESCO of what is featured, including all the research and development, and to indicate the nature of the creative city of design for Bangkok and for the future. Therefore the purposes of this research study are as following: To study and analyze the various factors and to identify a Creative City of Design both local and international, To identify and develop of "Creative City of Design" Indicators for Bangkok.

UNESCO announced on 30 October that Bangkok was designated as a 'Creative City of Design' and Sukhothai as a 'Creative City of Crafts and Folk Art'. The UNESCO Creative Cities Network now totals 246 cities, including Phuket which was named a 'Creative City of Gastronomy' in 2015 while Chiang Mai was named a 'Creative City of Crafts and Folk Art' in 2017. According to UNESCO, the member cities that make up the network are on all continents and regions with different income levels and populations. In terms of global influence, despite reporting a large increase in Cultural Interaction in the Global Power City Index (2019), Bangkok's performance is still very low: ranking 40th among 48 cities globally, with an overall score of 909.3/1800. Its cultural improvement, where it reached the 8th rank, was made possible thanks to the increase in the number of international conferences it organizes, the number of museums and the number of visitors from abroad. Regarding reputation, the Royal capital has not performed better: it is ranked 49th among 56 cities in City RepTrak 2018. Bangkok is ranked 58th in the 2020 World Best Cities report. Here, the strongest pillar is Event programming and Promotions indicating that as a destination, the city does a good job of achieving positive media coverage and referrals. The lowest performing asset in Bangkok is People with a score of 162. As for innovation, according to the Global Innovation Cities Index 2019, Bangkok has significantly improved from 71st place, jumping 35 places from 106th in 2018.

Located on the southern coast of Thailand, the creative energy of Bangkok's diverse residents, inspired by the rich multicultural surroundings, is the city's greatest asset. The mix of traditional and novel aesthetics forms the basis for the evolution of urban design. Craftsmen, specialty suppliers and the creative production community fill the city, with more than 300,000 creative jobs recorded in 2017. For the city, design is a tool for harnessing local wisdom and making Bangkok a formidable city to face the challenges of the 21st century.

Decades of regional trade and design fairs underpinned the flow of new ideas, including the famous ASA Architect Expo and the STYLE Bangkok product design exhibition. Bangkok Design Week adds a new creative vibe, attracting audiences of all generations and acting as a collaborative platform that promotes the importance of design. As a center for design education, Bangkok is home to leading design professionals. The main design school research center serves the public and private sectors in developing policies and products. Up and coming urban architects and designers are leading the city's progress towards an inclusive and sustainable future.

To ensure the long-term success of Bangkok's design sector, several strategies aimed at enhancing the status of design professionals will be implemented. "Bangkok as a Green and Comfortable City" and "Bangkok as a City for All" both contain action plans to develop urban spaces for community regeneration and provide opportunities for designers to learn, meet and advance global accessibility standards. The city invests not only in improving the lives of its local residents but also in continuous professional development for local architects and designers. The "Bangkok as a Center for Economics and Learning" strategy aims to make the city one of the three leading

innovative cultural cities in the region by developing high value products and services, as well as organizing programs to educate entrepreneurs, and create globally connected networks.

As a City of Creative Design, Bangkok provides added value as follows:

- a) Make design partnerships among all sectors an important component of sustainable urban development, including the revival of historic areas and the transformation of underutilized areas to new purposes;
- b) Strengthen international cooperation by organizing international design weeks and forums, and by participating in World Design Organization initiatives;
- c) Develop a center for creativity and local economic development through the Creative District Network;
- d) Promote the creation, production and dissemination of design-related products and services through the aforementioned initiatives; and
- e) Use design as a tool to increase inclusivity and encourage citizen engagement.

2. Literature Review

2.1 City Branding

City branding is a topic of significant interest to both academics and policymakers. As cities compete globally to attract tourism, investment and talent, as well as to achieve many other objectives, the concepts of brand strategy are increasingly adopted from the commercial world and applied in pursuit of urban development, regeneration and quality of life. Much of the published research into city branding originates in the disciplines of marketing and urban studies, two fields that have tended to follow parallel rather than interdisciplinary paths. Interest in city branding may be seen as part of a wider recognition that places of all kinds can benefit from implementing coherent strategies with regard to managing their resources, reputation and image.

Kavaratzis (2004) sees city branding in the context of communication from the image of a city through three stages of communication, namely primary, secondary and tertiary. Primary communication is related to the potential influence of actions taken by a city but has an unintentional communication effect. Secondary communication is related to intentional and planned urban marketing activities while tertiary communication is an uncontrolled exchange of messages such as media reports and word of mouth. Primary communication refers to all out-of-town forms via which such forms or acts might transmit messages, however communication is not the main point of primary communication (Benedek, 2017). Primary communication refers to the communicative effect that a city's actions have had on the surrounding community. Primary communication is broken down into these four categories: behavior, landscape strategy, infrastructure, and structure. Communication that is both formal and on purpose is considered to be secondary communication. Secondary communication most frequently takes place as a result of marketing strategies or through well-known media such as indoor and outdoor advertising, public relations, graphic design, the utilization of logos, and other similar practices. Tertiary communication is just word-of-mouth advertising that has been bolstered by the media and other businesses. The government is powerless to restrict communication at the tertiary level. The purpose of the entire process of branding, as well as primary and secondary communication that may be managed, is to produce and bolster positive tertiary communication (Kavaratzis, 2004). Primary and secondary forms of communication, as well as the branding process itself, should ultimately serve to facilitate effective tertiary communication (Benedek, 2017).

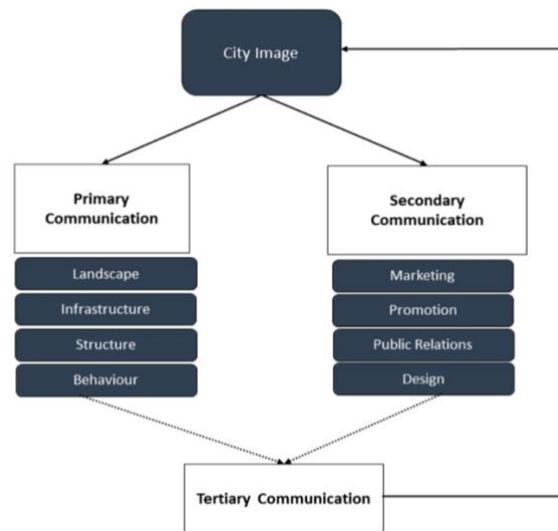


Figure 1: City Branding in the context of Communication (Kavaratzis, 2004)

2.2 Creative City

Many countries around the world believe that the development of the creative economy should start by making cities more creative. Cities are seen as actors and partners in socioeconomic and cultural development, connecting diverse communities and stakeholders through collaborative initiatives in the creative industries. The central idea is to convert the cities we live in into living works of art where all citizens can interact and fully engage in the process of urban design and development. The engagement of citizens must be considered a top priority in urban planning, as Jane Jacobs (1961, 238), American social activist and pioneer of urban planning, observes “cities have the capability of providing something for everybody, only because, and only when, they are created by everybody.”

In the book *Creative City*, Landry suggests that there are seven groups of factors that contribute to urban creativity. When all of these are present a city can be truly creative. They are: 1) personal qualities, 2) will and leadership, 3) human diversity and access to varied talent, 4) organizational culture, 5) local identity, 6) urban spaces and facilities, and 7) networking dynamics. For each group of factors, he came up with indicators and recommendations supported by evidence from developed countries, mostly in Europe and the United States (Landry 2008).

After 1990, however, the notion of the creative city began to gather momentum. Comedia, a think tank, publisher, and consultancy firm founded by Charles Landry, undertook much of the early work highlighting the importance of cultural resources, as well as providing a methodological framework and research evidence for what is now known as the creative economy. His first work on the cultural transformation of cities looked at Glasgow and Barcelona. His focus was on cities as creative organisms whose development depended on creative industries (Landry, 2012).

In 1994 Landry’s interest in urban creativity was broadened through work with Klaus Kunzmann analyzing five German and five British cities (Cologne, Dresden, Unna, Essen, Karlsruhe, Bristol, Glasgow, Huddersfield, Leicester, and Milton Keynes). The result was “*The Creative City in Britain and Germany*,” which reviewed a range of “hard” and “soft” factors influencing the possible development of creative urban strategies. They included the quality of a city’s research, information, and education infrastructures; the identification of a crisis or challenge to be solved; and the ability of urban policymakers to break the rules, recognize and approve creative ideas, harness “endogenous creativity potential,” and produce “paradigm shifts” as triggers for creative capacity (Landry et al. 1996).

In 1995, a short book *The Creative City* by Charles Landry and Franco Bianchini came out. It was written as a handbook for policymakers with a suggestion on how to become a creative city. Firstly, the authors justified the

need for creative thinking in order to overcome new urban challenges and highlighted the ‘synthetic’ and ‘cross-disciplinary’ nature of creativity. They offered a vague but interesting discussion of factors such as reassessing failure/success, handling capacity, valuing the contributions of immigrants, the use of catalyst events and processes, developing creative spaces, and balancing cosmopolitanism and localism (Landry/Bian-Chini 1995).

This initiative was followed by creative examples of projects and policies from Barcelona, Milan, Valencia, Rotterdam, Southampton, Moscow, Melbourne, and many other cities from Europe, North America, and Australia. Importantly, the book argued that creative city strategies have relevance well beyond the field of cultural policy in education, transport, ecology, housing, health, and many other policy areas (Bianchini, 2017). Both these publications broadened the notion of the creative city away from its more exclusive artistic and creative economy focus. They discussed issues like the organizational dynamics to foster creativity, what a creative milieu is, and how to encourage creativity. It is important to point out the work of a distinguished urbanist and planning historian, Peter Hall, who had a particular influence at the beginning. His studies of creative cities in history (1999) were undoubtedly a significant influence on Comedia’s creative city project team because it examined the factors behind the ‘golden ages’ of creativity and innovation in some of the Western world’s major cities and made a crucial contribution to legitimizing the idea of the creative city. However, the concept of the creative city developed by Charles Landry evolved from the day-to-day practice of Comedia’s consultancy work. Landry saw himself as an activist and as a social entrepreneur, frustrated because of academics’ lack of interest (Bianchini, 2017: 25).

Bradford (2004) notes that governance is an essential aspect of Creative Cities, with some elements of traditional municipal administration being re-invented in order for them to become more suitable for this environment. With regard to civic innovation, the author argues that creativity can function as the key to improving how citizens live together and to solving pressing urban problems of various kinds. Bradford (2004) highlights the benefits of social innovation in facilitating broader citizen participation, in that a wide range of arts and cultural activities can serve to transform the social contexts of cities by helping them to integrate traditionally marginalised groups. Moreover, Creative Cities also become centres of economic innovation since in the new knowledge-based economy, prosperity depends less on raw materials or transportation routes and more on ideas, design, and networking. Finally, Creative Cities embrace social, artistic and cultural innovation by supporting the arts and encouraging cultural activity, and Bradford (2004) acknowledges that this final type of innovation also makes a contribution to the other areas of innovation already mentioned.

Fortunately, the Creative City concept becomes much clearer when its various components are examined individually. This thesis identifies five approaches, as follows:

- a) Urban planning and the creative city
- b) Creative Milieu
- c) Creative industries economies
- d) Creative Policy
- e) Cultural/economic discourse

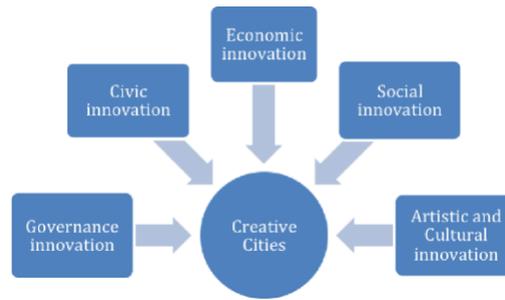


Figure 2: Creative Cities and Innovation (Bradford, 2004)

To become a Creative City, Landry and Bianchini (1995) suggest a number of things that can be done by a city which essentially develops urban space as a catalyst for individuals or creative groups. The development of urban space is also a step to attract community participation by providing a place or place that is conducive to doing activities. In the Creative City concept, there are three important aspects that need to be considered for a city in realizing the concept of a Creative City, including the growth of the Creative Economy, the maintenance of Creative Class (creative groups or individuals) and the provision of a conducive environment for the development of creativity. There is a relationship between the three aspects, namely Creative Class plays a role in the development of the creative economy where they are the ones who are creative so as to produce products in the form of intellectual property that has commercial value. Creative Class also needs a conducive and inspiring environment so that they can carry out creative activities. The environment is also needed as a forum for creative economic activities where humans can develop their creative products. This relationship is what makes these three aspects important.

