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ABOUT RICE ASIAN STUDIES REVIEW

Asia in the 21st century is undergoing rapid political, economic, and cultural change. As people, goods, ideas, and cultures reverse colonial flow and begin emanating from Asia across the globe, it is clear that the scholarly lens through which Asia has traditionally been approached by Western-trained academics is sorely in need of revision. The ***Rice Asian Studies Review (RASR)***, as an undergraduate Asia-focused academic journal authored, edited, and published by students, situates itself on the front-line of this process by providing a venue for young scholars to exhibit their own ideas and learn from those of their peers. Our goal is produce a compilation of diverse, unconventional, and informed Asian Studies perspectives. As authors, editors, and publishers come together in the production of RASR, this fresh cohort of 21st century scholars hopes to promote a dynamic, modern, and interdisciplinary approach to Asian Studies.

Photo courtesy: "Mechanical Lab Campanile with smoke, Rice Institute." (1913) Rice University: https://hdl.handle.net/1911/75075.

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About the cover: Fifty-one nations and territories defined geographically as "Asia" by the United Nations are represented in decreasing order of population. Designed by Justin Park (McMurtry College, 2017).

The 4th volume of any undergraduate publication is special: it is the last volume to which founding members might contribute while still undergraduates. It is exciting to see the potential longevity of a publication that has grown beyond its founders, particularly under trying circumstances. This is the first volume which has been edited, designed, and published all through remote work. We are overjoyed that RASR's dedicated team of copy-editors could convene online to finish the journal this semester, and we are fortunate that Rice University and the Chao Center for Asian Studies provided resources that enabled a smooth transition to remote work.

As we write this foreword in April 2020, COVID-19 continues to spread in the United States, and both of us remain under stay-at-home orders. Efforts to racialize COVID-19 are as prevalent as efforts to contain the virus itself, yet the disease's spread is indiscriminate. This year's pandemic serves as a rebuke of isolationism: like it or not, global society is interwoven, and when crises occur, they affect us all; to resolve them requires coordinated international action. Advocates of isolationism will co-opt the COVID-19 pandemic to advocate for stronger borders, fewer global institutions, and resurgent nationalism. Now, then, is a time to think in opposition to isolationism. One epistemology perpendicular to isolationism is the species of transnational-Asianism that the Chao Center practices. This publication encourages broad, interdisciplinary thought on Asia, a type of thought inherently at odds with isolationism.

Rhetoric jumps out as a particular point of tension, one that academia is well-poised to address. Examples range from insisting on calling COVID-19 the "China virus" to suing China for creating the virus, as well as the frightening increase of discrimination and violence against Asian Americans. These instances blame Asia for the crisis as if COVID-19 had begun in Asia due to intent as opposed to coincidence. We hope the stories in these pages reiterate how interconnected policymaking is and thus reform the "otherizing" viewpoints that create such divisive rhetoric.

While all the articles in this volume were written before the COVID-19 outbreak, they showcase shifting patterns of thought. For example, Jolen Martinez's entry in this volume, "Managing Movement: New Materialist Approaches to Mughal Mobility in the Encampment and Constructed City," critically engages mobility in the Mughal empire, addressing strategic and fluid elements of mobility seen in the travel restrictions in response to the pandemic. My (Avery) own article in these pages, "Bitcoin and South Korea," discusses the cryptocurrency boom in Asia and, in particular, South Korea. The response of the Korean government, as well as that of other governments in Asia, to an institutional threat like Bitcoin parallels their approach to the similarly institutional threat that COVID-19 poses. Tiffany Sloan's article on migrant labor and the women left behind in the Philippines also underscores the vulnerability migrant workers and their domestic counterparts face due to their obscurity from international policy, a particularly troubling status during xenophobic responses to an international crisis. Jacob Koelsch's article on Chinese intellectual property targets a critical issue in US-China relations, establishing a more nuanced picture of intellectual property law rather than letting readers fall back on simple assessments of Chinese firms as unabashed copycats. Vikram Aggarwal weaves historical accounts and religious lore together to illustrate elephants' significance to Mughal leadership's right to rule, depicting how cultural symbols are co-opted and repurposed and thus underscoring the dynamic nature of culture and power.

We hope that as you thumb through this volume, America and the world will be on the mend. But with or without a pandemic, we should all refocus our mental lenses trained on Asia to be broader, to take stock of transnational phenomena, and to seek understanding and collaboration rather than stoke division and belligerence.

Avery Jordan || Gennifer Geer
Editors-in-chief

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An Elephant is Never Forgotten: The Mughals' Use of Elephants as a Means of Legitimizing Their Right to Rule

Vikram Aggarwal

ABSTRACT

In South Asia, elephants have been a symbol of power and reverence since the ancient Vedic times. This article argues as the Mughal empire rose to power, it incorporated images and themes of elephants to emphasize its place in history. To control the political world, Mughals publicly used elephants to showcase their own strength through elephant fights and to punish their enemies. Therefore, elephants were important to South Asian culture before the Mughals and the Mughals adopted this same use of elephants to make their kingship more credible, symbolizing their integration and solidification into South Asian history.

Reading Clavijo's Embassy to Tamerlane, I was surprised to see elephants being used in the Central Asian location and culture, where elephants are not common, in order to impress outsiders to Timur's court. Such a powerful animal was being paraded around, painted different colors, and performing tricks for Timur's audience.[1] The elephant became a symbol of the pomp and power possessed by Timur, later continuing with the Mughals, especially Akbar. Through examining primary sources, such as the Baburnama, Jahangirnama, Akbarnama, and Mughal miniature paintings, it became clear that the Mughals had a love for elephants, but Akbar was enthralled by them. Akbar's famed fixation with elephants brought them to the forefront of Mughal culture, tying the dynasty to an even longer tradition of a royal bond to elephants.

In South Asia, elephants have been a symbol of power and reverence since the ancient Vedic times, as shown in the Arthashastra and Manusmriti. The Aryans, a Central Asian nomadic people more familiar with horses than elephants, quickly adopted the large land mammal into both their administrative structure and religion. The Aryans came to South Asia long before the Mughals arrived. However, the Mughals, also being descendants of Central Asian nomadic warriors, were more comfortable with horses and horse-based warfare. Timur had elephants at his court as a showcase of power, but still maintained horse-based warfare.[2] Babur himself faced elephant-based warfare at the Battle of Panipat and was able to defeat the Lodi dynasty using Mongol-based light cavalry.

Nonetheless, like the Aryans, later descendants of Babur, known as the Mughals, fully adopted elephant husbandry into the Mughal dynasty. This incorporation was through stocking war elephants in their armies and using elephants as symbols of the emperor's strength and sovereignty. Akbar himself discussed his ability to tame elephants and keep them in his palace as evidence of his power and godliness. He also used elephants on his famous hunts to help with his pursuit of other animals associated with power and masculinity. His knowledge of elephants and elephant-based practices further supported the emperor's capacity to govern over the natural world along with the political world. To control the political world, Mughals publicly used elephants to showcase their own strength through elephant fights and punishing their enemies. Therefore, elephants were important to South Asian culture before the Mughals and the Mughals adopted this same use of elephants to make their kingship more credible, symbolizing their integration and solidification into South Asian history.

Though they came to South Asia almost more than

3000 years before the Mughals, the Aryans who brought Vedic traditions to South Asia shared many similarities with the later Mughal dynasty, especially their mutual incorporation of the indigenous elephants into their conquered societies as a means of supporting their right to rule. Originally hailing from Central Asia, the Aryans were a horse-based culture. But upon migrating to South Asia, they began to assimilate the elephant culture they then encountered.[3] When the Mughals first entered South Asia, their main form of warfare was based on cavalry and outmaneuvering elephants through Central Asian tactical horse movements.[4] However, this dependence on horses later began to include elephants as well through association with elephants becoming important for royalty to establish credibility in South Asia very early on, just like the earlier Aryan kingdoms.

One such dynasty was the Mauryas who, according to Megasthenes, the Greek envoy to the court of Chandragupta Maurya, had nearly 9000 war elephants in their army, captured through the stockade method.[5] Maintaining this enormous number of elephants was only possible through such an extensive program that gave the king a place at the top of an elephant caretaking hierarchy. Aryans took great efforts to care for and train elephants. These efforts included the creation of elephant forests (*gajavanas*) controlled by the Chief Commander of the Elephant Corps (*hastyadhyaksha*) with various roles designated to those in charge of caring for the elephants.[6] As Kautilya, the famous ancient Indian philosopher, explains in his political treatise, the Arthashastra, there are eleven jobs, ranging from veterinary doctors to mahouts, guards, and cooks, employed by the elephant establishment.[7] The unification of so many people all under one common cause could only be possible through a central ruler and thus having a king in charge of this elephant effort further legitimized his right to rule.

Aryans quickly adopted a reverence for elephants as shown through various religious doctrines. As stated by the ancient elephantologist, Palakapya, "Brahma created elephants for the profit of offering sacrifice to the gods, and especially for the welfare of kings."[8] This last line of Palakapya's message underscores how elephants were seen as tools through which kings could solidify their power and would add a religious explanation as to why one who can control elephants should be king. Furthermore, according to Justin's epitome of Pompeius Trogus, Sandrocottos, the founder of the Mauryan empire of India, Chandragupta Maurya, was marked for royal dignity early in his life due to the fact that a lion befriended him and a wild elephant joined his service.[9] As elephants were viewed as direct gifts from God, kings who could control elephants were seen as being spiritually advanced and capable of exerting their control on the more unpredictable natural world.

Elephants became the rides of divine royalty as well. In a move to incorporate the newfound elephant into the Vedic religion, Indra, king of the gods, traded in his Vedic chariot for the elephant Airavata after the war elephant became more prominent in the late Vedic period,[10] setting up the precedent for future rulers to do the same in order to compare themselves to divine royalty. Furthermore, the sacredness of the elephant is implicit in the birth legend of the Buddha. Queen Maya dreamt that a white elephant holding a lotus in its trunk came down from heaven and entered her womb; nine months later, she gave birth to Siddhartha Gautama who then went on to become the ever so wise Buddha.[11] Elephants must be seen as divine and of great importance to cause the birth of such an important individual like the Buddha. Furthermore, elephants are considered to be wise and intelligent animals. Associating his birth with a divine elephant would reinforce the Buddha's image of being very wise as well as a divine figure. Nonetheless, any discussion of the relationship between elephants and religion must include the elephant-headed Hindu deity Ganesh, who rose to great prominence during the Vedic time and continues to be very present in South Asian religion and culture today. The emergence of Ganesh as a deity may have originated from local interactions between humans and elephants at the borders between forests and fields,

but then later elevated to a divine status by the elites of ancient Hindu society who used the elephant as a beast of burden and instrument of war.[12] Those already high in society used their associations with elephants as a religious explanation for why they should be at the top of the hierarchy. Interestingly, elephants' association with divinity may also stem from an original Central Asian reverence towards horses.

The Central Asian legend of the white horse can be argued to have spread to elephants with this tale. The Aryans had a strong reverence towards horses, especially white horses. The specific colors of animals became associated with certain characteristics and qualities. White animals were widely held to be prosperous, giving good fortune to its master. The ancient Iranians, Turks, Qitans, and Mongols all sought beasts of this color for ceremonial or sacrificial use. But the most desired white animals were the white elephants.[13] In Hindu iconography, elephants are depicted as protectors of life, conveyors of prosperity, fertility, and health — thus white elephants had special powers, such as attracting clouds, the monsoons, rain, and renewal.[14] As Mughals were the descendants of Mongols, they likely continued this desire for light-colored animals with white elephants shown in their later paintings.[15] Interestingly, in medieval Persian tradition, it was thought that white elephants would bow before rulers because they inherently recognized and accepted true royalty.[16] Thus, a painting from the Akbarnama in which Akbar is riding the elephant leads the viewer to believe that Akbar must be true royalty as the white elephant has submitted to him. As shown above, there were many similarities between the Aryans and Mughals in terms of their perceptions toward elephants and programs set in place to take care of them.

Though the Mughals were not the first Central Asian Muslim invaders to South Asia, they were unique when compared to their earlier counterparts. The earlier Islamic invaders and rulers of the north during the eleventh to fourteenth centuries, from the Ghaznavids and Ghuris to the sultans of Delhi, did not appear to be interested in incorporating the local tradition of catching wild elephants or training them to become war elephants.[17] Even though the Ghaznavids, the Ghuris, and the Delhi sultans did not adopt the wider elephant culture, these early Islamic rulers still greatly desired elephants in their courts.[18] Rulers obtained war elephants in large numbers through their conquests of South Asia or as tribute from the subcontinent's sovereigns.[19] They used these elephants as symbols of their power or wealth, in the hopes of impressing those who entered their entourages. When visiting Timur's encampment, Ruy Clavijo states, "These elephants were huge in size, each being of the weight of four or five big bulls…The elephant is a most intelligent beast and quickly does all that his master who guides him commands…On the day of which we are speaking they made the elephants perform many tricks."[20] Clavijo, being a European sent to Timur's court, was shocked after seeing giant, intelligent elephants and Timur's control over them just further solidified Timur's appearance of power to his subjects and outsiders. Yet even then, Timur did not try to bring more elephants into his entourage or understand them on a more intimate level. Instead, he relied on other, outside sources to supply his elephant sized party tricks. The Mughals, however, were special.

The Mughals were unique among the Islamic invaders to South Asia in that they fully adopted the native elephant culture and modified it to fit their lifestyle, ultimately changing the perception of the elephant by the Islamic community.[21] When Babur initially came to South Asia and began conquering it under the pretense of a holy war against the infidels, he specifically called out their use of elephants as a reason to wage war against them:

> When the sound of the Islamic hosts reached the ears of the enemies of true religion, those accursed infidel opponents of the Muhammadan nation, like the Elephanteers intent on the destruction of the Kaaba they relied upon their elephants with bodies like mountains and countenances like demons and, all of one accord and intent, divided their wretched army into divisions.[22]

An association with an attack on the holy Kaaba of Islam made elephants a valid reason for gaining control of South Asia. However, ironically, after presenting elephants as the enemy, the Mughals began to create stocks of war elephants through capturing them and receiving them as tribute from other rulers. Moreover, the Mughals began the art of capturing elephants from the wild, as the South Asians had been doing for so long and training the elephants for use in their army as war elephants.[23] Previous Islamic invaders, such as Timur, did appreciate elephants but not enough to directly capture them from the wild as did the Mughals.

Along with capturing the elephants, the Mughals were very interested in describing the elephants through their memoirs and art. Babur himself, the founder of the Mughal dynasty and initial critic towards the elephants, later became very enthralled in examining and describing elephants as part of the much larger natural world around him. Babur described the huge size of the elephant and how it eats and drinks with its arm-like trunk and uses its tusks to fight, topple trees, knock down walls.[24] Babur was astonished by the elephant's intellect, loyalty, and indispensability on the battlefield.[25] He also noted the deadly elephant fights and his enjoyment in watching them in his memoirs, Tuzuk I Baburi.[26] To Babur, elephants were more than a symbol of tribute and were something much more impressive and worthy of distinction:

> The elephant is a huge and intelligent animal. It understands what it is told and does what it is ordered to do…This animal is of great importance to the people of Hindustan. Indian armies have several elephants in every unit as a matter of course. Elephants have several good qualities: they can easily carry heavy loads across large and swift-running rivers. Three or four elephants can haul mortar carts that would take four or five hundred men to pull.[27]

Akbar took this love of elephants even further, as evidenced by the fact that there are the specific names of so many elephants in his chronicle, Akbarnama, and that he felt a deep connection with each one. Abu al-Fazl, author of the Akbarnama, writes of Akbar becoming upset with one of his military commanders, Sadiq Khan, over the death of one of his prized elephants:

> It was learned that Lal Khan, one of the emperor's personal elephants, had been drowned at the Chausa Crossing. Since Sadiq Khan had not exercised adequate precaution in effecting the crossing, he fell from favor and his fief was arrogated to the royal demesne. Without receiving him the emperor dismissed him to Thatta and said that he would not be received until he brought an elephant that was the equal of the one that had been lost.[28]

Akbar was very upset when one of his favorite elephants had died due to the negligence of one of his officers and that officer's resulting treatment demonstrates that Akbar valued his elephants highly. Evidently, the Mughals became very engaged with elephants, describing them in detail and forming personal connections with them.