Summing up the definitions of creative cities provided in scientific literature, the following 3 main positions can be distinguished:

- a) In creative cities, creativity is the main means for the development of the city. Creative cities are perceived as those that manage to find creative solutions for arising problems (transport, environmental protection, etc.). The main solutions that increase competitiveness in creative cities are maintenance of creative environment and creative management of the city (landry, 2000).
- b) Creative cities include the use of creative industries and creative activities. This conception is closely related to creative industries. Creativity is used here as a means to create cultural products and services. Solutions that increase competitiveness of creative cities include specific territorial changes, political actions that are based on the growth of culture and other creative activities that determine the quality of life as well as vitality and competitiveness of a city (pratt, 2008; department of culture, media and sport).
- c) Creative cities as localities that aim at attracting human capital. Such conception of creative cities is based on the approach that creative cities attract creative classes (qualified and innovative individuals). Therefore, creativity of a creative city is related to the ability to educate, maintain and attract a creative class with individuals that have knowledge and skills to create added value and competitiveness in economy (florida, 2002).

All ten ASEAN member states have initiated creative city policies and projects to varying degrees, using suggestions offered by writers such as Landry, Howkins, and Florida as guidelines, and documents from intergovernmental agencies UNCTAD and UNESCO as instruction manuals. Collaborations such as the ASEAN Creative Cities Forum and Exhibition, established by the Department of Trade and Industry (DTI) through the Design Centre of the Philippines, and the Southeast Asian Creative Cities Network (SEACCN), co-created by Bandung (Indonesia); Chiangmai (Thailand); Penang (Malaysia); and Cebu (the Philippines), were launched to generate public sharing of creative knowledge and encourage the discussion and practice of creative economies and the creative industries.

The concepts of the creative city, the creative economy, and creative industries originated in countries with post-industrial economies and technologically advanced infrastructure in Europe, North America, and Australia. Referred to as a “traveling discourse” by cultural critic Jing Wang, these concepts became popular around the world in the early twenty-first century, with several countries appropriating them in a “cookie cutter” approach (Wang 2004). The guidelines, models and toolkits that led to the success of cities in the United Kingdom and the United States, for example, cannot necessarily be directly applied to cities in developing countries, especially those in ASEAN, because of these cities’ unique social structures and political climates.

3. Methods

The research topic focuses on Bangkok as a creative city in Thailand; consequently, a qualitative research approach was taken by the researcher in order to determine the procedure for implementing the city branding concept. This research employed a qualitative research method. Shank sees qualitative research as a systematic empirical investigation to understand a phenomenon's meaning (Shank, 2006).. This type of research can provide a wide range of qualitative data with thorough descriptions and full of nuances. This sort of data is more valuable than just a statement of the amount or frequency in numerical terms. This study falls under the category of qualitative research. These traits apply to qualitative research. This type of research will be able to capture a vast array of qualitative information with detailed descriptions and a wealth of nuances that are more valuable than a simple declaration of quantity or frequency.

The adopted data collection was as follows:

- a. An in-depth interview took place by asking the informant questions based on an interview guide. For this study, the interview took place with Media Relations and Communication Asia Media Life Thailand.
- b. Library Study employed a wide range of data and theories from books, journals, newspapers, papers, seminars, internet information, and other textual sources as the basis for their work.

4. Results and Analysis

4.1 Creative City Concept in Bangkok

A developing country also does not really experience large scale competition between companies since the numbers of multinational companies from developing countries are not as much as the developed one (Lau, 2000). This means the economic competition of the country is insignificant compared with developed country. That is why the big multinational and national companies dominate the market. According to Landry (2012), the creative city is a place that attracts investment from international companies which could create imbalance competition and kills local company if the human capital of the city is not ready. However if a country with limited natural resources can manage its human capital efficiently, for example, Japan and the Republic of Korea, so it can become a rich country.

The creative city idea uses creative economy as the main engine for urban development (Landry, 2012). According to Fleming and NORDEN (2007), there are ten preconditions in the city as criteria that might foster creativity and attract the creative class:

- a) A world-class, high-profile cultural infrastructure;
- b) A wide range of specialist creative industries support services;
- c) A wide range of specialist and accessible facilities for the creative industries;
- d) A strong and specialized higher education sector;
- e) An innovative further, school education sector, and strong informal learning sector;
- f) Spaces for convergence and connectivity;
- g) Global partnership and initiatives;
- h) Diversity advantage;
- i) Strong spaces of cultural consumption connecting spaces of production; and
- j) A vibrant night-time economy.

The developed countries may fulfill these criteria better because they have earlier phases of advancement than developing countries. In developing countries, according to the Global Competitiveness Report 2014 (World Economic Forum, 2014), the most problematic issues for investment in ASEAN countries are corruption, infrastructure readiness, access to finance, and inadequately educated workers. To achieve the ten preconditions, these problems be addressed first before implementing the creative city idea. The developing countries might also own all of those preconditions, but lagged behind in the reputation and quality. This means the possibilities of developing countries in attracting creative class, is lower than developed countries. Florida (2002) implies that the creative city demands sophisticated human capital, social tolerance, and an easiness place for talents. These demands could be inferred into the three aspects to implement creative city; innovation, tolerance, and amenities.

Decades of regional trade and design fairs underpinned the flow of new ideas, including the famous ASA Architect Expo and the STYLE Bangkok product design exhibition. Bangkok Design Week adds a new creative vibe, attracting audiences of all generations and acting as a collaborative platform that promotes the importance of design. As a center for design education, Bangkok is home to leading design professionals. The main design school research center serves the public and private sectors in developing policies and products. Up-and-coming urban architects and designers are leading the city's progress towards an inclusive and sustainable future. Bangkokians are adaptive, famous for using unconventional homemade approaches to dealing with problems. Design is a tool to harness local wisdom and make Bangkok a formidable city to face the challenges of the 21st century.

Bangkok's activities as a creative city include Bangkok Design Week (BKKDW), acts as a multi-collaborative platform to integrate design, art, culture and other disciplines with more than 60 partners and 2000 collaborators from all sectors internationally. The main goals are to disseminate the importance of design as a tool for social and urban development as well as to promote local participation. Furthermore, Bangkok Creative District Network, the act of development multidisciplinary creative hubs that enhances the process of creation-production-dissemination in several areas in Bangkok including Charoenkrung Creative District. The project aims to foster a network of creative districts which will be used as a model for dissemination across Thailand and strengthen the economy both at a community and city level.



Figure 3: Bangkok Design Week (UNESCO Creative City, 2022)

At least in Asia, Bangkok has a tradition that is respected in the architecture and design sector. A number of local players have succeeded in capturing foreign clients and winning tenders for prestigious projects. Mathar Bunnag, for example, designed the world's first Ritz-Carlton Reserve resort. Duangrit Bunnag, a kind of Thai version of Yori Antar, designed the Hotel de la Paix (now Sofitel) in Luang Prabang. Several foreign architects based in Bangkok, for example Bill Bensley, contributed to the rise of this city's prestige in the field of design. For a while, Bangkok has not become a favorite tourist destination for design tourism. We may think of Helsinki, Rotterdam, or Tokyo when we talk about building aesthetics. However, Bangkok has been showing an interesting trend in the last 10 years. This city is increasingly literate in design, and is also increasingly diligent in producing new breakthroughs and experiments. The latest example is presented by Rubporn "Ponk" Memoli, a young Bangkok architect based in London. Last December, Ponk initiated Bangkok Bound, a two-day open house event that opens access to 13 buildings with attractive designs. Visitors get first-hand information through guided tours of the architects of each of the buildings.

For its inaugural volume, Bangkok Bound invites the public to enter, among others, TCDC Bangkok, The Commons, and Naiipa Art Complex. "Two weeks before the event, the time slot provided for the visit was almost exhausted," explained Ponk. "This shows the great enthusiasm of residents, as well as tourists who come from Singapore and Vietnam, to learn about Bangkok's architectural developments." Amazed by the passion, Ponk set Bangkok Bound as an annual celebration, also intends to franchise it in Singapore and Ho Chi Minh City. Historically, Bangkok Bound is a derivative activation of the Architracker application which was also worked on by Ponk. Like a Google Map specifically for architecture, this application guides the public in tracking and digging up information about iconic design buildings in a city. Ponk started it in London, where he himself manually entered 111 buildings on a digital map. Now, Architracker has listed more than 27,000 buildings in various cities of the world.

Many architects in Bangkok are guerrillas in presenting spaces that are functional and comfortable, but the city is experiencing urban problems that make comfort even more challenging to present. Thailand's capital is outside the list of the 50 most populous cities in the world, but the conditions on its roads give the opposite impression. No matter which survey you read, Uber or TomTom, Bangkok tops Southeast Asia in terms of congestion levels—a condition that inspired the popular term "Bangkok Jam."

Outside the streets, the struggle for space is also getting tougher. Bangkok's land is getting narrower and more expensive. In the downtown business district, land prices can reach IDR 200 million per square meter and that's 2015 data. Combined with other components of the cost of living, this city with a population of 10 million people is in second place after Singapore in the league of the most expensive cities in Southeast Asia. Thailand is constantly being debated about inequality in urban development, especially between the capital city of Bangkok and other provinces in Thailand (Hewison, 2014). The system of government in the country allows and encourages decentralization of government as seen from the changes in the increasing power and authority of local governments in the last few decades. However, it can be argued that the adoption and candidacy of Bangkok Creative City membership – as presented in the analysis above – may be able to restore justification for development projects in Bangkok which will ultimately create a wider gap between Bangkok and other Thai cities. The design-related projects presented earlier in this paper have mostly to do with landscape improvement and therefore require high budgets, and a creative city degree can provide both the right and justification for doing so. If we compare the projects carried out taking into account the development of creative cities in various cities in Thailand, it is clear that being a member of the creative city network in the design category gives Bangkok the possibility to carry out projects that result in the design of urban spaces or as discussed earlier as urban regeneration or renewal. In other cities, Phuket (gastronomy), Chiang Mai (crafts and folk arts), Sukhothai (crafts and folk arts), projects related to the development of creative cities tend not to result in changes in the built environment. This gives Bangkok, a city with high potential, to take advantage of them with the full support of the earned degree.

4.2 Motives to Initiate the Bangkok Creative City of Design

As a result of the economic crisis of 1997 that heavily shook Thailand's condition, the Government of Thailand tried to build a knowledge and creativity based economic development strategy in order to be more resilient in facing future crises. The former Thailand's main economic activity was manufacturing with low-cost labour and extensive natural resources which proved more fragile in time of crisis (TCDC, 2006). With the top-down nature of the governmental system in Thailand (Kulrisombat, 2008; Ribeiro & Srisuwan, 2005; Sangawongse, et al., 2012), Central Government established the Thailand Creative and Design Center (TCDC) in 2004 as part of the office of the Prime Minister. The prime minister of Thailand at that time, Thaksin Shinawatra, saw that creativity and economics still appeared as separated matters and TCDC was needed to bring them together (TCDC, 2006). Financed by a national budget, the TCDC tried to stimulate the public's creativity through organizing exhibitions, lectures, workshops, and sources for research. By these efforts, the ubiquitously labelled "Thai" terms such as: Thai massage, Thai food, Muay thai, and Thai spa have acquired international recognition. The TCDC has built a permanent exhibition area, design libraries, a place for creative economy education, and a mini TCDC office at 13 universities. Fundamentally, the Thai government tries to harvest local values and then promote them through networking activities.