Elephants have had a long-standing place in South Asian history as instruments of war. The Arthasastra states, "A king's victory is led by elephants, for elephants, with their enormous bodies and lethal onslaughts, can crush an enemy's troops, battle arrays, forts, and military camps."[29] However, when the Mughals initially entered India, such as through the First Battle of Panipat, they had a different approach. When describing Mahdi Khwaja in the Battle, the Baburnama states "Advancing upon him was a contingent with an elephant, but by shooting many arrows he drove them back."[30] Babur's light cavalry warfare based on horses and arrows were able to overcome the larger elephant-based warfare of the Lodis, eventually leading the Mughals to victory. Babur describes the battle very briefly in his memoir, the Baburnama, as if it was a trivial skirmish. "At noon the enemy was overcome and vanquished to the delight of our friends. By God's grace and generosity such a difficult action was made easy for us, and such a numerous army was ground to dust in half a day."[31] Interestingly, Babur's successors, Akbar and Jahangir, heavily used elephants in warfare. Akbar himself

maintained around 5,000 to 7,000 elephants in his *fil-khana* (elephant house), of which about 100 of the very best were reserved for his personal collection (*khassa*). The Delhi sultans never had more than 3,000 elephants at any time, so the Mughals were much more interested in maintaining war elephants than their predecessors.[32] It is interesting that even though the Mughals conquered South Asia through their horses, they fully supported changing their war tactics to also include elephants.

Akbar is known as the biggest proponent of elephant warfare in the Mughal Dynasty. As the writer of Akbar's book, Akbarnama, Abu al- Fazl maintained that "experienced men of Hindustan considered the value of a good elephant as equal to that of 500 horses; and they believed that, when guided by a few bold men armed with matchlocks, such an elephant was worth even double that number."[33] Perhaps, the natives already present associated elephants with being more powerful than the horses the Mughals brought with them from Central Asia. As a result, the Mughals began to involve more elephants to show that the Mughals were powerful as well, even more powerful than the elephants and, thus, able to control them as war elephants. However, because elephants were used to carry the commander, if the commander was shot down or lost from sight, the army lost its employer and all fighting men quickly left the battle and the battle was lost.[34] Such a fate happened in the Second Battle of Panipat when the Hindu ruler Hem Chandra Vikramaditya (Hemu in the Akbarnama) was leading his army against that of Akbar and was shot in the eye while riding in his howdah (seat for riding elephants):

> Suddenly, in the midst of the fray, an arrow from the bow of divine wrath hit Hemu in the eye, went straight through his eye socket, and came out the back of his head. As though the wind of his pride and conceit rushed out of the hole, when the troops around him saw that the arrow of fortune had hit its target, the arm of their ambition went limp and they lost heart. In total confusion they could offer no further resistance, and defeat befell Hemu's army.

Although the elephant was the reason Hemu was so easily shot down, Akbar maintained his support on elephants and elephant warfare, arguing that Hemu was killed due to divine intervention and not a flaw in his war mount. Hemu's defeat allowed Akbar to regain control over Delhi and continue his emphasis on elephant warfare.

As elephants were so highly associated with power and the rulers of the Mughal empire, they had a large presence in the court culture and traditions. Depicted in a miniature painting, elephant fights were a common spectacle in the Mughal court.[35] Because the elephant was considered a symbol of power and masculinity, nobles would pit their elephants against each other to see who had the strongest representation of the noble's own power. Abu al-Fazl mentions this phenomenon in the Akbarnama to stress Akbar's expertise with elephants and how he was able to use that expertise to increase his credibility as an emperor. He writes, "Around this time it was the emperor's pleasure to ride elephants and engage in elephant fights in Delhi. One day he mounted an elephant called Lakhna, which was a manifestation of divine wrath, while the elephant was at the height of its fury, ill temper, and murderousness, and he urged it to fight another elephant as terrible as itself, an act that left experts dumbfounded."[36] By engaging in such a dangerous spectacle publicly, Akbar was able to show that he was willing to take risks and stay calm even in tense situations. This was only possible because elephants were held in such high regard as being dangerous:

> After a short time, during which the emperor recovered himself, the elephant managed to free its leg from the hole and began to rage in frenzy again. With the same calmness and presence of mind he got back on the elephant and, enveloped in divine protection, set off for the capital. Hearing of this event, which would throw the peaceful souls of the residents of heaven into distress, Bayram Khan Khankhanan kissed the foot of the throne, gave thanks for the emperor's safety, and distributed alms to ward off the evil eye.[37]

After seeing Akbar carry himself well in an elephant fight and later take the elephant back to the capital, his city of power, his followers felt even more reverence towards Akbar as if he had some sort of innate power that had allowed him to survive. Also, the note that experts were left dumbfounded leads the reader to believe that their expertise was minimal compared to Akbar's as he survived the dangerous fight. Only royalty had enough money and influence to partake in these elephant fights, so simply having one's elephant in a fight was a sign of sovereignty.

At the same time, elephants fought for the glory of their princes, even in disputes over succession. Elephants were animals of state and symbols of kingship, so control over the royal elephants was a common facet of any competition for power or succession in Indian government, regardless of whether the regime was Hindu or Muslim.[38] This succession struggle was fully evident between princes of the Mughal dynasty as they would have their respective elephants serve as their champions and fight for their right to the throne. In her upcoming book, Lisa Balabanlilar writes:

> The increasing tension between father and son was publicly demonstrated at an elephant fight on the palace grounds, during which Akbar arranged to have Salim and Khusraw pit their elephants against each other. The contest was seen by many of the observers, and perhaps the emperor himself, as a proxy battle for their competing claims of legitimacy. With so much at stake, when Salim's elephant began to over-power his foe, supporters of the rivals leapt into the fight to assist their champions and the event disintegrated into an unruly and embarrassing brawl.[39]

These elephants became tools through which their rulers could exhibit their power and right to rule without engaging in battle themselves. The battle between the two princes was still public so that everyone could decide who deserved their loyalty and be completely engrossed as a battle between two massive animals would be, leaving the victory and the victor ingrained in the minds of the audience.

Another way in which elephants and by association their rulers were entrenched into the minds of the public was through elaborate and orchestrated parades. Elephants were often paraded through the streets adorned in expensive jewelry as representations of the great wealth of their masters, as shown in the Jahangirnama.[40] Having a great number of jewels is already a showcase of one's wealth but being able to dress one's elephant in jewels is an even bigger exhibition of one's treasury. Not only does the ruler have the money to feed and care for so many elephants, but so much more that he can cover them in jewels more expensive than that of nobility. Elephants would also perform at the royal court for the emperor's audience. The most breathtaking performances were saved for the imperial court, where the royal elephants were marched daily. The changing-of-the-guard ceremony was the paragon of political performance and contained only the highest caliber of elephants.[41] As Captain Jourdain from the East India Company describes from his stay at Jahangir's court in 1611, "for when the King beholds [the elephants], they all att once putt ther trunks over their heads giveinge the salam to the Kinge, then they departe, for they will not be gone before the Kinge looks at them."[42] Though these spectacles were staged and planned in great advance, they still gave viewers the sense that the emperor was a very powerful man for being able to control the elephants with such grace and obedience. Audience members would think someone with control over such strong and massive animals obviously deserves the throne.

The Mughals used elephants to snatch their enemies' sovereignty as well. For example, when chasing down a rogue Rana (king), Jahangir says: "On the fourteenth [February 23], a report came from Baba Khurram saying that the elephant Alam-Guman, of which the Rana was inordinately proud, had been captured by the imperial forces along with seventeen other elephants, and soon its owner would be captured too."[43] Jahangir makes it a specific point to emphasize that because he had already captured his rival's elephant, his rival would also be easily

caught by him. Furthermore, after Hemu is killed in the Second Battle of Panipat, Shahquli Khan Mahram "tried to kill the keeper in order to get the elephant as a trophy…The elephant, together with several others, was taken out of the battle."[44] Hemu's elephant is considered an extension of Hemu himself; taking his elephant as trophy would be greater evidence of his defeat and would further dissuade any future rebellion from Hemu's supporters.

Moreover, elephants were also used after rebellions were put down to underscore the brutality of the emperor if someone went against him. Another miniature painting shows a gory scene in which elephants are ripping apart those who went against Akbar and now paying the price.[45] This was a common practice in Hindu kingdoms that the Mughals adopted throughout their time in South Asia. The Manu Smriti (Laws of Manu) were written much before the Mughals arrived and they state, "those whom the king may convict of stealing, he shall cause to be slain by elephant."[46] These laws furthered the idea that power is associated with control over elephants and directly increased the functionality of elephants. Using elephants to punish subjects was especially useful in that along with directly killing the criminal, offenders could be pushed to the brink of death but then saved by the merciful emperor who commanded the elephant to stop their punishment.[47] An elephant's power, and by extension its owner's power, were used in many different ways, all to command loyalty and inspire awe in those who witnessed the elephants.

Akbar was unique among the other Mughal emperors for many reasons, but one defining characteristic of his rule was his love for and incredible emphasis on elephants. Many of the images present in the Akbarnama depict elephants and Akbar's relation to them. One miniature painting shows Akbar crossing the Ganges River atop his elephant along with other elephants and horses behind him.[48] Riding an elephant, allowing him to stay dry and maintain a high vantage point seen by all, underscores Akbar's appearance as someone with a great deal of power. Furthermore, the Ganges is one of the largest rivers in South Asia and one of cultural and spiritual significance. Crossing the river without the need of a bridge leads the viewer to feel that Akbar had a control over the natural world along with his subjects through his elephants.

In many literary works from the Mughal dynasty, Akbar is constantly exalted for his ability to tame even the most aggressive and unmanageable elephants. Jahangir admired his father's inherent ability to handle elephants with such ease in his memoir:

> His courage and bravery were so great that he could ride uncontrollable, enraged elephants and subdue into obedience elephants so murderous they wouldn't allow their mates near them. Usually, no matter how bad-tempered an elephant may be, it doesn't harm its mate or its keeper. Nonetheless, when an elephant so frenzied that it might have killed its keeper and wouldn't allow its mate near, or an elephant that had killed its mahout and gone berserk passed by a wall or tree, my father, relying on divine grace, would throw himself on the elephant's back, and as soon as he sat down, he would bring the elephant under control and calm it down. Such a scene has been witnessed more than once.[49]

Being able to bring these extremely aggressive and powerful beasts under his control so easily allows Akbar to seem even more powerful than these beasts.

Furthermore, Abu al-Fazl's presentation of the event creates a magical viewpoint towards Akbar, where Akbar is progressively seen less as a human king and more as a divine ruler. Abu al-Fazl writes in the Akbarnama, "His majesty will put his foot on the tusks, and mount [the elephants], even when they are in rutting season, and astonishes experienced people."[50] The tusk is considered to be one of the most dangerous parts of an elephant as the animal uses it to push down trees and gore its opponents. Akbar, however, is so commanding that he is not fazed by the inherent danger present in stepping on an elephant's tusk. Using the elephant's tusk as a step may also signify that the elephant is beneath Akbar's feet as a subject is beneath his ruler's feet. Akbar's

influence over elephants becomes heavily mystified and this emphasis on the mystical makes Akbar's claim to a divine right to rule even more credible.

The emperor's divine right to rule and control over the natural landscape was further emphasized using elephants in hunting. However, this hunting is more aptly labeled as capturing in that no elephants were ever killed. "Desirous of hunting, H.I.M. set out at dawn both in order to increase the techniques of rule and to enjoy himself…all the emperor's attention was focused on capturing that one elephant until he finally lassoed it. At that point the elephant could not vie with his God-given magnificence, and the emperor mounted the refractory elephant he had just captured."[51] Elephants were not the ones being hunted but rather the vehicles through which other animals were hunted. In a Mughal miniature painting, the viewer sees elephants being used as mounts for hunting rhinoceroses.[52] Rhinoceroses are also very powerful creatures; however, the use of elephants to capture and kill these horned beasts elevates the rider to a higher status. He can control one animal to assist in the bringing down of another animal. That is only done by a person with great command over the natural world, which is exactly what the Mughals wanted their audience to know.

The Mughals had extensive knowledge regarding elephants and their caretaking. Able to draw on past knowledge, the Mughals had access to the Gajashastra originally produced by the Aryans and had information over the types of elephants, their qualities and stages of gestation, the signs and seasons of musth.[53] Mughals were then able to adopt the knowledge from the Aryans and use it in their own pursuit of elephant husbandry. Akbar created his own elephant classification system with seven classes based on the elephant's function and size.[54] This classification system then allowed Akbar to exert even greater control over his subjects who were staffed to that one elephant. The highest-ranking elephants would receive the highest number of staff and the staff assigned to the highest-ranking elephant would receive the most pay.[55] As a result, being associated with an important elephant gave its keeper more importance and influence as well. Elephants were always associated with royalty for the rulers and this caused their handlers to be assigned to a higher social class as well. Abu al-Fazl writes, "Elephant-keepers are much esteemed, and a proper rank is assigned to such as to have a special knowledge of the animal."[56] Knowledge of elephants became a hot commodity because it fostered a greater understanding of such a large symbol of power. However, even with all the knowledge these elephant handlers had, the emperor was seen as the ultimate source of knowledge and innovation regarding elephants.

Akbar did not use a mahout (elephant handler), instead he chose to control elephants by himself as a public show of his knowledge of the species. Furthermore, Akbar invented new elephant practices to implement, such as new harnesses or ornaments and administrative structures, that earlier communities did not have in place.[57] On top of that, Akbar invented a new method of trapping elephants, which he thought of in the midst of already trying capture an unruly elephant. Abu al-Fazl writes:

> At this point the emperor had an inspiration for a novel and elegant method by which to capture elephants…Elephant keepers would mount two tame elephants in such a way that they were not apparent, and then they would drive them in to capture the others. They would drive them very slowly until, by means of the imitation that is native to animals, the herd would see the two elephants, follow them, enter of their own accord, and be captured.[58]

It is evident from this section of the Akbarnama that Akbar was a brilliant strategist. He was able to predict what the elephants would do once they saw the already tame elephants and how to lead them there. Akbar was able to use this capture of elephants to highlight his understanding of the creatures and how he could manipulate them, thereby additionally enhancing his claim of power over elephants and, with that, the throne.

Elephants were important before the Mughals

arrived. The Arthashastra and Manusmriti, along with various religious doctrines, all point to the fact that the Aryans were able to use their association with elephants to create a spiritual reason for their power. They then used that power to care for the elephants and in doing so, bring more people into their empire as elephant handlers and create war elephants for expansion and defense. The Baburnama, the Jahangirnama, the Akbarnama, and various Mughal miniature paintings show that the Mughals continued this relationship between elephants and kingship first seen with the Aryans and made it their own. The Mughals, unlike Central Asian Islamic invaders before them, captured elephants from the wild and fully integrated elephants into their rulership. Elephants became the means of war, hunting, knowledge, tribute, entertainment, punishment, and performance. Though these are all very different ideas, elephants were used in each of these to bolster the emperor's strength and power in the eyes of his subjects. The Mughal emperors were seen as having a divine right to rule because they were able to command elephants in so many different aspects of rule in their empire. Their empire is a chapter in the longer narrative of the interrelation between elephants and empire in both South Asia and the world. The Mughal dynasty has been able to cement its presence in history and, like an elephant's, their memory will never go away.

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[6] Ibid., p. 35.
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[46] Manu, *Manusmriti,* p. 147.
[47] Allsen, *The Royal Hunt*, p. 156.
[48] Khanam, *Birds and Animals*, p. 90.
[49] Thackston, *The Jahangirnama, Memoirs of Jahangir,* p. 40.
[50] Trautmann, *Elephants and Kings,* p. 172.
[51] al-Faẓl, and Thackston, *The History of Akbar,* Volume 4, p. 91.
[52] Khanam, *Birds and Animals,* p. 132.
[53] Trautmann, *Elephants and Kings,* p. 174.
[54] Ibid., p. 174-5.
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Bitcoin and South Korea

Avery Jordan

ABSTRACT

A radical, new technology in 2016, the cryptocurrency Bitcoin made waves in the international market as a potentially volatile, potentially lucrative disruption. In East Asia and South Korea specifically, waves of investors embraced the technology. This article finds that a non-insignificant portion of the South Korean investors were ordinary salaried workers, a correction to the conception of cryptocurrency traders as "hackers." By approaching the popularity of Bitcoin in South Korea through cultural and behaviorial lenses, this article explores implications for global investment markets beyond the somewhat temporary fad of Bitcoin. This article also analyzes the South Korean government's response to the introduction of Bitcoin, perhaps modelling future state responses and the future of global investment technologies.