In the 2013, the TCDC built the first regional design resource centre that has a full slate of services that were formerly only available in Bangkok (<http://www.tcdc.or.th/chiangmai/> visited on June 23, 2015). The central government also enforces this main growth node for northern Thailand through building several key public infrastructures. As already indicated, Bangkok has a vibrant indigenous cultural based economy such as handicraft and fine arts. The city also relies a great deal upon tourism that has a mutual relationship with cityscape beauties. However, the provincial government of Bangkok saw a particular potential in the Information and Technology sector. There are seven universities in Bangkok that could produce IT specialists each year (Theptong, 2010). Some major players in the IT world, like Creative Kingdom and IBM, also have set up their business there. The climate is also suitable for IT related component manufactures (Glassman and Sneddon, 2003).



Figure 4: Thailand Creative and Design Center (UNESCO Creative City, 2022)

In local policy, Thailand still has strong Central Government influence since the governor is appointed by the Department of Interior (Kulrisombat, 2008). The Central Government's efforts to alleviate congestion in the Capital City of Thailand, Bangkok, through decentralization, are still in line with a top-down approach (Kitirianglarp, 2015). However, the private sector and diverse communities also have a strong influence in recent Thai policy making. This could be an indicator of the shift from government to governance, which means many actors are increasingly involved in policy making outside official governmental institutions.

The main objective of the initiative is future job creation. Conceptually, the initiative is aimed at: the emergence of dynamic and competitive companies; adding national GDP by 2%; 5000 new jobs in 5 years (starting from 2010); and a more robust and sustainable economy (speech of Martin Venzky-Stalling on October 8, 2014). These objectives are planned to be achieved through leveraging innovation and creativity. To strengthen the effort, 40 organizations are dedicated to their support. In line with that, the support-raising is based on voluntary prevision and a bottom-up scheme, endorsed by the Governor of Bangkok Province. The outcome of Creative City Bangkok is a list of recommendations for five years that guide the Bangkok development plan and depend heavily on Central Government budgeting. However, if possible, the members of committee could raise funds and resources for the formulated recommendations and action.

Known as a vibrant city, Bangkok is the capital city of Thailand, home to 15.8 million metropolitan residents (9.2 million in the city). It is a business and investment hub, with \$219 billion GPP and \$13,755 GPP per capita in 2017; and more than one million foreign workers. Bangkok's multicultural identity runs deep in its veins. Founded in 1782, the city inherited the rich culture, strong foreign trade and international connections of the former Ayutthaya kingdom. Diversity and openness are cultural assets that have driven Bangkok's design development and have made the city a favorite destination for visitors, who numbered more than 20 million in 2018.

Design drives Bangkok in many aspects, including conservation and enhancement of the area, community development, and incorporating innovation, inclusion and sustainability into the city's growth. Meanwhile, design-driven industry has become an important part of Bangkok's economy and is key to the development of a value-based economy. The creative energy of Bangkok's diverse people, inspired by the multicultural richness around it, is the city's greatest asset. The mix of traditional and novel aesthetics forms the basis for the evolution of urban design. Craftsmen, specialty suppliers, and the creative production community fill the city, with more than 300,000 creative jobs recorded in 2017.

In research, Thailand has considered has a well-established research centre in creative industry context through initiating Lanna Research Network Center that has affiliation with numerous universities in Thailand. The Research works are divided into four categories: agriculture & agricultural technology; science & technology; health sciences; and social & economic research. In creative economy development, the Thai Government has established a permanent Thailand Creative Design Center (TCDC) office in order to provide design-related resources. The TCDC, which has affiliation with Creative City in Asia, provides an exhibition place and design library for creative economy education. Even though TCDC opens for public, implicitly, the visitor might have specific education background in order to utilize the facilities. This is one point of criticism from Peck (2005) who argues about specific creative class improvement while the so-called "uncreative" should merely look and learn more passively.

Both case studies aim for future job creation through innovation. This aim needs not only a set of consistent policies and regulatory guidelines, but also public education. If the job is available but the human resources are not yet prepared through education, the influx of foreign workers would create future social problems. This is highly related to the upcoming ASEAN Economic Community (AEC) in which Southeast Asia will be planned as an integrated regional economic entity, included as a single market and production base.

4.3 City Branding Bangkok as Creative City of Design

The implementation of the primary communication of city branding for Bangkok can be seen in the formation of creative centers, development of creative areas, provision of infrastructure, landscape/layout of the city, public areas, and behavior. Regarding Bangkok's urban growth and planning, a variety of tools were utilized. Primary communication Bangkok's city branding as creative city of design can be seen in the formation of landscape of the city. The 1990 comprehensive city plan is regarded as one of the most essential urban planning instruments. The main focus of the plan is the physical growth of the city; consequently, zoning regulations and guidelines are established for the management of urban sprawl. The objective is to align the infrastructure, transportation, and utility systems for the greatest benefit of the population. The Bangkok City Plan (Fourth Revision), which went into force in 2012, is the most recent development plan for Bangkok city. It sought to promote Bangkok as "the business and commercial capital of Thailand and Southeast Asia, and to promote the creative economy in response to the Thailand 4.0 agenda by enhancing infrastructure and investment facilities in order to achieve a competitive edge" (Creative Economy Agency, 2019). This plan produced two projects: the Charoenkrung-Klong San and Chulalongkorn University districts. They are designated "commercial areas for innovative business, trade, services, and research" (Creative Economy Agency, 2019).

The implementation second of the primary communication of city branding Bangkok as creative city of design is about infrastructure creative centers/areas such as Thailand Creative & Design Center (TCDC) and Thailand Creative District Network (TCDN). The Thailand Creative & Design Center (TCDC) is a government-funded information hub for the country's design and creative sectors. TCDC is a resource and information center for creativity and design in Thai society. Its goal is to help Thai designers and entrepreneurs do more than they can on their own. TCDC opened in Bangkok in November 2004 and in Chiang Mai in 2013. It is run by the Office of Knowledge Management Development (OKMD), which is part of the Office of the Prime Minister. TCDC Bangkok has moved to The Grand Postal Building on Charoenkrung Road and had a soft launch in May 2017 (<https://ifdesign.com/en/brands-creatives/company/thailand-creative-design-center-tcdc/9370>). Thailand Creative District Network (TCDN) is a resource for provincial officials in any of Thailand's 76 provinces who are eager to see their own districts grow and flourish. Benefit from the help of urban planning and development specialists. to aid in identifying, enhancing, and extending existing community resources To mold the area into a "Creative Economy Area" that can reliably raise the standard of living for locals in the long run(Creative Economy Agency, 2019).

The number three is an indicator of of the primary communication of city branding Bangkok as creative city of design is behaviours (event and activities). According to TCDC (2019), Bangkok was chosen to join the UNESCO

Creative Cities Network (UCCN) because Bangkok is a bustling metropolis with a vibrant arts and design event such as Bangkok Design Week. The goal is to increase international awareness of the value of design and creativity in fostering economic, social, and cultural growth.

Furthermore, implementing the secondary communication strategy of city branding in the creative city of Bangkok, branding through the implementation of promotional programs in several marketing media, public relations, design, and creative activities. It can be seen from the number of pamphlets and government programs disseminated on various media such as TV, government official social media accounts, etc. Bangkok plans to become a "Creative City of Design" establishing cross-sector design collaborations as a vital feature of sustainable urban development, which entails the resuscitation of both historically significant neighborhoods and underutilized areas for new purposes, through the mentioned initiative, encouraging the development, production, and distribution of design-related products and services and enhancing international cooperation through the organization of a design week and an international forum, as well as participation in the World Design Organization's initiative (Unesco, 2019).

Then lastly, in implementing the tertiary city branding communication strategy in the creative city in Bangkok, there is the application of WOM in the Media. It is done by creative program actors who actively post creative programs on their social media and ask their closest people to participate in broadcasting the information.

Tabel 1: City Branding Bangkok as Creative City of Design

Variable	Indicator	Data
Primary communication	Landscape	Commercial areas for innovative business, trade, services, and research
	Infrastructure	Thailand Creative & Design Center (TCDC) Thailand Creative District Network (TCDN)
	Behaviour (event and activities)	Bangkok Design Week (BDW)
Secondary communication	Marketing & Promotion	Promoting the creation, production and dissemination of design-related products and services through the mentioned initiative
	Design	cross-sector design collaborations
	Public relations	Strengthening international cooperation by organizing a design week and an international forum
Tertiary communication	Word of Mouth (WOM)	Media & Sosial media

5. Conclusion

According to the analysis of the case studies, the idea of creative city can be implemented by the cities but with contrasting backgrounds. However, the main lesson learned from the case studies shows that the bottom up initiative will leads the creative city idea to move into more flexible activities which might follow the dynamics of urban change. To create innovation, tradition and technology would be great ingredients if managed properly. A Southeast Asian country has a strong attachment with old traditions which should be a main concern in implementing a creative city initiative. As a developing country, many sectors outside creative industries are still needed to be improved. However, there are several complementary development aspects between basic economic

development and creative city initiative, such as public utilities, public transport, and so on. This means that governments of developing countries should concentrate on investing the public budget largely in providing those key basic infrastructures. That is why the creative city concept should be seen as spin-off from wider city development.

According to the case studies, Bangkok has a bottom-up initiative which aims for social inequalities alleviation. On the other hand, Bangkok initiative relies on Central Government action in fostering the creative economy. In Southeast Asian developing countries, the Bangkok approach is preferable since many problems such as unemployment and slums are needed to be alleviated immediately. Another reason is that protective measures are crucial to help developing countries solve the mentioned problems. The citizens must be competitive in facing globalization. Education and research should be emphasized in order to increase public competitiveness. However, the evidence from the two cases of this thesis suggests that a top-down approach with strong financial support will provide more consistent activities in implementing the creative city idea.

The implementation of primary communication of city branding for Bangkok can be seen in the establishment of creative centers, the development of creative area, infrastructure provision, city landscape/layout, public area, and behaviour. The implementation of secondary communication strategy of city branding in creative city in Bangkok, branding through implementation of promotional programs at some media marketing, public relations, design, and creative activities. The implementation of tertiary communication strategy of city branding in creative city in Bangkok, there is application of WOM in Media.

Acknowledgments

This research has been made possible due to support from some parties. First, we want to thank the Ministry of Cultural and Education of the Republic of Indonesia, which has provided us with the funds needed to conduct this research in 2022. We also thank the Institute for Research and Community Service at Universitas Pembangunan Nasional Veteran Yogyakarta, Indonesia, for helping us complete administrative matters.

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Overlapping Central Government Policy with Regional Governments: Study of Conflict Anchor Port Management in Kepulauan Riau Province 2017-2022

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Abstract

This study discusses the implementation of decentralization that triggers conflict. The case study is the conflict in the management of anchorage in the Riau Islands Province in 2017-2022. This conflict occurred between the Ministry of Transportation (central government) and the Riau Islands Provincial Government (local government). The findings of this study indicate that the conflict between the two parties occurred due to overlapping, mutual claims of authority to use marine space for the anchorage area. This conflict is further complicated by the different interpretations of nine government agencies on anchor management policies. This difference occurs vertically and horizontally. This study shows the strengthening of the dominance of the central government in the era of decentralization in Indonesia, this indicates a shift in the decentralization pendulum towards re-centralization.

Keywords: Anchoring, Central-Regional Conflict, Decentralization, Policy Overlap

1. Introduction

It is impossible for any single country to implement a government with a centralized or totally decentralized system (Hans Kelsen (1973) in Hoessein, 2003). There must be government affairs that are carried out in a centralized or decentralized manner. The difference is that the pendulum of governance is more dominant towards centralization or decentralization.

Decentralization has become an attractive alternative and is widely used as an option for governance in various countries in the world in different ways and patterns (Prasodjo, 2015). Schrottshammer and Kievelitz (2006) noted that since 1980, about 95% of all countries have given power and responsibility to lower (regional) governments both politically, administratively, and fiscally. The same thing was also stated by De Alwis (2020) that the trend of government management in various developing countries is the transfer of responsibility and authority from the

central government to several institutions at the regional level. In the view of Convery and Lundberg (2017), it is not only the delegation of authority but also the delegation of greater power to the regions. The implementation of decentralization has also grown and developed in some East Asian countries, such as China, Cambodia, Thailand, Vietnam, and Indonesia after 1990 (White et al, 2005).

This explanation shows that decentralization is an alternative that is widely used by countries in the world in regulating the balance of relations between the central government and the regions. The same thing happened in Indonesia. Some expert views state that the implementation of decentralization and regional autonomy in Indonesia is a consolidation medium in reducing turmoil in various regions to remain within the framework of the Indonesian state in the reform era (Magenda, 2018, Prasodjo, 2006). At the beginning of the reform, the implementation of decentralization in Indonesia was part of an effort to minimize conflicts. However, in the course of the implementation of decentralization in the reform era, it also triggered conflicts between the central and local governments (Armin, 2003, Suryadi, 2008, Kurniawati, 2012, Zuhro, 2013, Putra, 2014, Abdullah, 2016, Effendi, 2016, Sondakh, 2017, Zaenuddin, 2017, Setiawan, 2020).

This paper looks at the aspects of decentralization implementation that trigger conflicts in Indonesia. The focus of this paper looks at policy conflicts between the central and local governments in the management of anchorage areas in the Kepulauan Riau Province in 2017-2022. There are two parties involved in this conflict, namely the Ministry of Transportation which is a representation of the central government, and the Kepulauan Riau Provincial Government as a representation of the local government. Anchor anchoring is any activity of a stopped ship using a special sea space with permission from the port authority to dock for a certain period of time until the ship sails. As long as the ship stops in a predetermined sea space, this is called anchoring.

1.1. Literature Review

There are two theories used as analytical tools in discussing this study, namely the theory of decentralization and political conflict. Many opinions and views of experts interpret decentralization. In general, decentralization is always associated with the delegation or handover of authority from the central government to locals or government institutions in the regions. In general, the type of decentralization can be categorized into two perspectives, namely the political decentralization perspective and the administrative decentralization perspective. Triesman (2007) develops the perspective into three types, namely political, administrative, and fiscal decentralization (Henderso, 2014). This perspective develops into four dimensions of decentralization, namely political, administrative, fiscal, and economic decentralization (Rondinelli, 1999). The dimensions of administrative decentralization are divided into three, namely; deconcentration, delegation, and devolution.

Political decentralization is related to regional autonomy in governance and government accountability. Administrative decentralization refers to how much autonomy regional institutions have in determining policies and programs. Fiscal decentralization concerns the extent to which regions can control their income and expenditure increases. Meanwhile, economic decentralization is related to privatization and deregulation. These four types of decentralization have been carried out in Indonesia during the reform era.

The second theory used in this study is a political conflict. Political conflict is a conflict between actors collectively over the structure, officials, or policies of a political regime and is a characteristic of political regimes in political life (A.B. Atkinson in Sarabjit Kaur, 2006). Meanwhile, according to Rauf (2001) political conflict is part of social conflict, where political conflict has characteristics similar to social conflict. Political conflict has a political connotation that is related to the state/government, political/government officials, and policies. What distinguishes political conflict from other social conflicts is the nature of the political conflict which is always a group conflict. These two opinions emphasize that political conflict is always related to the state, state policies, and officials, the nature of political conflict must be group.

Some experts say that one of the causes of political conflict is the struggle for scarce or limited resources (Coser, 1957; Rauf, 2001; and Wallenstein, 2002). The higher the level of scarcity of the resources needed to live, the greater the possibility of political conflict.

These two theories are used as analytical tools in this study. The theory of decentralization is used to analyze the power interplay between the central and regional governments and the theory of political conflict to map conflicts that occur as a result of the implementation of decentralization.

1.2. Some Relevant Studies.

The implementation of decentralization in various countries in the world has had a positive impact, but in several other countries, it has had a negative impact. One of the negative impacts of implementing decentralization is that it triggers conflict. Many study findings prove that one of the negative impacts of implementing decentralization is the trigger for conflict. One of the causes of conflicts in the implementation of decentralization is overlapping policies between the central and regional governments.

Several studies in the world have concluded that one of the causes of intergovernmental conflict occurs because of overlapping authorities and different interpretations between government institutions on regulations that regulate the center and regions (Iwuamadi, 2001; Ofoeze, 2002; Rodríguez, 2018 Harguindéguy, 2020). This has led to mutual claims of authority between central and regional institutions.

The same thing happened in Indonesia. Many studies state that one of the triggers for conflict between the center and the regions is due to the indecision of rules, various interpretations of regulations, and overlapping authorities between central and regional institutions. As in Armin's (2003) study discussing the financial conflict between local governments and the central government in the case of East Kalimantan, Zuhro's (2013) writings which examine the implementation of decentralization in Indonesia, Sondakh's (2017) study on the case of mining investment control, and Putra's research, 2014; Effendi, 2016 and Zaenuddin, 2017 which discuss the dualism of authority between the Batam City Government which is a regional representation and the Batam Concession Board which is an organ of the central in the regional governments.

The difference between this study and some of the studies above is the novelty of the object of study. Based on the literature review, no study in Indonesia discusses intergovernmental conflicts on the use of 12-mile sea space for anchoring activities. Therefore, this study has a meaning in filling the void in the repertoire of political studies and decentralization in Indonesia in the conflict between the center and the regions in the use of sea roars for anchoring activities.

2. Method

This research was carried out with a qualitative approach through case studies (Yin, 2002). The paradigm of this research is advocacy and participatory, namely studies related to politics and political agendas (Creswell, 2017). In Lawrence's (2017) perspective, this paradigm is closer to the perspective of critical social science. In essence, in this paradigm research begins because of inequality. This study departs from the central government's injustice to the Kepulauan Riau Province in the management of anchorage. Geographically, 96% of the Kepulauan Riau Province is the ocean, but this province cannot use its authority to manage natural resources at sea within a 12-mile radius for anchoring activities. The case studied in this study is the conflict of authority between the central and the regional government in the management of anchorage. This is the first case in Indonesia that has occurred between the Ministry of Transportation and the Kepulauan Riau Regional Government.

This research data search utilizes the types of data collection strategies that are possible in qualitative research (Creswell, 2017). Data collection was done through document review and in-depth interviews with informants. The secondary data examined in this study include statutory regulations and government documents related to anchorage management. Some of the key informants in this study include; Andung Supandi (Head of Service and Tariff Section of the Port Directorate, Ministry of Transportation), M Rasman Manafi (Assistant to Deputy for Marine and Coastal Spatial Management, Coordinating Ministry for Maritime Affairs and Investment), Faisal (Autonomy and Decentralization Division, Coordinating Ministry for Political, Legal and Security Affairs), M. Ali Irmanda and Ushah Muchtar (Sub-directorate of Transportation, Directorate of Synchronization of Regional

Government Affairs II, Ministry of Home Affairs), Lily Kuntratih, Triana Kusuma Dewi and Hafizh Anugrah Pratama (Ministry of Finance) and Aziz Kasim Djou (Head of Port Division of the Kepulauan Riau Province Transportation Service).

3. Result

The conflict between the Kepulauan Riau Provincial Government and the Ministry of Transportation began in 2014. This conflict began with the Kepulauan Riau Local Government's desire to actualize the authority of the archipelagic regions as mandated by Law No. and Provinces with Archipelagic Characteristics. This chapter authorizes the province to manage natural resources at sea within a 12-nautical mile radius within its territory. The Kepulauan Riau Provincial Government utilizes this authority by issuing Regional Regulation No. 9 of 2017 concerning the Second Amendment to Regional Regulation No. 1 of 2012 concerning Regional Levies for the Kepulauan Riau Province. One of the charges regulated in this Regional Regulation is the port business service levy. This levy includes ships carrying out activities in the ship's anchoring area and the use of waters for business activities. The port business service levy levied by the Kepulauan Riau Provincial Government is more popularly known as the anchorage levy (ship parking).

After the issuance of Kepulauan Riau Regional Regulation No. 9 of 2017, there was a conflict between the Kepulauan Riau Local Government and the Ministry of Transportation in the management of anchorage. Each party claims to have the authority to collect anchor money. The Kepulauan Riau Provincial Government wants to collect the nomenclature of regional levies and the Ministry of Transportation collects based on Non-Tax State Revenue for anchorage services.

3.1. The Kepulauan Riau Regional Government and the Ministry of Transportation have Claims of Authority

In the conflict of management and collection, each party claims to have a strong legal basis in the management of the anchorage. Based on an interview with Aziz Kasim Djou on August 7, 2019, the Kepulauan Riau Provincial Government stated that it has the authority to manage and collect anchor anchors based on nine laws and regulations. In summary, these claims are listed in the table below.

Table 1: Legal Basis of Kepulauan Riau Province in Management of Anchors

No	Law	Article	Substance
1	1945 Constitution	Article 18A	<ul style="list-style-type: none"> ▪ The relationship between the center and the regions pays attention to the specificity and diversity of the region. ▪ Principles of justice in the use of natural resources and other resources
2	Law No. 33 of 2004 concerning Financial Balance between Central and Local Government	Article 3	As a form of decentralization, Regional Original Revenue aims to empower local governments to fund the implementation of regional autonomy according to regional potential.
3	Law No. 28 of 2009 concerning Regional Taxes and Levies	Article 135 & 140	<ul style="list-style-type: none"> ▪ Port Service Retribution Object ▪ Objects of Certain Licensing Retribution
4	Law No. 1 of 2014 concerning Amendments to Law No. 27 of 2007 concerning Management of Coastal Areas and Small Islands	Article 16 & 150	Governor's authority in granting and revoking Location Permits

5	Law No. 23 of 2014 concerning Regional Government	Article 14, 27, & 407	Provinces have the authority to manage Natural Resources in the deep sea 12 miles
6	Law No. 32 of 2014 concerning Marine Affairs	Article 1, 14, 47, & 48	Regions have the authority to utilize unconventional marine resources
7	Law No. 30 of 2014 concerning Government Administration	Article 8, 9, 17, 18, & 80	Decisions and/or actions by government agencies and/or officials must be based on legal and regulatory requirements and general principles of good corporate governance.
8	Presidential Regulation No. 16 of 2017 concerning Indonesian Marine Policy	Appendix I, Chapter I. Introduction, 15th Paragraph, Appendix I, Chapter. III	The Provincial Government is given the authority to manage marine resources, including small islands within a radius of 12 nautical miles
9	Regional Regulation No. 9 of 2017 concerning the Second Amendment to Perda No. 1 of 2012 concerning Retribution	Article 10	Legal basis for collecting levies anchored

Source: processed in 2022

The Ministry of Transportation also claims to have the authority to collect anchor money. There are two main rules used by the Ministry of Transportation as the basis for attracting anchorage services (Andung Supandi Interview, 2 June 2022). In summary, the claims are in the table below.

Table 2: Legal Basis of the Ministry of Transportation in Management of Anchors

No	Law	Article	Substance
1	Law No. 17 of 2008 on Shipping	Article 5	The Ministry of Transportation is the regulator and shipping operator
		Article 81	The Technical Implementation Unit of the Ministry of Transportation is the authority for the operation of ports that are managed commercially and non-commercially
		Article 83 and Article 87	Port Authorities and Port Operator Units provide and maintain shipping lanes
		Article 116	The Ministry of Transportation has the duties and functions of shipping safety and security.
2	Government Regulation No. 15 of 2016 concerning Types and Tariffs of Non-Tax State Revenues Applicable to the Ministry of Transportation	Attachment to Government Regulation No. 15 of 2016	Regulates the tariff for anchorage services at commercial and non-commercial operated ports

Source: processed in 2022

The main source of this conflict is the overlapping of laws and regulations. Each party claims to have a strong legal basis. The Kepulauan Riau Provincial Government claims to have the authority to collect fees according to 9 laws and regulations, while the Ministry of Transportation adheres to 2 laws and regulations. This overlapping authority occurs because there are differences in the philosophical spirit of the laws and regulations referred to by these two institutions.