INTRODUCTION

After a precipitous rise in South Korea and other countries during 2016, Bitcoin established its place as a new investment medium in 2017 and continues to challenge regulators and investors today. Since Bitcoin's creation in 2009, people in Asian countries, particularly China, South Korea, and Japan, have made significant contributions to the development of contemporary cryptocurrency markets. China no longer plays an open role in the markets after shutting down cryptocurrency exchanges in 2017, and much of China's trading action has shifted to Japan and in some cases Hong Kong.[1] After China's ban took effect, the Japanese market ranked first in dollar value of transactions, followed closely by the United States, and thirdly South Korea. Why have Asian countries, and particularly the smaller South Korea, come to contribute so substantially to the cryptocurrency market? South Korea's leadership role in the cryptocurrency market during the 2017 boom appears to be particularly interesting given that its economy, while sizable, does not compare to the economies of the United States and Japan. For this reason, this paper attempts to explain South Korea's cryptocurrency market's high significance for its size.

Since cryptocurrency markets are quite new, there is a dearth of academic research on cryptocurrencies in a financial setting, this paper utilizes some informal sources to describe the current trends in the cryptocurrency markets. This will be combined with scholarly research about investment habits among Korean people which will then be used to construct a profile of who is investing in cryptocurrencies. Then I will attempt to connect the investor profile and image of cryptocurrency markets to conceptualize a group that is substantial enough to explain the quick rise of South Korea in cryptocurrency markets and fits with the known investment behavior of South Koreans. Additionally, I will draw on the scholarly literature concerning social, political, and economic logics of Bitcoin to suggest broader implications for the rise of cryptocurrency in South Korea.

Why does this matter? In many ways, cryptocurrency represents one part of the future trajectory of the global economy. Cryptocurrency markets during 2017 exceeded 600 billion USD in value, which while miniscule in comparison to global financial markets, price movements in small countries could have serious consequences. Rather than signifying crypotcurrency's significance to international finance, market movements in 2017 largely derived from speculation. Nonetheless, a major concern of many regulators has been the potential for cryptocurrencies to supplant local, weaker currencies, as well as the risk of a cryptocurrency crash affecting actual financial markets or currencies. For traditional

equities brokers and other actors in financial markets, cryptocurrencies could present a competitor to their standard investment offerings; should Bitcoin become more influential globally, profit margins could be damaged, reducing the influence and power that traditional financial institutions have. Conversely, cryptocurrency investors should be interested in understanding the market trends of their investments. Similarly, the creators of new cryptocurrencies could be seeking information about cryptocurrency growth and popularity to inform their own currency's development.

CRYPTOCURRENCY BACKGROUND AND THE SOUTH KOREAN MARKET

After Satoshi Nakamoto developed Bitcoin in 2009, the new digital currency, or cryptocurrency, spread throughout the world, starting in the United States. Cryptographers and computer scientists initiated key first steps in Bitcoin's establishment, independent of central bank or government directives. Users today, while sometimes required to reveal their identity depending on the country where cryptocurrency transactions are being conducted, can generally trade anonymously. Furthermore, bank interaction is removed a step further by digital "wallets" that allow currency transfers in and out of cryptocurrency exchanges, oftentimes with no ties to regulated banks. While the original Bitcoin adopters may have been attracted by the ideological implications of using an anonymous, decentralized, digital currency, most users today treat cryptocurrencies as speculative investments. Korea largely missed the early Bitcoin boom, but the cryptocurrency market there subsequently surged during 2016, rising with the development of the second most popular and second largest cryptocurrency, Ethereum. The behavior of South Korea's Ethereum market revealed that, despite having a smaller population and smaller economy, South Korea could play a substantial role in cryptocurrency markets.[2] South Korea is now the third largest cryptocurrency market after the United States and Japan. Although estimates show only about 2% of Koreans (approximately 1 million people) actively traded cryptocurrencies during the market peak, purchases denominated in Korean Won comprised more than 25% of global transactions of a variety of cryptocurrencies on a daily basis through 2017.[3] Meanwhile, nearly 5% of Americans (or more than 16 million people) are involved in Bitcoin trading, yet only 40% of Bitcoin transactions are denominated in dollars.[4] Per capita trade volume in South Korea is clearly higher than that in the United States, and for this reason, I propose that conceptualizing the typical South Korean cryptocurrency investor is essential for understanding the behavior of the broader cryptocurrency market, which will be discussed in the following section.

CONSTRUCTING A CRYPTOCURRENCY INVESTOR PROFILE

What does the typical South Korean cryptocurrency investor look like? Despite the techno-hacker simulacrum the word "cryptocurrency" conjures, many South Korean cryptocurrency investors are ordinary, salaried office workers, most likely in their 20s and 30s.[5] In fact, among office workers who have invested, a $5,170 investment is average (compared to approximately $15,000 per capita household income in 2017),[6] but more than 10% of invested office workers have at least $9,300 invested.[7] Several reports suggest that as much as 31% of office workers trade cryptocurrencies.[8] Including office workers, approximately 2% of South Koreans regularly trade cryptocurrencies.[9]

Overlapping the prior data with the conventional stock market investor profile, one can see that there is a substantial similarity between cryptocurrency investor behavior and that of equity derivatives investors, i.e., high risk-takers. Since cryptocurrencies share many of the same characteristics like risk-taking and potential for high profit, they attract traditional equity derivatives investors. In fact, because of Korean government regulations requiring investors to obtain certification, train for approximately 80 hours, and make margin deposits of 30 million won, it seems likely that some

investors have switched to cryptocurrency investments to achieve the same level of risk taking and profit potential that normally can only be found in equity derivatives markets, not more stable markets such as the bond market.[10] Based on this, I choose to model the investment behavior of cryptocurrency traders on that of equities derivatives traders, particularly short-sellers. Because short-sellers both tend to make frequent trades, invest in a wide variety of short bets and are typically unskilled individuals rather than institutions, they closely mimic the behavior expected of cryptocurrency investors.[11]

Korean investors in equities derivatives tend to be unmarried and have lower incomes than the typical investor.[12] Given the similarities between derivatives and cryptocurrencies, it's possible that cryptocurrency investors match this profile, and indeed this fits with the evidence that many cryptocurrency investors are ordinary office workers and not necessarily elite investors (i.e. those who make trades based on valuable market information, rather than price or rumors). The implication of a cryptocurrency market composed of common investors is two-fold: first, cryptocurrency investing is spread throughout the general population, rather than confined to a small financial elite; second, individuals who invest in bitcoin take on a higher proportional risk than wealthy investors: they invest a larger percentage of their income in a risky investment that, should it decline in value, would have an outsized impact on their personal financial situation.

One other consideration (that might seem counterintuitive in the context of cryptocurrency investment) for many investors is stability. Stability, in this case, doesn't refer to a nonvolatile investment, but rather to "national security" or "physical security." Since Korea's artificial partition in 1945 and the subsequent rise of separate regimes in 1948 in the north and the south, Korean peninsula has been in a de facto state of war. The Korean War officially continues today, and recently, the Korean peninsula has been rattled by North Korea's nuclear threats. Investors understand that they are only a few hundred miles from Kim Jong Un and North Korea's nuclear missiles, so they want to make their investments not dependent on South Korea, in case of emergency. This does not necessarily mean that investors seek "stable" investments, but rather are seeking a more secure market for investment. Similar to the threat of the North, some of the corporate scandals related to President Park's impeachment might dissuade investors from traditional equity investments, pushing investors out of the Korean equity market and into the international cryptocurrency market.[13] So the typical cryptocurrency investor is concerned with both earning a profit and a type of financial national security.

Bitcoin addresses stability issues by reformulating financial trust. With the looming threat of war, the volatility surrounding President Park's impeachment, and the specter of the global financial crisis, South Koreans (as well as citizens across the globe) have sought to place their trust in an institution other than central governments, specifically, "trust [has] move[d] from trust in banks or states to trust in algorithms or encryption software."[14]

In summary, the typical investor has a few salient characteristics: many are ordinary people, not necessarily elite investors; they behave similarly to equities derivatives investors; and finally, they are seeking stability outside of the South Korean market. The investors who match this profile are driving the South Korean cryptocurrency boom and their behavior helps explain its origins.

INVESTMENT PATTERNS

Now, to discover the origins of the cryptocurrency boom, we must understand not only who the investors are but also how they invest. Korean investment in cryptocurrencies is partially facilitated by the ease of transition to investing in cryptocurrencies from investing in traditional securities. Several characteristics of cryptocurrencies make for a smooth transition.

First, cryptocurrency is a native digital technology (since cryptocurrencies did not, and could not, exist

outside of the digital world), so prospective investors must be familiar with online portfolio management tools in order to monitor their cryptocurrency investments. Korean investors are no strangers to these tools. According to OECD data, Korea has one of the highest internet penetration rates among the countries, with 40.9 broadband subscribers per 100 inhabitants.[15] Many Koreans already use online portfolio management tools to monitor traditional securities portfolios, so investors do not need to leave familiar territory to switch to cryptocurrency exchanges' websites. Historically, low commission fees drew Korean investors to online portfolio management platforms. Now many cryptocurrency exchanges offer desirable, low-commission fees which attract traditional investors. Interestingly, specifically online investors tend to have a more short-term view of the portfolio management and neglect long-term considerations. This behavior is characteristic of speculation, and matches expectations for cryptocurrency investors' behavior from the profile above.[16]

Second, it seems that Korean individual investors do not always make investing decisions guided by "market information," such as the corporate announcements and analyst expectations that guide pricing of equities. Instead, traders may be using current pricing or rumours to guide investing decisions. Given that individual investors make up a large portion of the Bitcoin market, this likely means that much of the trading in the market is not based on useful information, which again supports an easy transition from the traditional securities market to the cryptocurrency market.[17]

Third, the hype of stellar returns from cryptocurrency investments invites comparison with risky equity derivative investments. Derivatives investors expect high returns from their investments, and the similar potential for enormous financial gain from cryptocurrency investments attracts this type of investor.[18] As mentioned earlier, short sellers as a group of investors are useful as a behavioral model for understanding cryptocurrency investors. Traditional short sellers can easily adapt to cryptocurrencies. The vast majority of short sales are covered within five trading days, and cryptocurrency speculation moves at a similar pace. Short sellers frequently monitor investments and make trades, similar to the rapid movements of crypto finance.[19]

Fourth, historical data on Korean equities indices reveals why investors might seek other markets for high earnings. Korean equities indices have had low volatility for much of the last decade. Korea's main secondary stock index, KOSPI, has fluctuated between 2000 +/- 300 points for 4 years prior to 2017, and the KOSDAQ index of small and medium sized companies had not recovered to its 2007 peak during 2017, and shows very low volatility. Investors seeking quick and substantial earnings are likely not attracted to investing in these markets, and given the restrictions placed on investing in equities derivatives described earlier, they likely cannot invest in derivatives of these equities markets either. The Korean equities derivatives markets also have trading restrictions that prevent investors from earning the substantial profits they seek. Spot market price fluctuations have a plus/minus 8% limit. Should price fluctuation stay at the limit for more than three minutes, the limit is expanded to 15% and then 20% after another five minutes. Traders in cryptocurrency, in some cases, expect fluctuations significantly larger than these percentage limits. While the largest cryptocurrencies such as Bitcoin and Ethereum typically do not fluctuate more than 10% within a single day, smaller currencies fluctuate upwards of 100% from day to day in some cases.[20]

POSSIBLE FACTORS BEHIND 2017'S BOOM

Established companies and institutions supporting new technology often increases the technology's legitimacy in the public eye. Bitcoin in South Korea is no exception. South Korea's KB Financial group invested 1.5 billion won in "Coin Plug," one of the first major cryptocurrency investments by an institutional investor.[21] Beyond KB Financial Group's venture

investments, two large South Korean companies, Nexon and Kakao, have both led investments in cryptocurrency related companies. Furthermore, South Korea's flagship technology conglomerate, Samsung, is involved in two ways: first, Samsung SDS uses blockchain ledgers to track information, and second, SDS joined Enterprise Ethereum Alliance. Despite Samsung's recent involvement in the corruption scandal of Park Geunhye's administration, KRW volume of Bitcoin trading on Nov 27/28th (around the time of the Samsung SDS blockchain announcement), spiked by about 30%. It may be the case that investors believe that Samsung, despite possible corruption issues, is still a strong market player, and their involvement still increases the legitimacy of cryptocurrency investments. Major institutional investments legitimize cryptocurrencies, and contribute to the surge in popularity of cryptocurrencies in South Korea.[22]

One of the most notable characteristics of cryptocurrency markets has been their wildly varying price levels and enormous short-term price swings. Market watchers have often attributed this behavior to speculation, and speculative behavior is likely driving pricing trends in the Korean cryptocurrency market.

The cryptocurrency market in Korea has few institutional investors, so market moves are made by individuals. Individual investors tend to receive information "late" and follow earlier, informed investors, like institutional investors. In markets without leaders, speculative behavior arises.[23] Beyond lacking clear market leadership to follow, Korean individual investors do not always make investing decisions guided by market information. Given that individual investors make up a large portion of the Bitcoin market, this could lead us to believe that much of the trading in the market is not based on information, and is some form of speculation.[24] In addition to extrapolating from traditional equities market behavior, some information about actual cryptocurrency investors also suggests widespread speculation. Surveys of South Korean cryptocurrency investors show that many investors do not take a long term view of the market, and primarily seek quick profits in a short term investment mindset.[25] As mentioned earlier, short term market views are also characteristic of traditional online investors in South Korea and seem likely to extend to cryptocurrency investors as a subgroup of online investors.[26] Speculative behavior clearly permeates through different aspects of the South Korean cryptocurrency market, leading to a firm assessment that market moves are speculation driven, not information driven.[27]

Beyond speculation and investment, some South Koreans might actually be using Bitcoin for practical purposes. Cryptocurrencies can be used by South Koreans living abroad to send remittances overseas to family members still in Korea. Despite the potential for practical money transfers, cryptocurrency price instability still prevents widespread remittance transfer via Bitcoin. Some businesses in South Korea also have reason to use cryptocurrencies. Cryptocurrencies can be accepted by companies in Korea where foreigners, who often do not have Korean credit cards, shop. The previously mentioned instability issues also prevent businesses from widely accepting cryptocurrency payments. Given the drawbacks outlined here and the investment behaviors described above Koreans clearly tend to view coin purchases as investments not as a means of transaction. While these potential use cases for cryptocurrencies could add value if cryptocurrencies prices stabilize, currently the value they contribute to cryptocurrencies is negligible, and does not factor into my analysis of Korean cryptocurrency investment.

COUNTER-HYPOTHESES

While no academic research appears to have asked why cryptocurrencies in South Korea are so popular, numerous news media articles have investigated this question. Many of them align with all or some of what I have said above, but there are several alternative hypotheses that merit discussion.

One of the more tempting hypotheses is that some element of Korean culture has caused a kind of

"groupthink" amongst Koreans, which has then been further augmented by digital communication and social networks. My research revealed that Korean cryptocurrency investment behavior tends to mimic traditional equities herding amongst individual investors, and is not a new phenomenon in and of itself. While digital communication and social networking have certainly increased in the last decade, it is not clear that they have caused mass adoption of cryptocurrencies in a way different from mass adoption of traditional equities.

Some evidence also shows that cryptocurrency trades in Korea are often denominated in tens or hundreds of thousands of dollars, supporting the idea that many cryptocurrency investors are high net worth investors. This, plus the fact that cryptocurrency investors are typically younger, led to the thinking that the children of wealthy Chaebol families (the families that control large South Korean conglomerates like Samsung or Hyundai) could be driving the cryptocurrency craze in Korea. However, survey results have shown that upwards of 30% of office workers in Korea have invested in cryptocurrencies, suggesting a non-elite based class of cryptocurrency investors might be driving the cryptocurrency market. Furthermore, there simply are not enough Chaebol children to support the volume of cryptocurrency trades (hundreds of millions of USD) completed daily in Korea.

A third element that most likely did not contribute to cryptocurrencies growth in Korea in 2016 and 2017 is that cryptocurrencies are a native digital technology. Reports have suggested that the digital aspect of cryptocurrencies attracted new investors en mass, but Koreans have been able to invest digitally for years in traditional stock markets. Cryptocurrency trading platforms might be simpler than online equities brokerage platforms, but their digital nature certainly is not new.