Regional Regulation No. 9 of 2017 which is used as the basis for collecting anchors by the Provincial Government of the Kepulauan Riau, in its preamble refers to a number of laws and regulations including Law No. 28 of 2009 concerning Regional Taxes and Levies and Law No. 23 of 2014 concerning Government Area. The laws and

regulations that become the main reference for this regulation are the rules made during the decentralization period. This means that the philosophical spirit in this regional regulation contains the principles of decentralization and regional autonomy. So this rule provides a large space for regions to get involved and explore the potential of Regional Original Revenue.

Meanwhile, the rules referred to by the Ministry of Transportation, namely Government Regulation No. 15 of 2016 are derived from Law No. 20 of 1997 concerning Non-Tax State Revenue and Government Regulation No. 22 of 2016 concerning Types and Deposits of Non-Tax State Revenue. The two laws and regulations that form the basis of Government Regulation No. 15 of 2016 are rules made in the legal regime before the implementation of decentralization in Indonesia. So the spirit of the regulation is still centralized. So the rules used by the Ministry of Transportation in collecting anchorage services are the rules made during the centralization period.

It is this different philosophical spirit that creates different perspectives and interpretations when this rule is implemented. The regulatory regime used by the Ministry of Transportation was born during the centralization period, while the regulatory regime used by the Kepulauan Riau Provincial Government was born during a period of decentralization and regional autonomy. Power interplay between these two institutions occurred because there was no meeting point from the two perspectives of different legal regimes between centralized and decentralized. In the context of decentralization, this conflict occurs because the Kepulauan Riau local government wants to optimize the three dimensions of decentralization, namely the political, administrative and fiscal dimensions. On the political and administrative dimensions, the Kepulauan Riau Provincial Government believes that based on Law 23 of 2014 it is the party that has the right to manage and collect anchor money. In the fiscal dimension, the Kepulauan Riau Provincial Government wants to increase local revenue through the potential of the ocean area it has by managing and collecting anchor money. The implementation of these three dimensions of decentralization is what triggers the tug-of-war of authority in the management of anchorage.

3.2. Differences in the Interpretation of Government Institutions on the Authority for the Management of Anchors

The conflict between the Ministry of Transportation and the Kepulauan Riau local government is getting more complicated because 9 government institutions are providing legal views, assistance, and opinions and supervising conflicts over the authority to collect anchor money. These nine institutions have different views and interpretations of the rules governing anchoring.

At the regional level, there are 4 institutions involved. First, the Financial and Development Supervisory Agency for the Kepulauan Riau Province. This institution assists the Governor of the Kepulauan Riau through Letter No: S-1015/PW28/3/2019 dated November 16, 2018. This institution assists the Governor of the Kepulauan Riau through Letter No: S-1015/PW28/3/2019 dated November 16, 2018. The assistant from this institution stated that the Kepulauan Riau Province has the authority and the district/city government to collect fees for docking services provided determined by regional regulations and constitutes regional revenue.

Second, the Kepulauan Riau High Prosecutor's Office issued a law dated January 8, 2019, through letter No: Letter No: B-18/N.10/Gp.2/01/2019, law dated January 8, 2019. The legal opinion of this institution states that the Provincial Government of the Kepulauan Riau can collect levies for anchoring. Third, the Ombudsman for the Representative of the Kepulauan Riau gave an opinion through Letter No: 0110/ORI KEPRI-SRT/VII/2019 dated July 1, 2019. This institution also stated that local governments could collect levies for anchoring.

Fourth, the recommendation of the Audit Board of the Representatives of the Kepulauan Riau Province on the financial statements of the Kepulauan Riau Provincial Government in 2019. The results of the examination recommend that the Governor of the Kepulauan Riau make a technical agreement with the Ministry of Transportation regarding the implementation of the collection of anchorage services and the use of waters within a radius of 0-12 miles.

On the other side, there are five institutions at the central government level that also provide opinions and supervise this issue. First, the Ministry of Home Affairs. The opinion and position of this institution are twofold. In the first

position, at the 2018 non-litigation session, the statement from the representative of this ministry in the trial on the dispute over authority strengthened the position of the Kepulauan Riau Provincial Government to collect levies at anchor. In the second position, in 2021, the attitude of this ministry will begin to change. After the meeting of the Ministry of Finance, Ministry of Transportation, and Ministry of Home Affairs on July 6, 2021. Based on the agreement of the three ministries, the provincial government can only collect port fees for ports that are under the authority of the province (interviews with M. Ali Irmanda and Ushah Muchtar on July 18, 2022).

Second Ministry of Finance. Since the beginning of the conflict, the position of this ministry has emphasized that the levy for anchoring fees carried out by the Kepulauan Riau Provincial Government is not following statutory regulations and can only levy fees on ports that are under the authority of the province (interviews Lily Kuntratih, Triana Kusuma Dewi and Hafizh Anugrah Pratama 18 August 2022).

Third, the Coordinating Ministry for Maritime Affairs and Investment. The position of this ministry can be seen from two positions. First, in a supportive position, this can be seen from the support and facilitation of meetings conducted to resolve conflicts over the management of anchorage in the waters of the Kepulauan Riau Province throughout 2017-2020. During this time the ministry supported the involvement of the Kepulauan Riau Provincial Government and Regional Owned Enterprises in the management of anchorage. However, in 2021, the position of this ministry began to change. Deputy for Maritime Sovereignty and Energy through letter No 160/D1/MARVES/VII/2021 dated 19 July 2021, asking the Minister of Home Affairs to cancel Kepulauan Riau Governor Regulation No. Waters Designated as Ports in the Kepulauan Riau Province. This cancellation request letter does not support the collection of anchorage fees carried out by the Kepulauan Riau Provincial Government. On the other side, based on the results of the author's interview with Muh Rasman Manafi, Assistant Deputy for Marine and Coastal Spatial Management, Deputy for Maritime Resources Coordination, stated different things from the Deputy for Maritime Sovereignty and Energy. In Muh Rasman Manafi's view, regions must have a role and authority in managing marine space within a radius of 0-12 miles (interview on 30 June 2022).

Fourth, the Coordinating Ministry for Political, Legal, and Security Affairs. The position of this institution is to support the Kepulauan Riau Provincial Government to collect anchor fees. This can be seen in Letter No B-207/DN.00.01/12/2021 dated December 20, 2021, Regarding the Authority for Management of Port Services in the Waters of the Riau Archipelago Province. The letter emphasized that the Central Government, in this case, the Ministry of Transportation, gave the Kepulauan Riau Provincial Government the right and authority to manage the levy for anchorage services/parking for marine space under 12 miles following the mandate of the legislation of 6 types of levies imposed by the Ministry of Transportation, among others: (1) anchorage/parking, (2) VTS (Vessel Traffic Service), (3) Signs, (4) Guidance, (5) Delay, and (6) transfer of loading and supervision of dangerous goods against ships that will be loading and unloading at the Port of Singapore (interview with Faisal June 15, 2022).

Fifth, Cabinet Secretary. The position of this ministry is that the Kepulauan Riau Province can only collect anchor fees at ports that are under the authority of the province. In summary, the position of state and government institutions in viewing the conflict in the management of anchorage in the waters of the Kepulauan Riau is in the following table.

Table 3: Mapping of Legal Opinions, Views, and Assistance in Resolving Conflicts in the Management of Anchors in 0-12 mile Waters in the Kepulauan Riau Province

No	Institution	Opinion/Assistance Position*		Explanation
		Kepulauan Riau Provincial Government	Ministry of Transportation	
1	Financial Supervisory Agency and Representative Development of the Kepulauan Riau Province	√	×	Vertical Agency in the Region
2	Kepulauan Riau High Court	√	×	Vertical Agency in the Region

3	Ombudsman Representative of the Kepulauan Riau Province	√	×	Vertical Agency in the Region
4	The Supreme Audit Agency Representative of the Kepulauan Riau Province	√	×	Vertical Agency in the Region
5	Ministry of Finance			Central government
	Year 2017-July 2021	×	√	
	July 2021-July 2022	√	√	
6	Ministry of Internal Affairs			Central government
	2018 Non-litigation Session	√	×	
	3 Ministries Agreement, 6 July 2021	√	√	
7	Coordinating Ministry of Maritime Affairs and Investment			Central government
	Year 2017-2020	√	×	
	Deputy for Maritime Sovereignty and Energy (July 2021)	×	√	
	Assistant Deputy for Marine and Coastal Spatial Management, Deputy for Maritime Resources Coordination (June 2022)	√	√	
8	Coordinating Ministry for Political, Legal and Security Affairs	√	×	Central government
9	Cabinet Secretary	√	√	Central government

Source: processed in 2022

Explanation

- √ : Support
- ×
- : Unknown
- * : The position of opinion/assistance in mapping is interpreted as the impact of legal opinions, views, and assistance provided by these various institutions towards strengthening the position of the Kepulauan Riau Provincial Government or the Ministry of Transportation in the conflict over the authority to collect anchors/anchoring services.

Based on this mapping can be grouped into three. First, government agencies that fully state that the collection of fees for anchoring 0-12 nautical miles is under regional authority, namely: the Financial and Development Supervisory Agency, the High Prosecutor's Office, the Ombudsman, and the Supreme Audit Agency for the Kepulauan Riau Province and the Coordinating Ministry for Political, Legal and Security Affairs. Second, government agencies have changed their attitude towards this conflict of authority, namely the Ministry of Home Affairs and the Coordinating Ministry for Maritime Affairs and Investment. Third, the authority to collect anchor money is the authority of the central and local governments by the port hierarchy, namely: the Ministry of Home Affairs, the Ministry of Finance, and the Ministry of Cabinet Secretary.

This finding can be seen from two perspectives, namely the struggle for political support and the perspective of governance. First, is the perspective of political support. Politically, based on this mapping of support, the position of the Kepulauan Riau Regional Government is inferior to the Ministry of Transportation. Although from the aspect of number, the Kepulauan Riau Regional Government received more support, namely as many as 5 institutions and the Ministry of Transportation only 4 institutions. However, the support obtained by the Kepulauan Riau Provincial Government is mostly from vertical institutions in the regions, namely as many as 4 institutions and only 1 institution at the central government level. Meanwhile, the support received by the Ministry of Transportation succeeded in changing the attitude of the Ministry of Home Affairs, which in the non-litigation session firmly stated that the management and collection of anchor fees/anchoring services became the regional authority within a radius of 0-12 nautical miles. ports according to the port hierarchy. This means that the Ministry

of Transportation can collect port services that are under the authority of the center even though the anchorage area is within a radius of 0-12 nautical miles.

The position of the Kepulauan Riau Regional Government is getting weaker in this tug of war because Indonesia is a unitary state. Jimly Asshidiqie (2004) said that in the practice of a unitary state, the central government always controls various government affairs. This means that in a unitary state, the pattern of relations between the central and regional governments, the position of the central government is stronger than that of the regions. This happens because power belongs to the central government in a unitary state.

Second, is the perspective of governance. The difference in support between institutions shows the chaos of governance. This can be seen from, first, the change in the attitude of the two ministries, namely the Ministry of Home Affairs and the Coordinating Ministry for Maritime Affairs and Investments, which initially supported local governments in their development, turned to support the Ministry of Transportation. Second, the difference in attitude or support between the two coordinating ministries, namely the Coordinating Ministry for Political, Legal, and Security Affairs and the Coordinating Ministry for Maritime Affairs and Investments. Structurally the parties involved in this conflict are under these two ministries. The Ministry of Transportation is under the coordination of the Coordinating Ministry for Maritime Affairs and Investment, and the position of the Kepulauan Riau Provincial Government is under the Ministry of Home Affairs which incidentally is under the coordination of the Coordinating Ministry for Political, Legal, and Security Affairs.

Based on the results of the mapping, there are differences in views that occur vertically and horizontally. Vertical differences in views can be seen from differences in legal opinions, views, and assistance from the Financial and Development Supervisory Agency, High Prosecutor's Office, Ombudsman, and the Audit Board of the Kepulauan Riau Province with the views, opinions, and assistance provided by institutions at the ministry level, including the Ministry of Home Affairs, State Affairs, the Ministry of Transportation, the Ministry of Finance, and the Coordinating Ministry for Maritime Affairs and Investment.

Horizontal differences occur among ministries. The Coordinating Ministry for Political, Legal, and Security Affairs is in the position of the Kepulauan Riau Provincial Government in this conflict, while the Ministry of Home Affairs Coordinating Ministry for Maritime Affairs and Investments, which initially supported the Kepulauan Riau Provincial Government in its development, turned to support the Ministry of Transportation, meanwhile, the Ministry of Finance from the beginning of the conflict already have the same view as the Ministry of Transportation.

This finding shows the very weak coordination between ministries in resolving conflicts over the management of anchorage in the waters of the Riau Archipelago Province. To make it easier to see the movement of the support can be seen in table 4 below.

Table 4: Mapping of the Position of Government Institutions on Anchor Anchor Conflicts by Time

No	Agree	Year				
		2017	2018	2019	2020	2021
1	Kepulauan Riau Provincial Government	Coordinating Minister for Maritime Affairs & Investment	<ul style="list-style-type: none"> ▪ Financial and Development Supervisory Agency for Riau Islands Representative ▪ High Court ▪ Ombudsman Representative of the Riau Islands ▪ The Audit Board of the 	Coordinating Minister for Maritime Affairs & Investment	Coordinating Minister for Maritime Affairs & Investment	<ul style="list-style-type: none"> ▪ Coordinating Minister for Political, Legal and Security Affairs Ministry of Home Affairs ▪ Deputy for Maritime Resources Coordination ▪ Cabinet Secretary

			Representatives of the Riau Islands ▪ Coordinating Minister for Maritime Affairs & Investment ▪ Ministry of Home Affairs			
2	Ministry of Transportation	-	▪ Ministry of Finance	-	-	▪ Ministry of Home Affairs ▪ Ministry of Finance ▪ Deputy for Maritime Sovereignty and Energy ▪ Cabinet Secretary

Source: processed in 2022

At the beginning of the conflict, the Kepulauan Riau Regional Government received a lot of support so that its position became strong, but in the past year, the support received by the Riau Islands Provincial Government has weakened, because the same amount of support was also given by several ministries to the Ministry of Transportation. Meanwhile, the position of the Ministry of Transportation which was weak at the beginning of the conflict, especially after the non-litigation trial, has received a lot of support in the past year, so its position is politically stronger. Politically, the Ministry of Transportation can change the map of support from the regional authority to manage and collect anchor fees within a radius of 0-12 nautical miles to shift to the provincial government being given the authority to collect port service levies at ports provided, owned, and/or managed by the government. province.

Differences in views between institutions and ministries have an impact on the complexity of resolving overlapping authorities in the management of anchorage in the waters of the Kepulauan Riau Province. Because the conflicting parties will use the opinions and suggestions of the institutions that support them.

3.3. Anchor Management Conflict Mapping

Power interplay between the Riau Islands Provincial Government and the Ministry of Transportation in a conflict perspective is included in the category of political conflict. Theoretically, there are several factors contained in the political conflict, namely; there are conflicts related to the state/government, political/government officials, and policies, as well as conflicts between actors that occur collectively (A.B. Atkinson in Kaur, 2006 and Rauf, 2001). In this case, all of these elements are met. First, there are conflicts related to the state/government. In this case, there are some laws and regulations governing the management and collection of anchor money. Three conflicting legal regimes are used as the legal basis by the conflicting parties, namely; the shipping and port law regime, the non-tax state revenue law regime, and the regional government law regime. These three regulatory regimes overlap as a source of differences between the conflicting parties.

The second element, this conflict involves political/government and policy officials. This conflict involved some government/political officials in the regions and the central government. Officials within the Riau Islands Provincial Government who are directly involved in this conflict include the Governor, the Regional Secretary, the Department of Transportation, the Head of the Port Division, and several members of the DPRD. Meanwhile, the central government elements involved in this conflict include the Minister of Transportation, the Directorate General of Sea Transportation, the Director of Ports, the Directorate General of Sea Transportation, and the Batam Special KSOP.

The third element, the conflict between the actors occurs collectively. This conflict in the management and collection of anchor money falls into the collective category. The parties involved in this conflict represent two institutions, namely the Kepulauan Riau Regional Government and the Ministry of Transportation.

According to Paul Conn's opinion, the conflict between the Kepulauan Riau Regional Government and the Ministry of Transportation is in the category of positive conflict (In Surbakti, 2010). Because the Kepulauan Riau Regional Government channeled its disappointment still through a constitutional mechanism, namely through democratic institutions such as political parties, people's representative bodies, courts, government, press, and courts.

Talking about the causes of political conflict, some experts say that one of the causes of political conflict is the struggle for scarce (limited) resources (Coser, 1957, Rauf, 2001, Wallenstein, 2002). The findings of this study show that the contested natural resource is sea space (water) which is used as an area for anchoring ships. The resources contested by the parties in the case of this research are resources that have economic value. The limitation in the context of the findings of this study lies in the authority or authority to control the sea space which is used as an anchorage area.

4. Discussion: Indonesia's Decentralization Pendulum Leads to Re-Centralization

The conflict between the two parties over the management and collection of anchor money has lasted for about eight years starting from 2014 to the present. This conflict was triggered by the desire of the Kepulauan Riau Regional Government to carry out the authority obtained through political, administrative and fiscal decentralization. However, the implementation of this authority conflicts with the Ministry of Transportation, resulting in mutual claims and overlapping authorities.

In addition, this conflict is triggered by the struggle for resources. The object that is contested by both parties is the use of marine space to serve as an anchorage area. The Ministry of Transportation collects it with the anchor service nomenclature and the Kepulauan Riau Regional Government wants to collect it on the basis of regional retribution. In this conflict, there is a struggle for the same object by two different institutions and they want to collect fees with different nomenclatures.

The struggle of the Kepulauan Riau Regional Government to obtain this authority is based on efforts to increase local revenue because the characteristics of the territory are archipelagic areas. The contribution from marine space management is only 0.20% (Rp 2.398 billion) of PAD of Rp 1.191 trillion in the Kepulauan Riau Province Regional Revenue and Expenditure Budget for the 2021 fiscal year. Contradictory conditions have a large ocean area but do not contribute to other regional revenues. On the other hand, the Ministry of Transportation does not want to relinquish this authority for fear of losing a large source of income that has been collected so far. If this authority is delegated to the province, of course, the same will also be requested by other provinces in Indonesia. Thus the Ministry of Transportation will lose most of its revenue sources from the sea transportation sector. The findings of this study indicate that the conflict between the two parties to compete for a source of income is large. This polemic of mutual claims of authority and the reluctance of the central government to share this source of income was expressed 15 years ago by Prasodjo. There are two models of disharmony between central and local relations in Indonesia. First, in for-profit sectors, there is often an overlap of authority between the central, provincial, and district/city levels. Second, in the financing sector, there is often a vacuum of authority (Prasodjo, 2006). This opinion is still relevant to explain this conflict in anchorage management. The overlapping of rules has an impact on being unclear and clear on who has the right to collect the anchor money. Each party claims a different legal basis and legal regime. The regions are based on the regional government legal regime, on the other hand, the central government is adamant about the port and shipping law regime and the non-tax state revenue law regime.

In the Indonesian context, the findings of this study strengthen Prasodjo's opinion and add that the overlapping authority between the center and the regions is one of the reasons for the difference in the spirit of the legal regime that is used as a reference by the center and the regions. In the case of the anchoring conflict, the legal regime held

by the Ministry of Transportation was a law made during the New Order era which was centralized in nature, while the legal regime used by the Riau Islands Provincial Government was a statutory rule made during the New Order era. strong reformation spirit of decentralization and regional autonomy. So this overlapping authority occurs because of the different philosophical spirit of the law, between the regime of neutralization and the regime of decentralization. It is this difference in philosophical spirit that triggers conflict and it is difficult to find the point of finding it.

In the case of the anchorage management conflict, the conflict arose not only because of a one-sided perception of the region about its authority, but the conflict arose because of different interpretations or perceptions of many parties, in this case, government institutions. In this case, 9 government institutions that participated provided opinions, legal views, and assistance and carried out supervision. The findings of this study state that in the context of central and regional relations in Indonesia, conflict is not only triggered by a one-sided perception of the region about its authority but also arises because of the different interpretations of many parties to the authority contested by the central and regional governments. The difference occurs vertically and horizontally.

Based on empirical findings, the conflict between the Kepulauan Riau Regional Government and the Ministry of Transportation in the context of decentralization shows the strong position of the central government. The regional government is not able to maximally exercise its authority in the utilization of the 0-12 mile marine space because it conflicts with some regulations implemented by the central government. The findings of this study also concluded that the process of synchronization and harmonization of laws and regulations does not work well in the era of decentralization, thus triggering conflicts. The position of the local government was lost in this conflict over the authority to manage the anchorage. The stronger dominance of the central government in the use of marine space shows the trend of re-centralization in central and regional relations in Indonesia.

Referring to the view of Hoessein (1995) the implementation of decentralization in Indonesia has undergone five rounds. The first round was 1903-1922, this stage was towards efficiency, the second round was 1922-1942, the stage was towards efficiency and participation, the third round was 1945-1959, this phase was towards democracy (people's sovereignty), the fourth round was 1959-1974, the fourth round was in 1959-1974. which leads to stability and efficiency of government and the fifth round during the enactment of Law No. 5 of 1974 stages towards efficiency (and effectiveness) of development services. Hoessein predicts that the sixth round to be aimed at implementing decentralization in Indonesia is democracy and efficiency. What Hoessein predicted happened when the 1998 reformation of the implementation of decentralization entered the sixth round toward democracy (Prasodjo, 2006). It seems that the decentralization round in Indonesia will enter its seventh round, where there are symptoms of re-centralization of authority in the implementation of decentralization.

5. Conclusion

The findings of this study prove that one of the negative impacts of implementing decentralization is that it can trigger conflicts. This study shows that conflicts between regions in decentralization occur because of overlapping and mutual claims of authority. The transition process from a centralized to a decentralized regime in Indonesia is not necessarily followed by a synchronization of the prevailing legal regime. This conflict is increasingly complex due to differences in the interpretation of regulations between government institutions. This difference occurs vertically and horizontally. This finding also proves that the central government is still reluctant to share sources of opinion with the regions. One of the passions of implementing decentralization is the sharing of the proceeds from the collection of natural resources.

In the context of the relationship between the center and the regions, the findings of the study show that the central government's position in the management and utilization of marine space in Indonesia is getting stronger. This central dominance indicates a shift in the pendulum of decentralization in Indonesia towards re-centralization.

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Southern Senegambia in the World System Dynamics: from Medieval to the Atlantic Era

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Abstract

This paper seeks to identify the shift in the focus of academic scholarship in the use of theoretical and conceptual tools of inquiry in the examination of restructuring world economy within the framework of world system analysis. It further focuses on the rapid social, political, and economic transformation and change as consequence of the Malian political hegemony that led to the reinforcement of Mandinka-speaking cultural and political domination through the establishment of Kabu and other Manding principalities along the banks of The Gambia River prior to the expansion of European capitalist economic advancement in the fifteenth century. It also demonstrates the manifest transformation after the withdrawal of the Malian imperial control and the subsequent rise of the Atlantic trading system, which facilitated the establishment of capitalist world economy that also gave rise to European competition over the control of strategic viable commercial sphere of influence in Southern Senegambia.