CONCLUSIONS, IMPLICATIONS, DIRECTIONS

In summary, I have explored the popularity of cryptocurrencies in South Korea since 2016 and constructed a profile of the typical South Korean cryptocurrency investor. The typical investor seems to be a relatively young office worker seeking quick profits, and investing in a market without the regulations and restrictions imposed on the traditional equities market. In terms of investment behavior, cryptocurrency investors seem to behave quite similarly to traditional equities derivatives investors, particularly short-sellers. Short-sellers and cryptocurrency traders alike seek quick profits on risky bets, have high turnover rates in investments (they hold for several days at a maximum), exhibit herding behavior, and don't appear to be information driven.

Of course, more research is needed to further understand the South Korean boom in cryptocurrencies. My analysis has largely been culture and behavior based. Scholars with econometrics skills could construct detailed mathematical models that support my idea that cryptocurrency markets behave like short selling markets. Furthermore, more reliable surveys of cryptocurrency investors could be conducted. New surveys should collect information on whether or not investors switched from traditional equities to cryptocurrencies, and if they did, how investors first learned about cryptocurrencies. Researchers should also investigate other countries that have experienced booms in cryptocurrency investment. Scholars could examine smaller countries that have cryptocurrency markets driven both by investor profit desire and economic instability. It would also be useful to know if South Korea's cryptocurrency market has substantial differences from the United States and Japan's. The per capita trading volume is certainly higher in South Korea, but barring that, are there substantial differences between these countries' markets or how investors in these countries perceive cryptocurrencies? Changes in technology could make cryptocurrencies a feasible payment platform, and this could further change their usage in South Korea and the rest of the world.

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Notes

1. i. The most obvious drawback of this research is the lack of foundational scholarly work on Bitcoin's boom in 2017 as a financial phenomenon. I have included a brief discussion of the scholarly work on Bitcoin as a new system of financial trust. Additionally, some news outlets, which are important sources in this paper, present a heavily biased view in favor of the expansion of cryptocurrencies, and openly disparage writers who take negative or sometimes even neutral stances towards cryptocurrencies. Furthermore, the situation driving the popularity of cryptocurrency growth in South Korea might be coming to an end (as of the original time this article was submitted in Spring 2018). According to Yonhap news agency, South Korean stock prices appreciated significantly during 2017, marking an end to the period of stagnation I discussed earlier as a cause of driving investors to the cryptocurrency market from the traditional equities market (Yonhap 2018).

RASR

Intellectual Property Rights Protection: An Examination of Causal Context in the People's Republic of China

Jacob Koelsch

ABSTRACT

An important element of the comparative unorthodoxy of the People's Republic of China's (PRC) economic, political, and organizational reforms initiated in the late 1970s is that it is not homogenous in character and degree of reorganization across all socio-political sectors and organizations. For example, a large degree of reorganization as it relates to China's market 'opening up' to foreign investment and manufacture does not necessarily mean that the same degree of reform is present in all of the organizations that are meant to ensure the protection of foreign investors and all of the trade secrets and intellectual property (IP) they bring to the table. Contention regarding the comparatively underdeveloped Chinese intellectual property rights (IPR) protection system presents the PRC as a uniformly developed nation across all sectors and as such, presents little normative explanation for lack of IPR protection, instead pointing to Chinese culture as the overarching causal factor. This article challenges the accepted cultural critical explanatory factor in favor of a more normative explanandum, which instead offers a more hopeful outlook on the future of IPR protection in the PRC.

INTRODUCTION

The issue of piracy of foreign goods by firms in the People's Republic of China remains central in analyses regarding the benefits and costs of foreign investment in China. Research and development costs, costs central to pricing mechanisms that determine a good's competitiveness in the market, are readily circumnavigated by producers in the PRC, effectively decreasing the competitiveness of foreign goods in the Chinese market in comparison to pirated domestically produced goods. Publicization of the issue of lack of protection is worldwide, yet external pressure from firms outside the PRC and transnational organizations that count China as a contributing member have been relatively unsuccessful in ushering in a real commitment from the PRC to increase filing and protection mechanisms for IPR. Mainstream academic work regarding China's comparatively under-enforced intellectual property system points to the influence of Confucianism, Mao-era efforts such as the Cultural Revolution, and Socialist ideology as the cause for the lack of enforceability of IPR in China, painting a rather grim picture with regards to the strengthening of IPR in the PRC. Rather, it is China's heterogeneity of development across different economic sectors, especially in terms of the nation's innovation capacity, a reality comparable to that of the United States as the worldwide leading violator of IPR in the nineteenth century, that is to blame for the lack of enforcement of both domestic and international IPR in the PRC. Pertaining to avenues of improvement to this system, it is incorrect to assume refinement of the system will arise from external pressure. Instead, the system's advance will occur as the PRC's internal research and development sector develops, a development that will result in internal pressure from domestic developers to increase protection for native inventions.

THE ECONOMIC RAMIFICATIONS OF IP THEFT

The issue of intellectual property theft in the PRC continues to be discussed in international trade negotiations. Under the current Chinese IPR protective context, a difficult balancing act must be maintained by both the PRC, whose domestic firms receive pirating accusations, and the nations whose firms' IPR are being infringed upon. The nation playing host to firms accused of piracy must also consider that the increased IPR protection that contributes to the nation's legitimacy as a sphere for profitable foreign investment, investment that is necessary for a developing nation's economic growth, simultaneously with the reality that with an

underdeveloped research and development capability, domestic firms' rely heavily on spillover knowledge to continue to be competitive in international markers.[1] This difficult reality is one that faces leadership in the PRC as the nation's legitimacy as an economic superpower comes into question in the wake of rampant IPR violation by Chinese domestic producers.

The balancing act that occurs in the camp of foreign firms seeking to invest in the PRC results in cost-benefit analysis regarding on one hand, the enormous prospects of producing in a nation with a heavily developed and attractive manufacturing capacity in terms of costs of manufacture, and the reality that comparatively poor protection of intellectual property often results in the closing off of pirated foreign goods from the Chinese market once plans are stolen and produced at a much lower cost by a Chinese firm. Research and development costs constitute an enormous portion of the costs of production for firms, costs that when expropriated by PRC pirates, heavily increase the counterfeited product's appeal in the Chinese market at the expense of the original product whose comparatively higher price makes the it wholly unattractive to Chinese consumers.[2] Pharmaceutical companies such as Merck and Pfizer spend approximately 20% of their sales on research and development, while technology firms such as Microsoft and Intel spend around 15% of sales on research and development, significant costs that when circumnavigated by Chinese producers, results in a significant difference in price of the original and the counterfeit, effectively "[draining] a little bit more blood from [American] manufacturing veins".[3] What results is essentially a closed Chinese market for pirated goods whose brand recognition is not significant enough to overcome the large difference in price between the original good and the pirated Chinese good. Firms suffering from IPR infringement by domestic Chinese firms exert enormous amounts of pressure on their respective governments to, in turn, force the PRC to increase its protective measures for both domestic and foreign IPR in China.

DISAGREEMENT OVER THE CAUSES OF VIOLATIONS BY PRC FIRMS

Despite publicization of violations of both foreign and domestic IPR by Chinese firms, and notwithstanding membership in several transnational organizations and treaties specifically designed to police IPR violations (signed in to World Intellectual Property Organization in 1980, signed Paris Convention for Protection of Intellectual Property in 1985, signed Madrid agreement in 1989), violations of internationally recognized norms and guidelines for IP governance still continue in the PRC.[4] The causes of the continued IP violations by Chinese firms remain a source of intense disagreement, with some pointing to Chinese social and cultural ideology.

CHINESE CULTURE AS A PROPOSED CAUSAL FACTOR.

In his 2016 piece, Edward Said describes his definition of "Orientalism," the application of a distorted Western lens in examining non-Western cultures and systems.[5] Typically, the fallacious 'Orientalist' approach involves an implicit value judgement wherein non-Western systems are compared to Western ideals as the benchmark. These types of comparisons often result in dismissive characterizations of perceived inferiority for non-Western systems when examined given assumptions of Western systemic superiority.

Some examinations of intellectual property protection and violations in China both in academic work and in the mainstream media tend to take an 'Orientalist' approach to uprooting the cause of such violations, pointing to certain determinants that they believe shape Chinese cultural ideology, determinants like Confucian boycott behavior and Socialist thought regarding communal property.[6] A pointed example of the aforementioned causal trap, economist Peter Navarro makes explicit the cause-and-effect relationship between Chinese cultural ideology and intellectual property abuse in a sweeping statement in his piece Death By China:

The lack of remorse exists because over a billion

mainland Chinese citizens have been raised in an ethics vacuum where property rights are meant to be trampled and the state owns everything. It's an ethics skew that runs straight back to Chairman Mao and straight through the lunacy of the Cultural Revolution. This amoral skew created an attitude of, 'Do whatever you can get away with to better your own situation.'"[7]

Navarro's explicit sweeping statement blames overarching Chinese cultural ideology for the abuse of intellectual property rights, a grim assertion that eliminates the possibility for any internal motivation for an increase in IPR protection. Although these longstanding cultural influences are undoubted, subscribing to a view that places the blame of violation solely on an overarching Chinese cultural ideology, an idea that in and of itself is extremely unnuanced and oversimplified given the ethnic, cultural, and ideological diversity of the PRC, the motivation for increasing IPR protection must come from foreign pressure. The 'Orientalist' lens offers only one avenue for increasing IPR protection in China given the country's depiction in this lens as an irrational actor: a maintenance of the historically uneven power relationship between the PRC and diplomats from foreign nations such as the United States that seek an increase through coercive pressure. However, this external pressure has persisted and steadily increased alongside China's rise within the global economy without resulting in sizable improvements to IPR protection in China.

UNDERDEVELOPED RESEARCH AND DEVELOPMENT AS A CAUSAL FACTOR.

Cultural blame fails to reconcile the fact that the PRC has not always been the leading global violator of IPR. In fact, in the nineteenth century, it was a nation in a similar stage of development of its respective research and development sector as the PRC's innovative capacity in the twenty-first century, a nation where ideologies such as socialist thought and Confucian boycott behavior are altogether absent and have been historically opposed, the United States. In the post-revolution era, American piracy of British textbooks and literature was rampant to the point that counterfeited books became accepted as the norm for American print media.[8] Similar to the PRC's current IPR enforcement mechanisms, the piracy of British literature occurred in spite of the presence of protective legislation such as the Copyright Act of 1790 and the Patent Act of 1793, although copyright infringement in the American case was formally encouraged by leading American officials such as Alexander Hamilton, which resulted in a much greater degree of infringement than that which occurs in the PRC today.[9] In both the nineteenth century American context and in the PRC's twenty first century context, opposition to infringement is wholly external and, in both cases, results in very little practical increase in IPR protection because of the lack of enforceability of the proposed sanctions for infringement. External pressure in both cases proves to be an insufficient motivator for increasing IPR protection. In the United States in the nineteenth century, it was pressure from indigenous authors and firms that resulted in the motivation for increasing protection, a similar reality to what will need to occur to spark a motivation among PRC leadership to take the necessary steps to increase IPR protection.[10] Thus, it is truly not the case of American exceptionalism that resulted in the growth of the American IPR system and similarly, it is not the case of the Chinese "ethics vacuum" that causes the lack of enforceability of IPR in the PRC. Rather, it is the lack of a flourishing research and development sector in both cases that results in this lack of enforceability, a fault that, with growing pressure from indigenous researchers and developers, will become correct as the PRC graduates from the stage of a developing nation with an inordinate capacity for manufacturing.[11]

The Orientalist view of the cause of rampant violations in the PRC explicitly draws a connection between these Chinese cultural factors such as socialist thought, Confucian boycott behavior, and the influence of Maoist cultural-revolution-era ideals, resulting in a moral value judgement characterizing of the lack of IPR

enforcement in the PRC. The view then contrasts this characterization with a comparison between this lack of enforcement in China and the developed American system, a contrast implying a link between American exceptionalism and the success of the American system.[12] This view fails to address the historical violations of IPR by the United States that occurred in a cultural context where the specific cultural ideologies (namely, socialist thought, Confucian boycott behavior, and the influence of Maoist cultural-revolution-era ideals) that social scientists typically point to as the causes of rampant IPR violations in China were altogether absent. Thus, it is neither American exceptionalism that leads to the success of the American system, nor is it the Chinese "ethics vacuum" that causes challenges to improve an existing IPR protection system.[13] The cause must therefore be much more rationally motivated and quantifiably based in China's status as a nation with a lack of uniformity of development, especially in terms of its capacity for innovation. As such, the grim picture regarding prospects of increased protection in China painted by advocates of the Chinese ideological blame explanation becomes much more encouraging for domestic Chinese innovators and foreign investors alike.

The twenty-first century PRC simultaneously demonstrates a strong imitation capability and a thriving capacity for manufacture but is caught in the developmental stage of its innovation sector.[14, 15] The comparative lack of innovation and reliance on manufacture exemplary of a developing nation has resulted in a reliance on imported designs and knowledge spillover for some key industries that have been instrumental to solidifying the PRC's position as a major player in the global economy. Increased IPR stifles innovation in industries where knowledge spillover is essential to the international competitiveness of Chinese firms handicapped on the international market by a poor national capacity for innovation.[16] The PRC is currently the global leader in the manufacture of Penicillin, Vitamin C, Terramycin, Doxycycline, Hydrochloride, and Cephalosporins; however, in terms of pharmaceutical innovation, Chinese firms cannot compete head on with foreign transnational innovation-driven pharmaceutical companies.[17] In a study done by Cai, Coyte, and Zhao (2018) on the relationship between the competitiveness of the knowledge-spillover-reliant Chinese pharmaceutical industry and degree of IPR protection found that "the strength of IPR protection is shown to be negatively related to the international competitiveness of China's pharmaceutical manufacturing industry."[18] Firms such as domestic firms in the Chinese pharmaceutical industry have a collective comparatively large influence on central policy because of their centrality to the global competitiveness of the Chinese economy. There is comparatively less incentive to increase IPR protection, even for native inventors from firms in industries with a comparatively large capacity for lobbying, given the PRC's trans-industrial comparative lack of a capacity for innovation.

EVIDENCE OF EFFORTS TOWARDS DEVELOPMENT OF IP PROTECTION IN THE PRC

The 'Orientalist' argument for the cause of IPR violations in the PRC, a blame that implies that the Chinese-specific cultural factors make it impossible for IPR protection to increase, is somewhat challenged by recent trends pointing to the continued development of the Chinese IPR system and the development of a culture of patenting in China. This diminutive view pays little attention to the reality that the PRC has cemented itself as the most prolific patent filing nation globally continuing a trend of rapid increase in patenting over the past fifteen years, a change in national ideology that has resulted from decades of slow but gradual reform to an IPR system that has been present since the onset of market reform in the 1980s.[19] The characterization of Chinese IPR protection system as inadequate is based on a comparison of both Western IPR systems having been established over two centuries ago in the case of the American system, and the Chinese system, which itself is extremely young and immature, having only been in

place for four decades. Since 1983, the PRC has been steadily adding depth to their IPR protection system, with the addition of laws and regulations such as the Trademark, Patent, and Copyright Laws, all put in place before the turn of the twentieth century, and legislative adjustments to the onset of digital invention, exemplified by the passing of the Measures for the Administrative Protection of Internet Copyright (MAPIC), itself signed into legislation in 2005.[20] The Chinese system continues to be extremely dynamic, having been amended three times, with a fourth amendment having recently been proposed on January 4, 2019 by the National People's Congress (NPC), an amendment that aims to increase damages by up to five times the original amount when willful violation occurs.[21]

In terms of enforcing protective legislation, the PRC recently established three specialized IP courts in Beijing, Shanghai, and Guangzhou at the end of 2014 to enhance the effectiveness and efficiency of the judicial system of IPR protection, a recent development that directly contradicts the orientalist argument for the lack of IPR protection in China.[22] An element of concern for some scholars examining IPR abuse in China is a belief that there is no internal incentive for Chinese courts to police domestic violations of foreign Intellectual Property. For example, in a study regarding the means of IPR protection in weak appropriability regimes, authors Keupp, Beckenbauer, and Gaussman (2010) assert that there is a clear unlikelihood for foreign firms to win patent lawsuits against Chinese firms in Chinese courts because "the institutions of the law in China are plagued by nepotism and corruption, politicization of courts and judges, discrimination against foreign business, [and] ever-changing laws and local protectionism", all assertions that dissuade foreign firms from direct investment and manufacture in China.[23] However, these claims fail to recognize specific recent high profile court rulings that awarded unprecedented damages to foreign firms at the expense of domestic pirates, including the ruling in favor of American social media titan Facebook at the expense of a Guangdong-based social media site, or the ruling in favor of American sportswear manufacturer New Balance at the expense of local Chinese shoemakers, rulings that resulted in over 1.5 million US Dollars in damages in each case.[24] Authors making these assertions regarding continued stagnation in enforcement efforts fail to recognize significant recent developments in the Chinese IPR enforcement system that concretely point to the maturation of the Chinese IPR system.

Not only has there been a measurable change in the PRC regarding popular ideology of patent filing, but this change has additionally resulted in a need for corrective legislation regarding the abuse of IPR on the side of the inventor rather than the pirate. Complementing the recent surge in patenting in the PRC over the past fifteen years has been the onset of a new issue exemplary of a young and developing IPR system: anti-competition abuses by over-filing domestic inventors.[25] These anti-competition practices take the form of refusal to license patented designs, tying, predatory and excessive pricing, and price discrimination. In response, the Antimonopoly Commission under the State Council launched the drafting work of antimonopoly guidelines in 2015, a drafting that aims to "help protect fair market competition, stimulate innovation, and prohibit undertakings from abusing intellectual property rights to eliminate or restrict competition."[26] Simply stated, the challenge of fighting over-filing for anti-competition purposes is evidence of a change in overarching practices regarding IPR protection as a tool for the growth of a firm, and of the change in the overall culture of patenting in the PRC.

To complement the development of Chinese domestic IPR legislation, China joined international treaties and transnational organizations that specifically govern IPR protection, both in terms of adding depth to a pre-existing domestic protection system, but also in terms of establishing a framework for the protection of international IPR in the PRC. Ascent into these treaties and organization occurred rapidly and was extremely broad, according to Can Huang (2017).

China became a member of the World Intellectual Property Organization in 1980, joined the Paris Convention for the Protection of Industrial Property in 1985, the Madrid Agreement Concerning the International Registration of Marks in 1989, the Berne Convention for the Protection of Literary and Artistic Works in 1992, the Convention for the Protection of Procedures of Phonograms Against Unauthorized Duplication of Their Phonograms in 1993, the Patent Cooperation Treaty in 1994, and the WIPO Copyright Treaty in 2007.[27]

China's joining of these international treaties involved the acceptance of each treaty and organization's rights and obligations, effectively forcing the adoption of internationally accepted legal IPR framework by the PRC.

Those who fail to recognize these recent developments also tend to dismiss that the Chinese patent filing system is, in terms of its institutional framework, extremely similar to systems considered to be fully developed, systems not receiving such direct explicit institutional criticism as the PRC's IPR system. Comparing the modern Japanese system to the institutional framework currently in place in the PRC, the two patent filing systems are extremely similar, with the requirements for patenting being identical in both systems, except that the Chinese system actually offers more patentable categories than the Japanese system.[28] Thus, when examining the Chinese IPR system, criticism regarding the current abuse of IPR must be based more so in the lack of enforcement of the legal framework, an issue that must still be corrected by PRC legislators, rather than on the basis of a general lack of legal framework regarding violations. The seemingly contradictory nature of increased legislation regarding protection combined with stagnant enforcement is truly exemplary of the dilemma of many emerging economies such as the PRC where "[developing] countries must manage the difficult problem of encouraging the inflow of foreign technological knowledge, to help domestic firms benefit from knowledge diffusion, while also reassuring foreign firms that their IPR will be protected."[29] While there still exist institutional framework issues in the PRC's IPR protection system including issues of fragmented authority resulting in horizontal and vertical rent-seeking competition among organizations designed to police IPR violations, the key issue resulting in these violations is the PRC's lack of innovation capacity.[30]

PROSPECTS OF FUTURE INCREASE

The issue of the lack of enforcement of the existing Chinese and transnational legal frameworks regarding IPR protection can primarily be traced back to the PRC's comparatively weak research and development capability. As the central government increases its commitment to grow the PRC's innovation capability through massive structural overhauls, most notably the "Made in China 2025" plan proposed in 2015, an increased commitment to enforcing protection strategies brought about by internal pressure from native inventors in a growing research and development sector will also occur, as it did in the case of formally immature IPR systems such as that of the United States and Japan.[31]

GROWTH OF THE PRC'S INNOVATION CAPACITY. Top leaders in the PRC's central government have been extremely vocal about the next step of Chinese economic development strategy, being the creation of a Chinese innovation society. At the 17th national congress, then president Hu Jintao stated that "innovation was to be at the 'core' of the country's development strategy", a sentiment echoed by current president Xi Jinping during a visit to the Chinese Academy of Sciences in 2013, and even further re-iterated by high level officials such as former Premier Wen Jiabao.[32] As upper level officials continue to further their commitment to growing China's innovation capacity by continuing the trend of increasing government subsidies to research and development, internal pressure from native inventors will also increase.[33] It is this internal pressure fostered by an

increased commitment to grow the PRC's innovation capacity, and not external pressure from foreign nations, that will result in the most substantive increase in not only institutional protection for IPR, but more importantly, in the enforcement of existing frameworks.

Besides internal pressure from a growing innovation society, there remain external motivations for increasing enforcement of IPR, although the motivations that result in the greatest amount of measurable enforcement increase do not take the form of external pressure, rather a proactive commitment to continuing foreign investment in the PRC. Studies done by Chen and Puttitanun (2005) and by Hu and Peng (2013), both seeking to examine the effects of IPR on innovation found that reinforcing IPR enforcement itself can strengthens innovation in part by increasing the external financing ability of domestic firms, an increase brought about by the attractiveness of increased security of designs as a result of the lessened degree of piracy by these same domestic firms.[34] Thus, IPR protection is necessary to continue foreign investment in Chinese domestic firms, especially as the PRC graduates from the stage of a developing nation and no longer enjoys some of the benefits of such a categorization at the transnational level and is held more accountable for such violations.

RECOMMENDATIONS FOR INCREASE.

The strategy for increasing enforcement of IPR must be done incrementally and extremely carefully, as an overcorrection in protection could have an adverse effect on an already deficient Chinese innovation sector, and even on the competitiveness of domestic markets. First, an excessive increase in protection and enforcement mechanisms can result in over-filing practices that stifle competition in favor of inventors who, through the lack of a truly competitive market, enjoy the ability to price-discriminate, and price in a predatory and excessive manner.[35] The creation of monopoly markets caused by an overcorrection of enforcement mechanisms could be truly detrimental to Chinese consumers, which will, in turn, likely result in opposition to the same excessive increase in IPR protection and enforcement that caused the lack of competition.

Second, degrees of increase cannot be trans-sectoral: the degree of reliance of each individual industry on the spillover of knowledge and on the import of intermediate inputs rather than domestically produced intermediate inputs must be weighed when increasing protection and enforcement mechanisms. The positive outcomes of knowledge spillover from lack of IPR protection are only relevant until the PRC invests in its research and development to the point that Chinese firms can truly compete globally in terms of innovation and not simply manufacturing; the purposefully incremental and methodical increase of IPR protection for these sectors will end when this equal innovative competitiveness becomes a reality. For example, the strength of IPR protection in China since 1995 has increased yearly while the international competitiveness of the Chinese pharmaceutical manufacturing industry has consistently decreased, primarily as a result of this specific industry's current reliance on the spillover of knowledge from international firms, a reliance that will continue as long as governmental investment in this specific industry's research and development capability continues to be insufficient.[36] Until the innovation capacity of a specific industry approaches the innovation capacity of foreign firms jockeying for position in the international market with these same Chinese firms, the PRC must be careful in the degree of increase of IPR protection and enforcement.

The degree of reliance of each specific industry on imported versus domestically produced inputs must also be carefully examined when assessing the preferable degree of increase of protection mechanisms. A study done by Chu et al. (2018) found that industries relying primarily on the import rather than the domestic production of intermediate inputs benefit the most from increased IPR protection, a combination that is positively correlated with an increase in innovation.[37] These findings reinforce that the degree of increase

in protection and enforcement mechanisms cannot be blindly trans-industrial, as doing so could stifle innovation in some specific sectors, an effect directly contradicting the aim of increasing IPR to benefit an already lacking research and development sector.

DE-FACTO PROTECTION STRATEGIES

When manufacturing in the PRC, both domestic foreign firms aware of China's issues with protection and enforcement of IPR regulations have developed de-facto protection strategies in place of the enforcement that is traditionally guaranteed by the central government in more developed IPR systems. The most commonly used protection strategy is that of excessive technological specialization, or the "[creation and exploitation] of more difficult-to-replicate, non-tradable secrets," an effort to make imitation so costly as to match the cost of innovation itself.[38] Domestic and foreign firms alike also take advantage of pervasive internal and external *guanxi* mechanisms, sometimes resulting in corrupt rent-seeking practices when a giving-and-receiving relationship is established between a firm and officials hired to oversee the protection of IPR.[39] These strategies exist as mechanisms designed to bridge the gaps created by institutional uncertainty and the weak appropriability of the Chinese regime. Until more funding from all levels of the Chinese government is appropriated to grow the PRC's innovation capacity to a competitive level in international markets, these strategies will be necessary for firms to ensure that the damages caused by unchecked violations do not exceed the benefits of manufacture in the PRC.

CONCLUSION

The lack of success of rampant external pressure on the PRC to increase the enforcement of established IPR protection regulations has resulted in a great deal of examination of the Chinese IPR system by social scientists worldwide. Some, applying an Orientalist narrative, place the burden of causation on an idea that adherence to these regulations is simply impossible given the influence of Taoism, Maoist socialism, and the Cultural Revolution (among others) on the overarching ideology of the Chinese general population. This critical explanation paints a grim reality for the prospects of growth of the Chinese IPR protection system, a grim reality that can only be dealt with by the continuous treatment of Chinese officials as irrational actors on the international sphere. The reality of the cause for such violations is much more rationally based and as such, reframes the narrative regarding the prospects of the maturation of the Chinese IPR protection system, a reality that calls to mind the fact that the nation whose firms and diplomats currently lead the charge for putting external pressure on the PRC to increase enforcement is a nation who, in a similar state of infrastructural and economic development, practiced the same types of violations as the PRC today, arguably at an even greater rate. The key to increasing enforcement of IPR in China rests in fostering enough internal pressure to result in measurable change, pressure that will only rise if significant efforts are made by the Chinese government at all levels to grow the nation's capacity to innovate.

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Asian Studies & Social Policy Analysis

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Managing Mobility: New Materialist Approaches to Mughal Mobility in the Encampment and Constructed City

Jolen Martinez

ABSTRACT

This paper interrogates mobility in the Mughal empire by examining living structures. Previous scholars have noted a "transition between nomadism and sedentary life" between mobile and stone structures. However, by applying a new materialist approach, this study analyzes the development of the Mughal imperial encampment and Fatehpur Sikri and concludes encampment materials, spaces, and technologies were capable of shifting into im/mobility as the socio-political need arose while maintaining a claim on movement. Comparing architectural designs, spatial structures, and material encounters in both of these constructed environments, this article finds that Mughal designs afford both mobility and fixity by expanding the sovereignty of the imperial figure by managing subjects' movement.

The mobility of the Mughal empire has been previously studied in analyses of its peripatetic court and the imperial figure's spiritual embodiment of power. However, these accounts often depict a teleological progress between the empire's mobility and what is perceived to be its gradual sedentarism. Although scholars such as Ahmad Mir Naseer, Monika Gronke, Lisa Golombek and Maria Subtelney appropriately draw the Mughal encampment in comparison with the fixed Mughal capital cities at Agra, Fatehpur Sikri, and Lahore, they largely separate these two structures as independent formations with contrasting logics of mobility and permanence. They interpret the relationship between the highly mobile royal Mughal encampment and the stone structures that the Mughals built as a "transition between nomadism and sedentary life."[1] Whereas these authors recognize the similar symbolic position of the emperor in both the encampment and the capital city, as a sovereign figure at the center of these structures, contemporary scholars often neglect the material-spatial dimensions that mediate the presentation of imperial authority.

In this article I analyze how mobility and movement can be converted into fixity and permanence through a variety of technologies, materials, and infrastructures used during the reign of the Mughal emperor, Akbar the Great. In particular, I analyze the development of the Mughal imperial encampment, and Fatehpur Sikri, a Mughal city that was constructed in 1571 and served as the imperial capital until 1585. Comparing architectural designs, spatial structures, and material encounters in both of these constructed environments, I argue that these designs afford mobility and fixity by expanding the sovereignty of the imperial figure by managing subjects' movement. These materials, spaces, and technologies were capable of shifting into mobility or im/mobility as the socio-political need arose, but always maintained a claim on appropriate forms of movement. Both the camp's and the city's physical-material structures are crucial technologies in Mughal claims-making, and represent an effort by Mughal authorities to manage the flows of movement into, and within space as an act of juridical dominance.

I draw from New Materialist approaches to bridge the gap between our understanding of mobility and fixity by analyzing what can be considered the technological,

infrastructural, material, and spatial aspects of both the encampment and the imperial city. Materialities are often taken for granted in history, as historiography frequently neglects the physical encounters that subjects make with non-human actants in favor of symbolic interpretations of historical phenomena.[2] However, increasing attention has been placed on the material affordances surrounding historical experiences, particularly with regards to the development of constructed environments such as urban centers. Archaeologists, in working with material culture, have critiqued normative categories of urban environments to include a wider variety of entanglements between humans and non-humans in material landscapes.[3] From this theoretical approach, I hope to expand the understanding of encampments during the reigns of early Mughal emperors (Babur, Humayun, and Akbar) as temporary urban centers that are structured by material features which direct movement throughout their space.

In the following sections, I trace the genealogy of the Mughal encampment from Timur (1336-1405 CE) to Akbar (1542-1605 CE) while paying particular attention to the material developments in their tent structures, then relate these features to the construction of Akbar's capital city, Fatehpur Sikri. With the materiality of the encampment and the city as the framework, I hope to direct historians' attention to the material mediation of mobilities and the production of corresponding subject positions. Political actors such as the Mughal emperor cultivated sovereign authority through the management of subjects' movements, and harnessed this power to shift between the worlds of mobility and permanence in response to developments in the empire such as a succession crisis, foreign invasion, or internal rebellion. Additionally, I contend that we should not think of nomadism and sedentarism as two distinct worlds, but rather as an array of worlds that are constructed by the materials and designs that produce our experiences.

GENEALOGY OF THE MUGHAL ENCAMPMENT AND TECHNOLOGIES FOR MANAGING MOVEMENT

Mughal historiographical tradition has depicted the encampment as an example of its central Asian legacy, and a source of dynastic legitimacy as the descendants of conquest empires. In the court memoirs of emperors, such as the Baburnama, Humayunama, Akbarnama, and the Shah Jahanama, the authors made flexible narrative claims about their conquest histories and the ways of life that were conducive to massive land-based expansion. At the center of these narratives were references to the encampment as a site of military domination and troop mobility. The Mughal emperors relied upon the capacity to maneuver quickly and traced their command over mobile armies through lineages from Babur to Timur to Chinggis Khan. The camp called upon a firmly understood political tradition of mobility through its physical structure. It also had an elastic design, as its shape and size changed over the course of centuries. However, the camp's arrangement was never entirely impromptu or organic. Careful preparation was taken to consistently reproduce encampment designs at each campsite, with detailed instructions for the builders. Sovereignty was infused in the very structure of the space.

The Mughal Empire's founder, Babur, claimed sovereign descent from a long line of central Asian conquest empires. Tracing his ancestry to the Turco-Mongol conqueror Timur (1336-1405 CE), Babur solidified his legitimate rule in the mobile Turkic traditions of the Timurids. Timur himself had made a concerted effort to tie himself into the Mongol lineage of Chinggis Khan by constructing an elaborate origin myth that justified his conquest of Mongol territory.[4] As Beatrice Forbes Manz argues, this historiographical effort was an attempt to establish legitimacy for his descendants as he himself ruled under the authority of a Chiggisid puppet khan.[5] Timur's court chroniclers wrote about his personal life and conquests in a manner that discussed his humble beginnings. They depicted his

earlier stint as a livestock thief, his personality, and his behaviors in a manner that was similar to other "nomad sovereigns."[6] These depictions celebrate the relative precariousness of Timur's (and by extension Chinggis Khan's) rise to power by including his defeats and early struggles. Babur replicated this model in his own origin myth-making project, the Baburnama.