Keywords: Atlantic, Capitalist, Dynamics, Global, Periphery, Slave Trade, World system

1. World system dynamics and the Expansion of Medieval Malian Hegemony

Over the past years, scholars of humanistic and social science disciplines have been studying and examining the various forms of global economic interdependence and linkages in varying sizes and scopes. This existing dynamics of world economic and commercial relationship is what is identified as world system (Wright, 2004). The phenomenon had been in existence well before the emergence of modern European capitalist economic advancement in the fifteenth century. The argument forwarded by Janet L. Abu-Lughod, on the existence of world system before the European hegemony, has been clearly elucidated by George Von-der-Muhl:

Never before, she contends, "had so many regions of the old world come in contact with one another." In the evidence now available to historians she finds numerous indications that by the end of the thirteenth century the Eurasian landmass from the Flemish artisanal entrepots of Bruges and Ghent to the glittering imperial city of Hangzhou had become effectively tied together through commerce. Trade between northwestern Europe and the Mediterranean Basin had fully developed by this point (Von-der-Muhl, 1993, page. 2).

Therefore, rationalization of world system needs to be encapsulated within the framework of its evolutionary and restructuring context. Owing to this dynamic situation, it is categorized according to the epoch and spatial degree of integration. It is significant to note that the Roman Empire was part of the world economic system linking modern England and Spain in the West, as far as Mesopotamia and Egypt in the East. However, the downfall of the Roman Empire after fourth century AD marked the beginning of global isolation of Western Europe (Wright, 204).

The growth of the World System for a period after the mid-seventh century and before the fifteenth century was related to medieval old world system. Accordingly, the existence of dual global systems dynamics (exogenous and endogenous) rationalised within the framework of centric and multi-centric perspectives helped to enhance our understanding of global interconnections during the Medieval period (Fernand Braudel, 76). This epoch witnessed the expansion and dominance of the Muslim world in the Middle East (Von-der-Muhl, 1993).

In their quest for sustainable commercial expansion and to gain a political advantage, controlling the Middle East, and Africa, south of the Sahara became strategic for gold. With the arrival of Arabs and Berbers, the history of West Africa, in general and indeed that of Western Sudan changed radically. It is important to understand that the establishment of wider territorial polities in Ghana and Mali in the Western Sudan from the 8th to 13th centuries was actually in response to this global system. With the use of camel as a means of transportation, Arabs were able to establish links with West Africa, south of the Sahara Desert. This connected West Africa into the growing world system. In this complex commercial interaction, Arabs supplied salt from mines in the desert north to the salt-starved inhabitants of the savannah, along with dates, figs, woven cloths, and copper articles. They carried gold from the west towards the north. West Africa, through the period of medieval old world, was the greatest supplier of gold. With the penetration of Mali into Southern Senegambia and the subsequent Malian political expansion, Southern Senegambia became part of a complex commercial network of medieval old world system through the intervention of Medieval Western Sudanic Empires until the second half of the fifteenth century (Wright, 204).

The Arabs-dominated Middle East, as a core area in the medieval world system, reached its climax in around 1300 AD (Von-der-Muhl, 1993). Prior to its resurgence as an active participant in the world system, capitalist development in Western Europe was confined to feudalist system. Therefore, the expansion of commerce was also limited within the confine of feudal system. However, from the fourteenth to the fifteen centuries, Western European commercial expansion was constrained owing to low agricultural productivity due to the adverse climate change that caused an increase in epidemics within the population, and the exhaustion of land as well as technological constraints. In addition, the economic cycle of the feudal economy had reached the limit of its capacity to extract surplus from their peasants, and the peasants were generally becoming burdened (Immanuel Wallerstein, 1974).

Another factor which was related to this condition was that Europe needed huge capital to finance Eastern trade, and the Arabs continued to have monopolistic access to West Africa's gold. Though these factors caused a severe economic crisis, it also served as lure for European expansion. According to Donald Wright:

Some Europeans began to wonder if expansion away from the continent, into the new lands where agents of European lords could produce cheap foodstuffs, fuel, and new surpluses, might solve these problems. Such expansion might indeed enable the Europeans to outflank the Muslims and get direct access to West African gold (Wright, p.28).

Western Europe embarked on a path of capitalist development after the middle of the fourteenth century. In their drive to emerge from their provincial confinement, Europe had to seek alternative commercial ventures to ensure sustainable economic growth centred on the establishment of World Capitalist Economy (Immanuel Wallerstein, 1974). Since it entails the geographical scope of the world in question theoretical and conceptual discourse shift from the use of nation-state to the use of the world as a unit of analysis. In seeking to understand the dynamics of the capitalist world economy as a total social system, the focus of sociological analysis has also been shifted from the dimension of micro-sociological analysis that seeks to understand the behaviour of an individual within the framework of the sociocultural system in which he or she is a member, has been shifted to the macro-sociological

perspective that seeks to understand societies and nation states within a broader economic, political, and legal framework known as world system (Robinson,2005). Since this perspective constitutes the understanding of the historical changes leading to the rise of the modern world, it is modelled in a theoretical framework called modern world system theory (Immanuel Wallerstein,1974).

World system theory is conceptually centred on the Annales school, Marx and dependency theory. These schools shape Wallenstein's experience and his exposure to various theoretical issues and phenomena (Frank,2000). Through Braudel's historical examination of the evolution of capitalism within Annales tradition, Wallerstein was inspired to propose more complex understanding of capital flow and capitalist relation in the world. The theory is also built on dependency theory to conceptualize the existence of a single world economy and a single, axial division of labour (Clayton, 2004).

From Marx, Wallerstein was conceptually shaped to understand the fundamental reality of social conflict among materially-based human groups. This conflicting reality constitutes the basis of understanding the world-system theory as an adaptation of dependency theory. Wallerstein draws heavily from dependency theory, a neo-Marxist explanation of development processes in which the early capitalist system was the establishment of world economy based on extremely unequal division of labour between European states and the rest of the world(Roninson, 2005). It should be understood that dependency theory is a representation of Marx's version of classed society to an international level in which core or capitalist world controls the means of extracting the surplus production. The periphery which epitomizes the proletarian class is positioned to have limited control over labour (clayton,2004).

2. The Rise of the Atlantic Trade

The dynamics of World System within evolutionary and restructuring context have been clearly demonstrated in the work of Janet Abu-Lughod. Her analysis outlines the conditions that constitute the rise and the decline of the world systems. She argues that the rise of the world systems should be understood on the basis of consistent increase in integration and uninterrupted flow of goods, while the decline occurs when the vigour that enhances the previous dynamic of integration disappears (Von-der-Muhl, 1993). In this situation, the restructuring of world systems takes place when the former peripheral zones began to occupy key positions, and became active in intense interactions (Wright, 2004).

Mid-fifteenth century is a significant epoch that witnessed the fall of the East and the subsequent expansion of capitalist world system as a result of intense quest for capital accumulation. This process of expansion was meant to link the entire globe to the capitalist world system. West Africa, within the context of restructuring world system, was opened up to European competition (Barry, 1998).

It is understood that the Muslim-dominated Eastern realm of the old world commercial system was sending trade goods westward. However, its intense vigour began to dissipate due to irregular, expensive and insufficient flow of goods. This condition enticed the European kings and persons of means to find viable zones to enhance economic, political and spiritual recovery (Wright,2004). The ultimate expansion of European commercial system and quest for precious minerals such as gold and locating sea route to the East served as push factor for Portuguese explorers towards the West coast of Africa. In West Africa, Portuguese desire to draw the Trans-Saharan gold trade towards the Atlantic resulted in direct European encounter with Senegambia (Bredwa-Mensah, 1999).

However, European effort to locate West African gold deposit against Arab's trading monopoly could only be realised through ship building and ocean navigation. Prince Henry, the son of King John I of Portugal brought the revolution in ship building and navigation (Gray, 1966). He opened his scientific school for navigators at Sarges to study construction, guidance and map making. He encouraged Portuguese and other mariners to sail south in the Atlantic Ocean in search for the reputed wealth chronicled by Arab geographers and cartographers of Africa.

The Portuguese were the first Europeans to explore the West African coast (Bredwa-Mensah, 1999). Since in 1420, they sailed Madeira and passed through Cape Bajador and Cape Blanco from 1434-1441. They established the base for their fleets and coastal traders at Arguin Island. In 1445, they went up to Senegal valley and The

Gambia River so as to get direct access to the Trans-Saharan gold trade from Western Sudan. Since The Gambia was geographically situated as a major outlet for the declining Mali Empire, Southern Senegambia's strategic commercial centres of Wuli, and other Manding principalities and trading centres became important for Portuguese traders. The Upper Gambia valley also served as a point of departure for caravans that linked The Gambia northward with Upper Senegal and eastward with the Niger Bend. The Portuguese establishment in the coastal zones of the Southern Rivers shaped the gradual formation of cosmopolitan centres along the riverside villages (Wright, 2004).

The Portuguese were successful in diverting the trans-Saharan gold trade through trade links with gold mining areas of Bambuk and Bure in the upper Senegalese valley. The inhabitants of the gold mining regions of Bambuk and Bure were very secretive about the sources of gold. They constrained all forms of direct communication with foreign traders. The Europeans and early Arab traders were prevented from going near the gold mining region. They organized the trade in such a way that minimal contact was required between the two sides (Sanneh, 2016). Gold and salt were swapped in heaps. It is confirmed that each heap of gold was equivalent to a heap of salt (Sanneh, 2016). The Portuguese' intense quest for West African gold was linked to corresponding increases in the demand for the use of gold coin in the growing capitalist monetary economy in Lisbon (Rodney, 1972). A. Teixeira da Mota, who mentions the tradition which refers to the subject of gradual influx of people, indicates the ancient Mandinka-type gold-digging in the Geba valley in Guinea Bissau (Teixeira da Mota, 1954).

It is still difficult to obtain any statistical data to indicate the estimated quantity of gold traded in the Senegambia gold mining region of Bambuk and Bure in the Upper Senegal. The estimate forwarded by Philip Curtin from the sixteenth and seventeenth centuries indicates that the annual gold exported from Senegambia to Lisbon was 35kg. However, a story by Victorino Magalhaes Godinho recorded 4,709 gold doubloons between 1499 and 1501 (Barry, 1998). In the southern Senegambia, apart from gold, Portuguese traders also exported 6000 to 7000 hides annually. With high European demand in 1660, 150,000 were produced in Southern Senegambia area. In addition, Wax and Ivory trade was renowned in Cokoli and Landuma areas.

Christopher Columbus discovery of America as the new world for Europeans in 1492 is another turning point in the history of West Africa and Southern Senegambia in particular. Columbus's discovery helped the Spanish to gain control of the land with huge quantities of silver and gold. On his second voyage in 1493, Columbus took sugarcane to northern America in an attempt to experiment the crop. In the sixteenth century, sugarcane production was constrained due to the fact that the local Arawak Indians were less productive as labourer in the plantations because of their inability to withstand the captivity and tropical diseases brought to the new world by the Europeans. However, Africans living along the Atlantic coast had hereditary immunity to tropical diseases like malaria and yellow fever. So Africans can serve long in tropical American environment (Wright, 2004).

During the period of Columbus, the Portuguese concentrated on four major areas of the West African Region. These areas include Senegambia, Upper Guinea, Gold Coast and Benin. They linked West Africa with the Atlantic until the middle of the seventeenth century (Manning, 2006). The expansion of the Atlantic complex was the consequence of the growing demand for sugar that was also linked to corresponding demand on the new world plantations for labourers. This raised demands for commodities from Europe in West Africa. Owing to this situation, the incorporation of West Africa and Southern Senegambia area into the Atlantic economic system was inevitable. It is therefore confirmed that Africa as a continent formed an extension of the European Capitalist market (Wright, 2004). It is necessary to know what position Southern Senegambia occupied in this complex commercial relationship. To conceptualize the existence of power hierarchy within the framework of capitalist world economic relations, Immanuel Wallerstein adapts dependency approach to identifying global class relations in the form of core and periphery (Robinson, 2005). In the capitalist world economic relation, technology is identified as a key factor in the positioning of a region into core and periphery (Martinez, 2001). With technological sophistication in the sixteenth century, Europe assumed a dominant position. Therefore, Africa's role in its involvement was to be determined by European capitalist agenda (Rodney, 1972). Barry argues that:

It tended to dominate various levels of African economy, assigning it specific roles within the global production system of eminent capitalism. From that point on, all internal transformations within Senegambia's societies would be

governed by the context of increasing subordination to capitalist system (Barry, 1998: p. 42).