Tents were often portrayed as prominent symbols of mobility and militaristic domination by chroniclers' descriptions of tumultuous and mobile origin myths often portrayed. In the Baburnama, much of Babur's early life was spent on campaigns for conquest and in retreat from ambitious uncles and invading Uzbek armies. Thus, the Baburnama frequently depicts Babur in his camp, where he was required to quickly move between cities to avoid capture in Ferghana, Kabul, and later in Hindustan. In his campaigns against Ibrahim, the Sultan of the Delhi Sultanate, Babur wrote frequently about pitching his camp throughout Hindustan as he advanced, dispatching scouts and readjusting his position as he maneuvered against greater numbers.[7] As a matter of military strategy and political necessity—surrounded by raiding nomadic empires in Central Asia—the encampment was a mobile technology that allowed Babur to remain elusive to his many opponents. It is for this reason that Babur recalled his early tumultuous years with pride, despite being resolutely defeated several times at Samarkand in his struggle for political relevance. This struggle was symptomatic of the vicissitudes of power in a mobile setting. Regardless of his defeats, Babur maintained control by monopolizing control of his subjects' movements, deciding which paths they would take as they maneuvered around Hindustan in their struggle for power.

Babur's personal, tactical, and spiritual development within the camp structure indicated how conducive the camp was to the political, military, and religious changes that occurred in the mobile settings of his early conquests. Babur adapts after his defeats to the Uzbeks and plans accordingly before his showdown with Ibrahim in the Battle of Panipat. He evaluates troop movements and incorporates previous military experiences within the fabric walls of his tent.[8] Likewise, he renounces alcohol and declares himself a strict adherent to Islam within the sacred confines of his prayer tent before he ventures out to confront Ibrahim. Some may argue that Babur's camp was simply a setting for the pivotal decisions that he undertook in his conquest of Hindustan. However, it is important to note that material landscapes and technological affordances are influential in these social worlds. Furthermore, the argument that Babur's "nomadic culture" determined the fluidity of his politico-religious representation is a platitude that does not adequately take into account the material relationships between the Mughal Empire and the Timurid and Mongol empires from which the Mughals claimed descent.

In analyzing the genealogy of Mughal encampments and their material affordances over time, we must start with Timur's physical tent structures to understand how they directly influenced the Mughal design. According to Ibn Khaldun, Timur's early conquests required him to be highly mobile and charismatic to retain the loyalties of his supporters. This sovereign persona is ascribed to the physical structure of his encampment in Ruy Gonzales de Clavijo's Embassy to Tamerlane 1403-1406, in which de Clavijo described a massive procession of painted elephants, acrobatic performers, and drums passing in front of Timur's great pavilion in Samarqand.[9] Innumerable tents and awnings were pitched around Timur's pavilion, inhabited by thousands of servants and nobles that were situated in positions of submission under Timur's authority.[10] de Clavijo was particularly attentive to the structures of the Great Khanum, which had screens running beside the entrances of certain tents and contained lavish interior decorations of nobles' quarters. de Clavijo was taken aback by enormous red tapestry walls that surrounded Timur's dining area. These fabric walls separated into the porticoes of the bride and bridegroom's quarters within the same enclosure. They extended like carefully planned sinews in an extravagant

web of fabric.

Timur constructed his encampment spaces in Kharroum as magnificent structures that enhanced his authority among his retinue. By erecting trailing fabric walls, expansive porticoes, peering windows, and sweeping entrances, Timur facilitated interactions and movements among the residents of the encampment through the structural design of their tents.

> "(Timur) celebrated the feast in honour of the marriage of one of his grandsons to a cousin, the grand-daughter likewise of his Highness, and the bride and bridegroom now had come to occupy one of the great tents in that Enclosure. This enclosure, as you entered it, had on the right hand its Pavilion or main tent, and this was pitched like a booth, its walls being of red tapestry, everywhere embroidered over, and with insets of white and coloured stuffs for further adornment. The ceilings roofing the porticoes on the inner side closed up to the main wall of the Pavilion, so that from the outside the whole appeared to be of one piece and structure."[11]

de Clavijo states that certain tents were connected through fabric walkways. They were covered and supported by wooden poles, demarcating particular pathways of movement through the encampment. Likewise, windows and entrances enhanced visibility within the Pavilion, allowing guards and royal family members to monitor those that passed below. Notable as well, is the significance of the enclosed spaces themselves in facilitating political relations in marriage. The bride and bridegroom's quarters were located in connected sections of Timur's enclosure with singular pathways through the entrance to his tent, ensuring that the members of newly established political alliances must pass before him. Given the importance of arranging political marriages to establish dynastic legitimacy by marrying himself or his children to the descendants of Chinggis Khan, Timur's placement of the bride and bridegroom's quarters locates himself at the center of the union.[12] The design of Timur's encampment is an effort to model the movement of his subjects and his dynastic relations in architecture and spatial arrangement.

The Mughal Dynasty retained much of the encampment structure that developed under Timur's successors. Because the Mughal camp was crucial throughout Babur's, Humayun's, and Akbar's reigns (and continued to be extensively used during Jahangir's[13] and Shah Jahan's regimes), its design retained fundamental elements of its architecture, while also adapting its size and functions to an increasing number of sovereign roles. Under the early emperors, the encampment befitted the highly mobile demands for conquering territory in Hindustan. Emperors used the structures to contest the incessant raids by neighboring Rajputs, Central Asian hordes, or family members in succession disputes. Mughal leaders didn't need a fixed base to rule their vulnerable territories. Instead, Babur and Humayun ruled from their encampments as they traveled between cities. They reversed their military movements at the news of a revolting province, rebellious prince, or external invasion.[14] Like the Timurid and Mongol empires before them, the Mughals traveled over long distances to keep a vigil eye on all imperial affairs, and spent nearly 40% of their time in the camp.[15] The tents that Babur and Humayun erected were similar in function to those of their predecessors. They were large and lavish with huge numbers of followers that composed a portable city of wooden posts, carpets, silks, and animals.[16]

After the tumultuous contestations that plagued Humayun's reign, his son and successor Akbar cultivated greater stability; although he still retained many of the encampment structures that he had inherited from his highly mobile father and grandfather. As Ruby Lal argues in her article, "Settled Sacred and All-Powerful: Making of New Genealogies and Traditions of Empire under Akbar," the "Mughal Empire came into being in Akbar's time (with the construction of) the court and palaces… on a grand scale during his reign."[17] Lal's attention to the partial shift from tents to settled structures during Akbar's reign is a useful heuristic for understanding the interplay between mobility and fixity.[18] She concedes that the Mughal

Emperors between 1556-1739 frequently moved to put down rebellions, administer authority in provinces, conquer new areas, attend festivals, or hunt. Their peripatetic movements continued through the late-reign of Aurangzeb (1658-1707), signifying that extensive mobility remained a consistent part of Mughal authority.

In many historical accounts, Akbar's strategies to centralize authority to his figure coincided with the increasing permanence of the Mughal empire.[19] Although these analyses rightfully point out Akbar's emphasis on establishing extensive administrative controls over his empire, this does not necessarily indicate a mutually exclusive relationship with early Mughal mobility. Akbar continued the long-standing traditions of his predecessors in marrying himself and his family into strategic political alliances.[20] Whereas Timur married his children into the Chinggisid line, Akbar sought alliances with the Rajput rulers of Hindustan to solidify his control over the local kingdoms. He also created new revenue collection systems known as the khalisa, and installed a new mansab system to coordinate titles, rewards and iqtas (land allotments).[21] Nevertheless, these centralizing policies also coincided with Akbar's continued use of the encampment to monitor the empire and address military-administrative pressures across his domain. Akbar expanded the camps of his predecessors in elaborate additions to Babur's highly mobile design. These changes were used by all subsequent Mughal rulers.[22] Akbar's entourage included small camps for journeys or hunting and large camps for royal tours and military campaigns, where over 300,000 people would reside.[23] The emperor and his administration ruled the expanding Mughal empire from these camps.

Abu'l Fazl, Grand vizier, chronicler, and close friend to Akbar, meticulously documented the features of Akbar's encampment.

> "In the midst of the plain is a raised platform, which is protected by an awning or Nam-gira, supported by four poles. This is the place where his Majesty sits in the evening, and none but those who are particularly favoured are here admitted. Adjoining to the Gulal-bar, there is a circular enclosure, consisting of twelve divisions, each of thirty yards, the door of the enclosure opening into the Mahtabi; and in the midst of it is a Chubin ra'oti, ten yards long, and a tent containing forty divisions over which twelve awnings are spread, each of twelve yards, and separated by canvases. This place, in every division of which a convenient closet is constructed, is called Ibackhi, which is the name used by his Majesty."[24]

Similar to de Clavijo's account of Timur's imperial tent, Abu'l Fazl described the structures of Akbar's encampment in terms of their function for facilitating or obstructing movement throughout the space. A long wall of cloth screens enclosed the royal camp, with the emperor's two-storied tent placed at the eastern end of the enclosure. The tents of the royal harem were closely connected to his quarters and awnings were on public display before the imperial tent. Tents for the nobles "specified (their respective) locations (and so) spatially expressed their relations to the ruler."[25] The awnings, raised platforms, and canvas walls directed subjects through the enclosure in a premeditated form. Different types of movements, made by different classes of subjects, were regulated or permitted by the physical layout of the encampment.

Thus, not only did the spatial layout of the encampment designate positions of power, as many historians have noted, but they facilitated the embodied movements of these subjects through the space itself, ensuring that their mobilities were managed and regulated by the imperial figure at the center. The emperor's central location not only resembled a symbolic positionality, as the sovereign center of the state, but the spatial organization of the encampment also regulated how bodies moved, their destinations, and under whose permission their movements were permitted. The porticoes and corridors in Clavijo's description of Timur's enclosure were used to move the bodies of nobles, royal spouses, and foreign diplomats to particular locations. Likewise, the cloth walls of Akbar's encampment restricted access to the most private or sacred spaces. These included the harem, the emperor's

quarters, and private prayer chambers. The security of imperial guards and armed women, or urdu-begis also ensured exclusivity and regulation.[26] Courtiers' movements were ordered into particular pathways that were surveilled through the windows within tents, and monitored by these standing guards.

Although they were highly mobile and temporary, encampments were reconstructed in a ritual fashion that spoke to the camp structure's relative temporal permanence. Abu'l Fazl described the intense accuracy in which camp engineers measured the dimensions and distances of their tents.[27] For instance, camp engineers, or farrashes, were obligated to raise Akbar's tent to a certain height above the others. These precise measurements can be found in Clavijo's account of Timur's camp as well, as he states, "when the tents of the lord were pitched, each man knew where his own tent should be pitched, and everyone, high and low, knew his place so that the work was done without confusion or noise."[28] Both Akbar's and Timur's camp designs were carefully reproduced each time the tents were pitched.[29] Contrary to frequent depictions of nomadic camp structures as undisciplined and somewhat disorderly, farrashes, adhered to the proper camp formations and spatial measurements that were intricately documented in Abu'l Fazl's chronicles. The farrashes took these designs, along with the tools and materials necessary to reproduce the imperial camps, and traveled ahead of the royal entourage to construct the encampment in advance of the emperor's arrival.[30] This reproducibility conveys that, though they were impermanent physical structures, encampments carried a semi-permanent design that firmly established a spatial arrangement to direct particular bodies.

As outlined in the reproduction of Mughal tents, the distinction between permanence and impermanence in the context of the Mughal encampment is blurred. As a highly mobile material entity, the camp is frequently juxtaposed to settled and centralized capital cities. However, as can be seen in the precision of the camp's measured space and the reproducibility of its design across different landscapes, its structure contains a temporal permanence with each moment that it is pitched. Furthermore, the elaborate arrangement of fabric walls, columns, porticoes, and windows established an environment that directed bodies across its mobile space in a similar fashion to the "permanent" infrastructures of contemporary early-modern cities. It is through these technologies and infrastructures that the conversions between mobility and fixity can be examined and understood further.

THE "STONE ENCAMPMENT," TROUBLING THE ESTABLISHMENT OF PERMANENCE

Fatehpur Sikri, Akbar's capital city between approximately 1571 and 1585, is an additional example of the relationship between mobility and fixity within the Mughal Empire. Although it was constructed of stone, the city's layout contained many of the features of the Mughal imperial encampment. It was also built to manage the movements of courtiers before the emperor, as hypothesized by archaeologists studying the city's architecture. Similar walkways, alcoves, walls, porticoes, windows, and pavilions are found throughout the layout of the city. These structural features of both the encampment and Fatehpur Sikri similarly directed bodies into certain spaces before the authority of the emperor. They were analogous technologies for managing movement, representing a common feature in both structures and troubling any clear distinction between mobility and fixity, or impermanence and permanence.

Akbar's purpose for founding Fatehpur Sikri is debated among historians, although a variety of factors likely led to his decision to base his empire there. Fatehpur Sikri was built upon the former city of Sikri in northern India, 30 kilometers away from the major urban center of Agra. Historian and Islamic architect, Attolio Petruccioli argues that Akbar constructed the city as a place to host his royal court and alienate them away from the commercial center of Agra.[31] Sikri was also the site of a major victory by Akbar's grandfather, Babur, lending military and political legitimacy to the

space. It was also a spiritual decision. Akbar selected the town of Sikri because the Sufi hermit Salim Chisti successfully predicted the birth of his son Jahangir when he met Akbar at Sikri. These political and religious elements combined, Fatehpur Sikri's irregular location was likely a "decentralized site and spiritual retreat" that separated his court from the bustle and political intrigue found in Agra.[32]

Alina Macneal relates Fatehpur Sikri's layout to Akbar's design of the imperial encampment in her article "Monumentality and Mobility", in which she states that Fatehpur Sikri had a similar "typology of enclosure, pavilion spaces, axial relationships, and system of growth to the composite camp image."[33] She argues that Fatehpur Sikri's architecture remained an anomaly compared to the Hindu and Persian cities constructed around the 16th century. Although Akbar's construction project drew from Indian building practices and local craftsmen and architectural technologies, it was not spatially modeled from Indian or Persian structures. Whereas cities of these traditions contained monumental buildings to enclose urban space, Fatehpur Sikri "on the other hand, never used (significant structures) to enclose or define exterior space. (Instead), exterior space was enclosed with walls sometimes lined with single bay arcades containing corridors, while all interiors were contained in pavilions."[34] Macneal confirms that the "spatial language" of the palace was one of "pavilion and enclosure", highly similar to the encampment structures mentioned before.

These structures can be observed in Catherine B. Asher's compendium of Architecture of Mughal India, where Asher compiled the architectural layout of Fatehpur Sikri alongside images of the capital's buildings and infrastructures. The city is arranged, as Macneal pointed out, along a similar axial orientation to earlier Mughal Encampments, with residences for nobles, audience halls, markets placed in proximity to the emperor's palace at the center, and covered walkways the city's layout through interconnecting paths.[35] (Editor's note: images available via QR-Code on page 40.)

The plan of Fatehpur Sikri follows the features of the imperial encampment, as described by Abu'l Fazl. The main mosque, imperial palaces and offices, quarters for the civil population, and residences for the nobility were similarly placed where the movement of each population could be carefully managed and separated from one another. In this spatial design, the upper and lower classes did not interact as they moved throughout the city.[36] Analogous to the encampments' fabric walls which split the camp into corresponding sections and directed the movements of different types of imperial subjects, "the relegation of space in Fatehpur Sikri defined (its enclosures with) walls and screens similar to a mobile city, where the aim is to control the most space with the least material."[37] Further, like the entry to the Mughal camp, Fatehpur Sikri's entrance, the Agra Gate, was designed to distribute traffic into corresponding spaces, such as the nobles' quarters, or the general market.[38] Attilio Petruccioli argues that the Gate was designed "with the orderly precision of an architectural manual, where the kharkana (workshops), and farrashkana (dwellings) were split along different sides for corresponding tents of either social order.[39]

There is even further evidence of the structural connection between the Mughal encampment and Akbar's designs for Fatehpur Sikri, and how technologies/infrastructures in both settings were utilized to manage movement. The Hiran Minar, or elephant tower, was a light-house of sorts that illuminated Fatehpur Sikri as a central landmark. Its design closely resembled drawings by Abu'l Fazil in the Aini Akbari of the Akash Diya, or the wooden lantern that illuminated the imperial encampment from a central location. (Editor's note: images available via QR-Code on page 40.)

Both the Hiran Minar and the Akash Diya were used as lighted reference points for residents moving throughout Fatehpur Sikri and the encampment respectively. Monserrate describes their comparable designs in the Commentary of Father Monserrate on his Journey to the Court of Akbar, in which Monserrate

recalls how the Hiran Minar served as a central point from distances across the capital from all roads entering the city, and the wooden poles around its structure could be used to hang lanterns to serve as an orientation technology.[40] In the Ain'i Akbari, Abu'l Fazl describes the Akash Diya in a corresponding fashion, that:

> "In order to render the royal camp conspicuous to those who come from far, his Majesty has caused to be erected in front of the Durbar a pole upwards of forty yards high, which is supported by sixteen ropes and on the top of the pole is a large lantern, which they call Akas-Diya. Its light, seen from great distances, guides the soldiers to the imperial camp, and helps them to find their tents. In former times, before the lamp was erected, the men had to suffer hardships from not being able to find the road."[41]

In these respective reports, both devices are used to orient movements through the urban environments of the encampment and Fatehpur Sikri. They are constructed as physically illuminating infrastructures that also direct subject mobilities under the purview of the emperor.

Depictions of what technologies such as the Agra Gate, Hiran Minar, stone walls, pavilions, and enclosures DO are particularly important for delineating a materialist understanding of the management of movement within these spaces. In his commentary, Monserrate offers the images of several walled enclosures in Fatehpur Sikri. There were four great royal palaces for the King, his queens, the royal princes, and a store house, interconnected with covered porticoes and walkways.[42] Akbar also constructed a peristyle, circular baths, dressing rooms, and private apartments that were likewise enclosed by the walls and pavilions that Macneal argues can be traced to the influence of encampment designs. Studios and workshops surrounded another section of the city (the kharkana). As mentioned before, this section was separated by the Agra Gate, where the city's artisans engaged in painting, goldsmith, tapestry-making, and the manufacture of arms.[43] It is apparent that these spaces, materials, and infrastructures act upon various levels of imperial subjects that move through them. The noble's experience as he/she enters through the Agra Gate and is siphoned to the residential areas through walled corridors and numerous porticoes is very different from the experiences of the artisan or laborer as they are pulled towards the markets and the open spaces on the other side of the city.

Fatehpur Sikri's architectural designs were part of a larger project of sovereignty that constructed the engagements that subjects had with the imperial city. The construction of Fatehpur Sikri was one of many administrative projects, including the establishment of a quasi-bureaucratic state through imperial archives, institutionalized departments for the treasury, army, and imperial household, and the recording of these developments in the Ain'i Akbari and the Akbarnama.[44] As Ruby Lal notes, the "construction of imperial power lay largely in its move to discipline its parts", and Fatehpur Sikri was a "central and intimate domain in which disciplinary actions were enforced." She continues, that Fatehpur Sikri was an example of the "ordering of spaces" through imperial regulation, which increased the visibility of the emperor and the centralized administrative power towards Akbar.[45] Lal points to Abu'l Fazl's description of the city, in which he discusses the emperor's authority by detailing the physical dimensions and characteristics of Fatehpur Sikri, to explain that the construction of the city was infused with sovereign administrative authority.

Although her attention to Fatehpur Sikri as an "ordered space" is a useful marker of the embeddedness of Akbar's central power as the sovereign in the city-structure, Lal does not adequately incorporate the material affordances that produced this regulatory order, and thus falls into the pitfall of categorizing Fatehpur Sikri as a monumental shift from the mobility of the Mughal encampment. In her analysis of Fatehpur Sikri, she describes the structure as "part of a grand design for a new monarchy… with aspirations to permanence in (its construction)".[46] This interpretation makes the mistake of characterizing Fatehpur Sikri as

a radical shift from the earlier peripatetic models of the imperial encampment. For Lal, and many historians of the early Mughal empire, this shift occurs as a rift between the impermanence of the Mughal's mobility, and the permanence of their fixed capital structures. Her analysis is inaccurate because it ascribes the capacity for centralization and disciplinary action to the establishment of "registers of permanence", or the assumed durability of sedentarism. Along this logic, the Mughal empire underwent a tectonic shift in its governance as part of Akbar's intricately detailed plan for altering Mughal society for the purposes of permanence. However, it is inaccurate to assume, as Lal and many historians of Mughal architecture do, that Akbar's construction of Fatehpur Sikri was the "first time that defined zones of activity were so carefully planned."[47] As explained above, similar technologies and materials for managing movement, and thus directing the embodied practices of subjects under the authority of the imperial figure, were extensively utilized in the Mughal encampments.

Rather than viewing Fatehpur Sikri and the encampment as dialectic poles towards the increased permanence of the Mughal empire, both landscapes should be viewed as mediated by the materials, technologies, and infrastructures that manage movement. With this New Materialist lens, the logics of permanence and mobility are not diametrically opposed, or contradictory models for social organization. Instead, they are largely arbitrary categories that have been imposed upon different historical experiences. Historians' searches for "registers of permanence" have largely attributed the centralization of sovereign power to gradual sedentarism while neglecting the similar material encounters that bridge the nonexistent gap between the two categories, or logics. In the same way, Akbar's construction of Fatehpur Sikri should not be understood as part of a grand design for shifting the Mughal empire away from its peripatetic past and into a new era of imperial permanence. Certainly, the city was built from extensive architectural designs and models, involving thousands of architects, engineers, craftsmen, masons, and laborers.[48] However, its organized construction process is not very different from the extensive designs, preparation, and reproduction of the imperial encampment that Abu'l Fazl describes. Apart from the use of different materials (fabric and wood vs. stone), both structures employed similar workforces and designs that arranged these materials into the walls, enclosures, and pavilions that managed particular forms of movement.

Thus, both the fabric encampment of the Mughal tent-city and the "stone encampment"[49] of Fatehpur Sikri contain similar materials and logics/designs that traverse any historical categorization of permanence or impermanence. Addressing the confluence of these logics, Ahmed Afzar Moin's dissertation on sacred kingship in early modern India and Iran includes a section on what he calls Akbar's embodied practice.[50] Akbar, who governed from both the imperial encampment and Fatehpur Sikri,[51] ruled in a very tactile way. He administered the empire in a sensuous and performative manner[52] which incorporated surrounding materials to create syncretisms.[53] Moin argues that Akbar's understanding of the world was constructed through the medium of materials rather than abstract concepts or ideas."[54] Thus, in his construction of the encampment, and of Fatehpur Sikri, it is fair to assume that Akbar was especially attentive to the materialities of both. Erecting the wooden foundations of his imperial tent and the stone columns of his capital city both incorporated the embodied practice that Moin refers to as the "concrete thought and tactile knowledges" that conveyed Akbar's understanding of the world through the physical design of these urban spaces.[55]

Akbar's embodied, tactile approach incorporates what Moin calls the logic of the "bricolour." This term, coined by Claude Levi-Strauss is defined as a logic that adapts to its materials and landscapes to befit particular contexts with a patchwork of heterogeneous tools.[56] It is frequently juxtaposed to the logic of the "engineer", which Levi-Strauss argues builds from a

newly constructed design. Akbar incorporated both bricoleur and engineer logics in his reproduction of encampments and the construction of Fatehpur Sikri, both of which were mediated by the materials, designs, and political contexts which influenced these structures. The imperial design of Fatehpur Sikri incorporated Akbar's sovereign whim and the extensive design of his royal engineers to construct a space that resembled the Mughal encampments that he and his predecessors frequently ruled from. This provides further evidence that Akbar's construction of Fatehpur Sikri was not a masterful conversion of imperial authority from mobility to permanence. Both structures manage movement and direct resident mobilities under the political authority of the emperor.

CONCLUSION

The materialities of the Mughal encampment and Fatehpur Sikri oriented individual mobilities by directing the movements of imperial subjects through their encounters with physical infrastructures. Technologies such as walkways and walls facilitated certain pathways of movement while others such as windows or security outposts regulated movement through disciplinary practices. These materials were active participants in how residents experienced the encampment or Fatehpur Sikri. They constituted similar techniques for managing movement in response to changing political contexts, such as a military threat, a demand for increased bureaucratization and centralization, or a succession crisis. In this way, the tents that Akbar erected in his frequent campaigns across Hindustan contained many of the same material structures that he built into the stone structure of Fatehpur Sikri. The capacity to direct certain forms of movement allowed the emperor to dominate the embodied practices of his subjects, an authority that could be used to mobilize militaries, arrange political marriages, or segment society into different strata. By arranging subjects' material encounters in the encampment and the city, Akbar influenced how different subjects experienced the world of Mughal sovereignty. Oriented towards tactile and embodied knowledges, he constructed walls, enclosures, and pavilions as knowledge objects in both the encampment and Fatehpur Sikri.

Any clear distinction between mobile and fixed, or nomadic and sedentary logics, are blurred when one considers the encampment and the city through a New Materialist lens. The arrangement of technologies for managing movement remain remarkably similar in both settings. Whereas historians tend to search for substantive differences between mobile and stationary categories, it may be more productive to attend to materiality. Analyzing what things do rather than how to define them can open many avenues for future historical investigation. History tends to focus on the semiotic in their analysis of historiographical accounts. However, "thinking about matter, about how to approach it, and about its significance for and within the political"[57] can expand this endeavor by attending to embodiment, and how power constitutes and is reproduced by bodies qua materials.

Power isn't entirely symbolic. Materials also mediate power through their physical entanglements with humans. This can be seen in the arrangement of Timur's or Akbar's tents, their erection of dividing walls and directed walkways, and the construction of illuminated orientation devices. Humans' social worlds are actively constructed by the pathways that they embark upon. The Mughal merchant that is siphoned into the general marketplace and common grounds of Fatehpur Sikri experiences a different facet of Mughal sovereignty than the noble that must navigate through narrow walkways towards the imperial palace while he/she is closely monitored. Materials in both the encampment and Fatehpur Sikri formed landscapes that incorporated "embodied capacities of movement, awareness, and response" to the political conditions from which they were constructed.[58] These materials, whether in a mobile or fixed setting, constructed subjects' experiences. Sewn as fabric, or erected as stone, they formed the landscape that Mughal subjects must navigate through as an

embodied practice.[59] The sovereign Mughal emperor dictated the construction of a tent city or imperial capital along particular dimensions and with a particular layout, and these material structures in turn constituted courtiers' embodied experiences as imperial subjects.

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2020

ATHROPOLOGY &
HISTORY

NOTES

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[4] Manz, Beatrice Forbes, "Tamerlane and the Symbolism of Sovereignty," International Society for Iranian Studies, Vol 21, No.1/2 (105-122): 105
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[9] le Strange, Guy, trans. Ruy Gonzales de Clavijo, Embassy to Tamerlane, 1403-1406. Kilkerran, Harding Simpole Ltd, 2009: 225.
[10] Ibid, 230
[11] Ibid, 238.
[12] Manz, 110.
[13] Balabanlilar, Lisa, "Emperor Jahangir and the Pursuit of Pleasure," Journal of the Royal Asiatic Society, Vol 19, No.2 (173-186).
[14] Macneal, Alina, "The Stone Encampment," in Environmental Design: Journal of the Islamic Environmental Design Research Center, 1 no. 2, (1991): 36-45.
[15] Naseer, Ahmad Mir, 1.
[16] Ibid, 1.
[17] Lal, Ruby, "Settled, Sacred, and All-Powerful: Making of New Genealogies and Traditions of Empire under Akbar," Economic and Political Weekly, 36 no. 11, (2001): 941-958: 941.
[18] Ibid, 1.
[19] Older accounts by Colonel G.B. Malleson (Rulers of India: Akbar and the Rise of the Mughal Empire, 1903), and Ashirbadi Lal Srivastava (Akbar the Great: Evolution of Administration, 1556-1605, 1967), address the many administrative innovations that Akbar implemented, but seem to make a clear distinction between Akbar's establishment of "permanence" and Babur and Humayun's peripatetic movements/ "nomadic" tendencies. Although recent authors like Ruby Lal acknowledge the problem with this depiction, they have nevertheless fallen into a model of "shifting" between mobility and fixity as distinct phenomena.
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[30]Blochman, 48.
[31]Petruccioli, Attilio, "Fathpur Sikri, Akbar's Capital and Construction Models for Mughal Towns," Akbar, the Great Emperor of India, Milano, Italy, Skira Editore, 2012, 42.
[32]Ibid, 42.
[33]Macneal, 1.
[34] Ibid, 1-2.
[35] Asher, Catherine B., The New Cambridge History of India: Architecture of Mughal India, Cambridge, Cambridge University Press, 1992, 53.
[36] Rezavi, Syed Ali Nadeen, Fathpur Sikri Revisited, Oxford University Press, 2013.
[37] Macneal, 2-3.
[38] Petruccioli, 49.
[39] Ibid, 49.
[40] Petruccioli, 50.
[41] Blochman, H. ed. 50.
[42] Hoyland, S.J., trans. The Commentary of Father Monserrate on his Journey to the Court of Akbar, London: Humphrey Milford, Oxford University Press, 1922, 196-213.
[43] Ibid, 196-213.
[44] Lal, Ruby, 947.
[45] Ibid, 948.
[46] Ibid, 949.
[47] Ibid, 951.
[48] Rezavi, Syed, 21-23.
[49] Alina Macneal titles her article, "The Stone Encampment" to compare the structures of the imperial encampment and Fatehpur Sikri.
[50] Moin, Ahmed Azfar, Islam and the Millenium: Sacred Kingship and Popular Imagination in Early Modern India and Iran, Dissertation University of Michigan, 2010, 233.
[51] Akbar only governed from Fatehpur Sikri between 1571 and 1585, but the city's use has extensive documentation as has been noted earlier.
[52] Akbar was particularly famous for his experimentation with religious books, and his participation in singing, concerts, dances, and the spiritual practices of traveling ascetics.
[53] Hoyland, S.J., 1922.
[54] Moin, 234.
[55] Ibid.
[56] Levi-Strauss, Claude, The Savage Mind, Chicago, IL, University of Chicago Press, 1962, 20-21.
[57]Coole, Diana and Samantha Frost, 2010, 3-5, 19.
[58] Ingold, Tim, Being Alive: Essays on Movement, Knowledge, and Description, Abingdon, UK, Routledge, 2011, 44-45.
[59] Ibid, 47.

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IMAGES

Filipina Subalternity and the Women Left Behind: Recontextualizing Migration Discourse to Consider Filipinas Who Remain in the Philippines

Tiffany Sloan

ABSTRACT

Building on migration studies, this paper addresses Filipina laborers overseas and the women they left behind. By including non-migrating women, this article expands on the interdisciplinary field to create a more holistic study of the impact of migratory labor. Migration studies thus far has inadvertently legitimized the state's prioritization of mobility by exclusively focusing on overseas laborers. This study will adjust past scholarship by incorporating consideration of Filipina subalternity, illustrating the stark divide between mobile workers and those who cannot afford to leave. Additionally, this paper argues migrant laborers are forced to shift domestic labor onto homebound women, thus changing the dynamics of gendered labor.

INTRODUCTION

In a series of letters mailed back to the Philippines, Sandy recounts her experiences working overseas, citing the security of her children's futures as the main reason for her migration.[1] Sandy had been working a collection of jobs in her village, but she found herself struggling to keep bills paid, often leaving her and her family without electricity.[2] Thinking of the opportunities she wanted for her children, Sandy turned her focus to job opportunities abroad, hoping to secure a salary large enough to remit back to the Philippines. Sandy writes about her departure, saying:

> I prayed, 'My God, please do not abandon me because I do not know if what I am doing is right or wrong. What is important is I do something for the future of my kids... My children were crying when I left, especially my eldest child. So my feet felt heavy as I walked out of the house.[3]

But the forms of welfare Sandy hoped to gain upon working abroad — the secure income, the promise of stability, and the opportunity to educate her children — were far from the reality she encountered. Instead, Sandy found herself victim to a labor trafficking scheme which devastated her physically and psychologically. Luckily, Sandy was able to escape her abuser and return to her family in the Philippines but this was years after her initial departure, and she re-entered the country without funds to contribute to her children's education.[4] In this paper, I assert that the conceptualization of Filipina subalternity ought to be broadened in order to acknowledge the role of the Philippine state in constructing a highly mobile, gendered labor force. As of 2017, more than ten million Philippine citizens were working and/or living abroad, a figure roughly equivalent to ten percent of the country's population.[5] Furthermore, Philippine women play an instrumental role in the mobile labor force, as they out-number men in overseas labor recruitment and have done so since 1992.[6]

To better understand the impacts of the labor force's mobility on patterns of gendered labor in the Philippines, I turned to the multidisciplinary field of migration studies. However, through conducting preliminary research, I found that the scholarship at large tended to overemphasize the exploitation and victimization of Filipinas, providing a constrained view of Filipina agency and, thus, subalternity. In using the term subalternity, I am calling upon the scaffolding of postcolonial theory that has defined the concept of subaltern and, subsequently, subaltern identities. Through placing my work in conversation with subaltern theory, I further the claim that the continual evolution and redefining of society's mainstream has the potential to place marginalized groups in visible as well as invisible

roles.[3] This is seen more specifically in the context of Philippine migration, as the monolithic representation of migrant Filipinas in migration scholarship further silences the experiences of the women who remain in the archipelago. Thus, the term subalternity is meant to call upon the development of subaltern identities wherein centers of knowledge production have defined the mainstream to be the migrant and have constructed her subalternity in relation to her host country. However, the privileging of this structure overlooks the other ways in which Filipinas occupy subalternity. More specifically, the scholarship has overlooked how the capabilities of one marginalized group can serve to further marginalize others. This is seen in the case of Philippine migration, as non-mobile Filipinas must also contend with the material effects of migration, yet this work is not being recognized.