It should be understood that Africa's connection to the capitalist world in the sixteenth century revolved around slave trade. This relationship resulted in the consolidation of states who served partly as procurers of export commodity. In addition, it led to the emergence of a coastal trading class who also served as middlemen between the inland procurers and European purchasers who arrived with their boats (Wallerstein, 1986). In the Southern Rivers area, the inter-regional trade initiated by indigenous Bainunkas, Papels, Mandinkas and *Bijagos* shifted to the Portuguese who settled along the north-south coastal trading circuits. The Portuguese relegated these early indigenous populations to lowly work of hunting slaves or serving as intermediaries in the Atlantic trading system with the hinterland (Barry, 1998).

Owing to its proximity to Europe and America, the Senegambia region became one of the first major sub-Saharan regions to export slaves into the Atlantic. Its contribution in terms of the number of slaves exported, and Senegambia's role in trade could be explained more than the effects of its participation in trade (Keynolds, 1985). After the beginning of the Atlantic slave trading system in the sixteenth century, the trading circuits that were oriented towards the Trans-Saharan trade through Niger had been shifted and drawn towards the Atlantic coast (Barry, 1998).

In the sixteenth century, the Portuguese were the leading slave traders, and their sphere in the Southern Senegambia Upper Guinea coast constituted one third of the slaves exported overseas. In 1447, Tristao led an expedition to explore the coast South of Cape Verde but failed to discover the mouth of The River Gambia. He and his crew members on the Senegambia coast initially obtained slaves through banditry and kidnapping. In their attempt to enter into the territorial areas of the Gambian kingdoms, Nuno Tristao and his crew members lost their lives (Bredwa-Mensah, 1999).

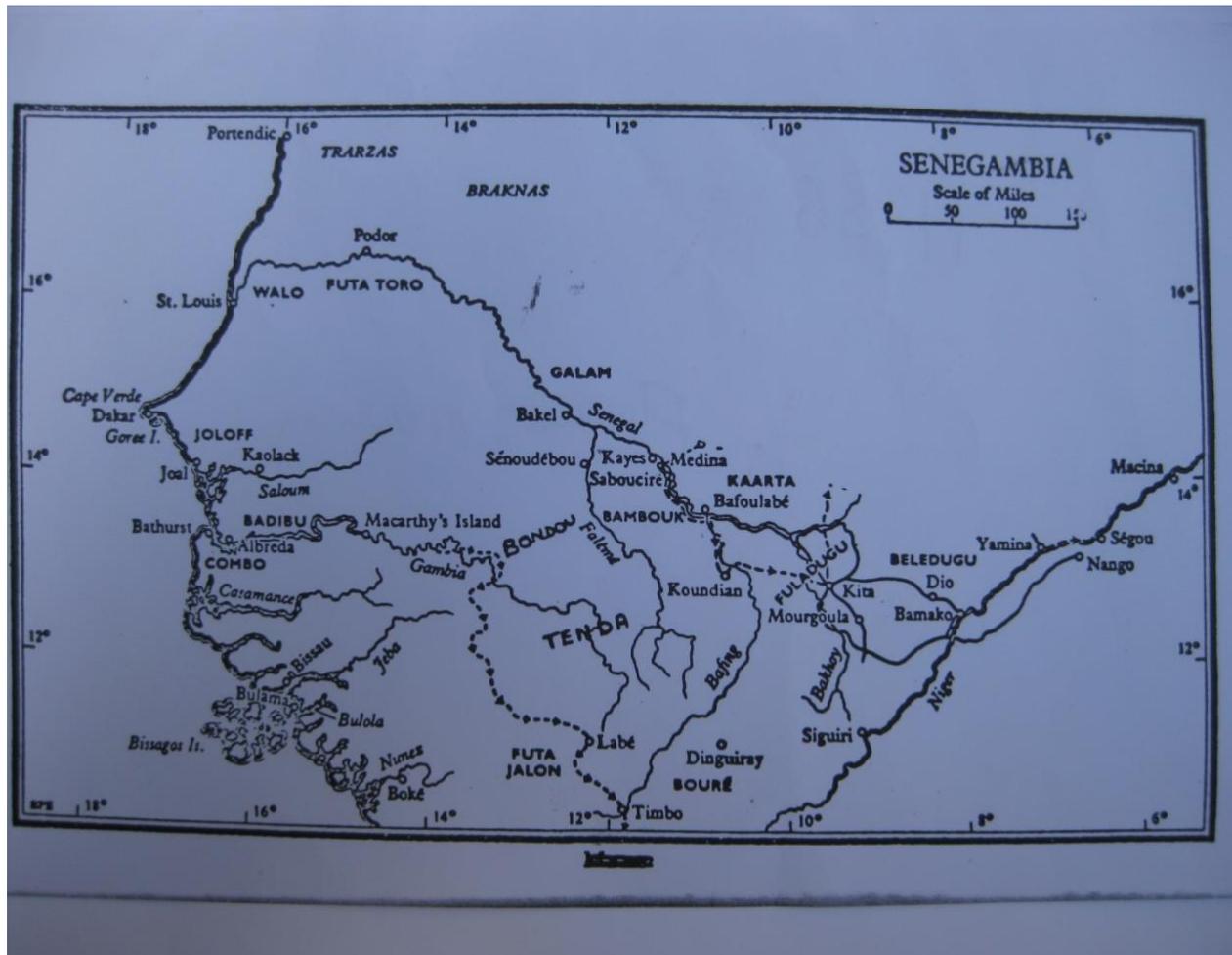
The introduction of the Atlantic slave trade by the Portuguese had long standing impact on the economic, political and social conditions of the Southern Rivers area. Prior to its being opened to the Atlantic complex commercial network, Southern Senegambia had well established political units with territorial sovereignty to foster both inter-human and international relations. By the sixteenth and seventeenth centuries, the people living along the Atlantic coast of Senegambia and its major Rivers availed themselves of the opportunity to be involved in supplying captives, gold, hides, beeswax and foodstuff in exchange for horses, cloth, metals and beads.

The Kabu Empire, which became a regional power following the withdrawal of ancient Mali, consolidated and established its hegemony over the region between the territories of The Gambia and Futa Jallon. It finally asserted its dominance over the Southern River populations of Bainunkas, Papels, Kasangas, and Beafadas. From Mandinka-dominated states such as Kabu, warriors staged raids on both coastal and interior peoples, supplying Europeans with slave exports beginning in the late fifteenth century. Kabu reached the peak of her imperial dominance under *Nyancho* aristocracy during the reign of Emperor Mansa Biran who died in 1705 (Barry, 1998). Kabu, under the administrative hegemony of Nyancho nobility patronized by various caste groups, had maintained continuity with ancient Malian pre-Islamic heritage (Sanneh, 2016). It consolidated and intensified the slave raid by positioning the provincial generals known as *Korin*, military aristocrats notorious for their excessive drinking of *doloo*, alcohol. Since power consolidation was centred on the Atlantic slave trade, it reinforced the warlike nature of the Nyancho aristocratic royal clan. By 1738, the emperor of Kabu had the capacity to export thousands of slaves from the Southern River region under Mandinka dominated Kabu. According to Mendonsa, Senegambia with the world market generated wealth and power for Mandinka-speaking aristocracies. The Mansas established trade relations and political alliance with the Europeans. This constituted the basis of the recognition of political power structures of the region by European traders (Mendosa, 2002).

In the eighteenth century, Senegambian zone, under the English and French commercial sphere, contributed 3000 to 5000 slaves exported to the new world annually. These slaves came from the interior and were sold along the coast. Significantly, James Island in the Gambia and Goree in Senegal served as stopping point, where they could pick some food and few more slaves before the long Atlantic passage (Klein, 1972). By the end of the sixteenth

century, the populations of Bijago Island in Guinea Bissau embarked on elaborate social transformation. In their effort to take advantage of the new maritime trade, they instituted a systematic organization to ensure effective participation. While their women were engaged in food production and home building, their men concentrated on making boats that served as fleet of war canoes with which they used to spread terror throughout the Southern Rivers (Barry, 1998).

When the early Portuguese mariners and traders arrived, Southern Senegambia stratified and patrilineal societies constrained their cultural infiltration into Senegambian societies as enshrined in customary landlord-stranger relationship. They were compelled to pay tolls and taxes, to visit only where they were invited to visit, and to adhere to local customs and practices. To ensure their continuous dependence on the local population for food supply, they were denied access to land rent, except for dwelling and stores (Brooks,2010).



Picture 1: The Map of Kabu States

The presence of the Portuguese traders in the Southern Senegambia areas of Casamance River and Rio Cacheau in Guinea Bissau led to massive influx of Cape Verdean traders. This critical change became advantageous for highly skilled Bainunkas and Kasanga weavers and dyers. Since they specialized on weaving and dyeing, they obtained the cotton needed for the production of their weaving and dyeing goods from the Cape Verdean traders. The Bainunkas also excelled in agricultural production that enabled them to produce food for resident Europeans as well as slaving ships (Barry, 1998). This commercial relationship enticed the skilled Bainunkas and Kasanga associates to adopt elements of Portuguese culture to sustain the benefit accruing from their interaction with Lancados (Green, 2011). Accordingly, such cost-benefits analysis served as motivation for the massive acculturation of lineages into Portuguese culture. Consequently, the influence of creole culture and language spread beyond the narrow confines of the Atlantic trading settlements, as Toby Green explains: “Naturally, the influence of the creolization spread beyond elites, as local traders willing to take advantage of the new commercial

opportunities of the Atlantic trading settlements started to reside there (Green, 2011). It should be understood that the adoption of the creole culture served a strategic advantage for local traders in gaining benefits from the direct exchange with the Atlantic traders.

However, the acephalous and matrilineal societies such as Papel, Beafada, Temne and Bullom inhabitants of south of The Gambia River were culturally receptive to the Portuguese and other Europeans who followed (Brooks, 2010). They allowed Europeans to marry local women, usually the relatives and dependents of influential community members who exploited the traders. The Portuguese induced the chiefs, kings and potentates all over Guinea with alcohol and spirit as gift and bribes. Therefore, the coastal people in most of the Southern rivers, accommodated the European traders, allocated enough land, and provided facilities to encourage them to stay (Mendoza, 2002).

In the first half of the seventeenth century, metropolitan Europe witnessed the downfall of economic dominance on nobility and the rise of bourgeoisie. They established chartered companies in Europe with the objective of concentrating on overseas trading without losing their glory in Europe. Therefore, the competition that engendered rivalries among European nations in Europe had immediate repercussion in the Senegambia region (Brooks, 2010).

3. Conclusion

It should be understood that Senegambia's link to the Medieval old world system through Sudanic empires facilitated the establishment of Malian political control and the subsequent establishment of Kabu and other Manding principalities situated along the banks of the Gambian River, leading to Mandinka-speaking political and cultural domination from the north bank of the Gambia River to Futa Jallon Massif.

The withdrawal of Mali over her imperial tentacles in Southern Senegambia coincided with the period of the expansion of the capitalist economic advancement as a consequence of the intense quest for capital accumulation in Europe during the middle of the fifteenth century. Consequently, Kabu, the largest Malian political unit, embarked on an intense mobilization to incorporate the other Mandinka states from the Gambia to Guinea Bissau and consolidated its position within the southern Rivers area to ensure effective participation in the Atlantic slave trading system. The expansion of capitalist economic advancement opened Senegambia to European competition over the control of strategic commercial sphere of influence. Thus, the Senegambia region was partitioned and became French, English and Portuguese sphere of influence.

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