Further research proved even more unnerving as the more I read the more I ran up against a conceptual and analytical gap in the migration scholarship: the experiences of non-mobile Filipinas were effectively erased from the broader narratives of Philippine migration. It was only through seeking out scholars in gender and ethnic studies that I was able to uncover details about the impacts of mass migration on populations of women who remained in the Philippines.

Ultimately, the goal of this work is to bring attention to the over-emphasis of mobile populations in migration scholarship as this prioritization discounts the effects of migration on source nations and remaining populations. In the context of the Philippines, I argue that prior approaches to Filipina subalternity by migration studies scholars have consistently overlooked the women who remain behind in the Philippines, inadvertently legitimizing the state's prioritization of mobility through deeming this capability as indicative of academic relevance. As a consequence of these two tensions, migration studies scholarship itself remains complicit in the state's rendering of non-mobile women as categorically marginal, both politically and economically. In other words, these women are both conceptually and physically left behind.

THE OVERSEAS WORKER

Recounting narratives such as Sandy's is of increasing significance as the global scope of the Philippine diaspora continues to expand. Philippine nationals are employed in over 197 countries,[8] making the wellbeing and safety of Philippine migrants an increasingly global issue. However, the retelling of these stories ought to be coupled with a deeper understanding of the Philippine context, as the factors which inform Filipina migrants are multifaceted and include numerous pressures ranging from familial to national in scope.

By focusing on the role of the state in promoting the outflow of skilled and unskilled workers while also considering the historic relationships between the Philippines and the major recipient nations of overseas Filipino workers (OFWs), scholars are better able to contextualize the experiences of Filipina workers such as Sandy. Lack of nuance in detailing Filipina experiences perpetuates a monolithic representation of Filipinas as informed by their implied victimhood. I contend that although this focus has the potential to raise awareness of labor exploitation among other atrocities, it does very little in terms of curtailing the exploitation. Furthermore, this approach to scholarship implies that Filipinas entangled in injustice are only relevant after they have left their country. Overlooking the impacts of the gendered flows of skilled and unskilled labor from the Philippines further dislocates women left behind, by choice or by circumstance, from constructive discourse regarding the protection of their overseas relatives and the betterment of their nation.

THE NATION-STATE NARRATIVE

The Philippine state has played an instrumental role in promoting migration and establishing a culturally integrated remittance system.[9] By considering the state's role as a mediator in migration, it becomes evident that the nation's economic strategy since the 1970s has capitalized on OFWs' monetary and emotional capital.

This phenomenon is evidenced through President Marcos' institution of the balikbayan economy, a system of remittances which promoted migration while formally incentivizing OFWs to return to the Philippines.[10] Thus, Filipinas were urged to contribute to the Philippine economy both while inside and outside of the nation's borders. Marcos coined the term *balikbayan* in 1965, and in doing so, "the migrants' term of reference to their country of origin was progressively transformed into state policy."[11]

Balikbayan is a combination of two Tagalog words meaning "return" and "homeland," culminating into the state's depiction of migrants as relatives who are journeying back to a nostalgic depiction of a collective Philippine home.[12]

This narrative was furthered by the 1974 Philippine Labor Code, as this policy formalized the state's role as a broker of its nationals. The code effectively banned companies from directly hiring Filipina workers for overseas employment, and instituted a form of state-sponsored migration recruitment.[13] As such, the Philippine state became the only avenue for overseas employment and marketed itself accordingly. But the role of the Philippine state in exporting its nationals would be of marginal importance without subsequent policies that connected the migrant's capital back to the Philippine economy. An example of this is seen in 1982 with Executive Order 857 which mandated compulsory remittances between 50 to 70 percent of an OFW's monthly earnings.[14] Thus, by inciting OFW's connections to the homeland, the Philippine state aimed to contract migrants' capital through remittances, a temporary approach to easing domestic unemployment, combating poverty, and bolstering a crumbling economic system.[15]

However, the Balikbayan Law of 1989 provided a legal status to balikbayan as well as accompanying this title with benefits such as tax exemptions, visa-free travel, and limited forms of duty-free shopping.[16] By legally and ideologically defining the balikbayan as a category significant to the nation-state, the state incorporated kinship networks and cultural values into neoliberal projects;[17] thus, establishing state co-opted remittances as a permanent means of shifting welfare and development responsibilities away from the state. Thus, "remittances perform[ed] the labor of state,"[18] by providing a form of welfare to nationals and developing the nation's infrastructure.

In addition, the balikbayan system was also used as a tool to promote state legitimacy abroad. Martial Law replacing the long-established Philippine democracy harmed the nation's global standing. The return of balikbayan through the state-sponsored program was emphasized by the Marcos regime in an attempt to reclaim its prior status.[19] But despite the balikbayan economy being rooted in foundations of military rule, its policies were furthered by subsequent Philippine presidents under democratic administrations, in turn, taking what was a temporary solution to underdevelopment and implementing it as an economic strategy.

Corazon Aquino's 1995 Migrant Workers and Overseas Filipinos Act illustrates this; the act effectively solidified the state's role in exporting Philippine labor. This policy was designed to provide a more comprehensive protection of migrant rights and welfare;[20] however, the policy merely acted as a means to bolster public support of the state as the policy did not ensure substantive or effective safeguards against the most basic concerns of migrants, such as labor exploitation in recipient nations.[21] Furthermore, Aquino also capitalized on a strategy similar to that of Marcos by coining a state metaphor in the phrase bagong bayani, translating to 'modern-day hero.'[22]

While the term balikbayan connotes a sense of belonging through emphasizing nostalgia for the homeland and an expansion of the Philippines' national boundaries,[23] bagong bayani attempts to reconcile the contradictions between the state's apparent need for incoming capital and the lack of protection and support it provides to OFWs.[24] In referring to OFWs as heroes, Aquino depicts the act of migration as a heroic

sacrifice; portraying the mass migration of OFWs as a voluntary act linked to the values of individual freedom championed by Aquino and her reinstallment of democracy.[25]

Furthermore, *bagong bayani* as a reconceptualization of Philippine migrants is significant given the shift in gendered flows of labor under President Aquino. When President Aquino first used the phrase bagong bayani in 1988, the percent of OFWs who identified as female had increased by 33% since 1975, leading Filipinas to compose nearly half of the contract workers leaving the Philippines.[26] Thus, the phrase carried significant weight in terms of gendered discourse as the work of OFWs was perceived as contributing to an emerging culture of sacrifice wherein women would not only contribute to the economy of the homeland, but they would do so despite extreme social and financial costs.[27]

BEYOND THE NATION-STATE NARRATIVE

Despite the comprehensive involvement of the state in promoting out-flow migration from the Philippines, the purview of the nation-state narrative is quite limited. Scholars such as Yen Le Espiritu argue that the historical and political context of the homeland has cultivated the outpouring of migrants from the Philippines, and rather than seeking solutions, the state has actively encouraged this exodus. In doing so, Espiritu argues that the focus of migration scholars on push-pull factors in the Philippine context could benefit from a broadening in scope. She calls for the expansion of Philippine migration scholarship beyond the limits of the nation-state narrative and argues that the commodification of Filipina bodies can be directly traced back to the colonial history of the Philippines and the exploitative policies which emerged during this era. In essence, Espiritu contends that "today's global world is not just some glorious hybrid, complex, mixity; it is systematically divided and historically produced,"[28] and from this historical production, we can account for the significant gendered labor force in the Philippines as well as the substantial volume of Filipina out-migration.

Due to the colonial history between the Philippines and the United States (1898-1946) combined with the US's ability to relegate unskilled labor to the nationals of surrounding states, such as nations in Latin America, migrants from the Philippines find higher status and higher-skilled occupations in the US as compared to elsewhere.[29] However, this established flow of skilled Philippine labor to the United States would not have been possible without the US first approaching the Philippines as a colonial power and subsequently taking on racialized colonial projects as a means of preparing the Philippines for self-rule. This is most predominantly seen through the introduction of US nursing programs in the Philippines.

The original promotion of nursing programs to Filipinas was perceived as an act of US benevolent imperialism intended to educate the subaltern and guide them away from primitive health strategies;[30] however, this program had implications that viewed the Philippines as not only subordinate but also in need of proper social restructuring. In 1907, the United States opened up the first nursing school in the Philippines; this act, coupled with further US-influence in the nation's health sector, established the foundation for a "feminized, highly-educated and exportable labor force."[31] This gendered discourse was introduced through US colonial imperialism as the profession of nursing was already highly feminized in the US and "the introduction of nursing in the Philippines reinforced many of the racialist functions and beliefs of Western medicine,"[32] prompting the Philippine context to serve as an extension of the ideological landscape of the US.

Moreover, the US-developed Philippine nursing programs actively excluded the recruitment of Filipino men.[33] The outcomes of which are still evident today as roughly 85% of the US's total supply of foreign nurses are Filipinas.[34] Thus, the foundation for a highly mobile, gendered labor force was established and subsequently capitalized upon, by the United States.

FILIPINA SUBALTERNITY

But just as Espiritu called for the expansion of scholarly analysis to contextualize Filipina migration, I assert that her scope is still in need of broadening in order to depict a comprehensive subalternity in relation to Filipina identities. Few scholars have examined the severe problems that mass out-flow migration has caused the Philippine public as well as women in the Philippines more specifically. My critique is to say that although analytical focus has been applied to women in the Philippine homeland to some extent, the significance of this discourse and what it could mean for the Philippines has yet to reach scholars in migration studies circles, especially those in the Global North.[35]

Currently, the Philippines is a job-scarce environment, particularly in the health sector where poor working conditions further guide highly skilled Filipinas into avenues of nurse migration. The combination of US colonialism, the resultant feminization of the labor force, and the role of the Philippine state as migration broker have culminated into a hazardous lack of medical professionals employed in the Philippines. The 460 nursing colleges in the Philippines graduate around 20,000 nurses a year, producing a surplus of nurses compared to the number of jobs available;[36] however, the country exports a majority of these skilled professionals to meet the demands of health sectors abroad. Currently, about 15% of the nurses trained by Philippine nursing programs will actually be employed in their nation of origin.[37] By severely diminishing the population of nurses in the Philippines, an insurmountable need to continually produce staff replacements emerges,[38] undoubtedly lowering the efficiency and quality of care available in the Philippines. This outcome becomes even more pressing considering a Philippine Hospital Association (PHA) report which claimed that 200 hospitals were closed within the span of two years because of medical staff shortages and that 800 additional facilities were projected to face the same outcome.[39]

Issues propagated by the mass migration of nurses affect the entire nation; however, outmigration of skilled Filipina migrants discounts the majority of OFWs, given that two-thirds of female labor migrants from the Philippines are considered domestic workers.[40] Domestic work more generally is highly feminized as a majority of this work entails acts of reproductive labor such as care-taking, child-rearing, and general household services. The Philippine context is consistent with this trend as the women participating in this work dramatically outnumber the men, 55 to 1.[41]

Given the gendered connotations of these global interactions, groundbreaking scholars such as Rhacel Salazar Parreñas have conceptualized frameworks such as the international transfer of caretaking to better map the global relegation of gender roles among women. From this standpoint, Parreñas asserts that when the services of Filipina domestic workers are purchased by class-privileged women in industrialized countries, Filipinas escape their gender roles in the Philippines only to leave reproductive labor behind, which is then relegated to lower-wage women left in the islands.[42] In experiencing migration, Filipinas must contend with racialized hierarchies which stratify women in the Global North and the Global South. But in contrast to this power structure, Filipinas also engage kinship networks when they migrate, prompting female relatives and friends to become substitutes for their overseas Filipina relatives.[43]

The women at the end of this caretaking chain often perform reproductive labor for either incredibly low wages or none at all,[44] with the average of those receiving pay totaling around 47 US dollars per month.[45] As outlined by Espiritu, "[the mother's] absence create[s] a need for another woman to substitute for her, and the value ascribed to [this] labour decrease[s]."[46] This phenomenon becomes increasingly significant considering that "unpaid labour from female kin is often considered to be a 'labour of love',"[47] rhetoric which is parallel to the bagong bayani narrative; wherein it is implied that women must contribute to a culture of sacrifice in order to support and uplift the institutionalized system of remittances pushed by the

Philippine state. Furthermore, the international transfer of caretaking is relevant to all Filipina migrants, not just domestic workers; as all Filipinas are subject to the constraints of Philippine gender roles. Therefore, "in their pursuit of the 'American dream,' the Filipino health care professionals [also] need the paid and unpaid labor of the entire family,"[48] leaving the application of Parreñas' transfer of caregiving to encompass any form of skilled or unskilled feminized labor.

Thus, the Philippine state acts to commodify Filipina bodies in particular, not only through the exportation of their skilled and unskilled services but also through the lack of support it provides to the Filipinas who adopt the reproductive labor of OFWs. Albeit some of these women gain marginal financial independence from the wages they accrue; however, they are ultimately subjected to a greater form of dependence as these wages are directly subject to the decisions and generosity of the OFW and the fluctuations in her income, residence, or any number of additional factors.[49] Therefore, a major critique of the state's reliance on OFW remittances contends that the state has allotted minimal focus to the development of comprehensive welfare programs as a result of this form of incoming capital.[50] As such, women in the islands are willing to adopt significant reproductive labor commitments, removing themselves from the paid-labor market to support OFWs, as migration is seen as a means of providing the family with a stable income and, ultimately, releasing the next generation of women from the chain of relegation.

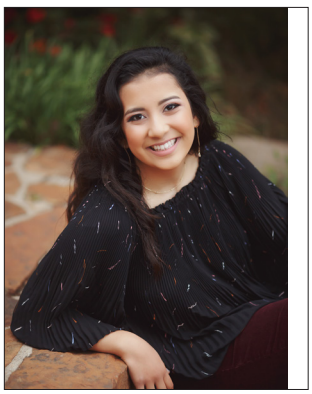
CONCLUSION

Turning our analytical focus to the homeland provides reasoning as to why migrants choose mobility and how these decisions contribute to the positionality of the subaltern globally and nationally. As I mentioned previously, the over-emphasis of the exploitation of Filipinas by transnational powers not only depicts a monolithic group of migrants who lack agency and resilience but, even more critically, distances the Philippine state from its historical role in commodifying its own nationals.

The rhetorical approaches employed in composing the economic policy and legal status of the balikbayan program are evidence of the first iteration of state-sponsored initiatives anchored around metaphors of inclusion and comradery which have exploited OFWs by capitalizing on their desire for a home(land). This promotion of migration was supplemented by the coining of bagong bayani which served to legitimize the risk of migration and the state's contradictory role as a broker. In turn, the state promoted its conceptualizations of migrant heroism and sacrifice as a means of financing welfare initiatives, ultimately shifting the responsibility of the nation's infrastructure and economic health onto the shoulders of out-migrants.

As a result of this discourse, non-mobile Filipinas are expected to participate in informal labor, that is often unpaid, without the recognition of the state. In other words, "when performed by mothers we call this mothering…; when performed by hired hands, we call it unskilled."[51] As a result, these women become further dislocated from constructive discourse regarding the protection of their countrymen and the betterment of their nation, as the state views their contributions to the inflow of capital to be marginal. In other words, the state has tasked the remaining women with subsidizing the cost of exporting their female relatives.[52] Ultimately this means that the political capital of the women left behind travels alongside their overseas sisters.

TIFFANY SLOAN



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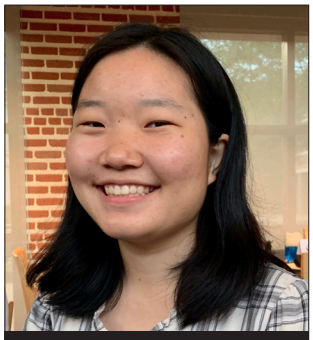

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