Book Review

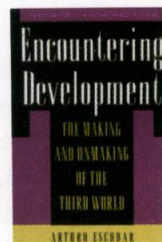**Title** : Encountering Development: The Making
and Unmaking of the Third World
Author : Arturo Escobar
Publisher : Princeton University Press, 2012.
Book Reviewer : Wanodyo Sulistyani*

The Western's lack of understanding of the local reality of the Third World was the alleged cause of the failure of development programs over the Third World. This book challenges this premise by seeing the problems from the perspective of not only the recipient countries, associated with the Third World or underdeveloped countries; but also from the donor, associated with the Western or developed countries. Encountering development means that both sides should not neglect the realities or challenges that exist in the process of development. All realities, such as political, social, cultural, history, the use of technology and science, must be taken into consideration when creating strategies for development. Finally, compromise between both parties through "hybrid cultures" model needs to be established in order to maintain the development.

The distinction between "developed" and "underdeveloped" was created by the history of post-World War II. Countries such as the United States and Europe are perceived as developed, a perception associated with modernity and welfare in their economy and social life. On the contrary, countries such as Asia, Africa, and Latin America, where poverty and backwardness are widespread, are then perceived as underdeveloped. This image of the Third Word is exacerbated by the form of knowledge, elaborated through objects, concepts, and theories, practices regulated by a system of power; and the Third World people's perception of themselves as underdeveloped society. It was because of this understanding and image of the Third World promoted by the U.S. and Western Europe that the development programs were implemented in the Third World countries.

The aim of the programs in its total restructuring of the underdeveloped society was to attain increased material prosperity and economic progression; or to achieve modernity. The tendency to see the Third World as an external reality rather than internal reality implies a radical dissolution of the anthropological, historical, and ideological aspects of the Third World. In many cases of achieving modernity, which is

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associated with development, the professionals have the tendency to fit the society into a fixed model, rather than considering to create a model or strategy for development that suits the society better. As a result, the programs failed to do what it intended to achieve. Instead of increasing the prosperity in the Third World, the programs have created massive underdevelopment and impoverishment, untold exploitation, and oppression.

Most of the development programs in the Third World are using the "modernity" standard of the Western. This standard has led into seeing the problems in the Third World shallowly only from the perspective of the First World or the Western. The discourse of "orientalism" as western "colonization of development" to the Third World appears at this moment to point out "a Western style for dominating, restructuring, and having authority over the Orient." This perspective has created the exercise of Western power over the Third World. It dominates the political, economic, and cultural aspects of the Third World. The terminology in this phase has been shaped by the form of knowledge, elaborated through objects, concepts, and theories; practices regulated by a system of power; and the Third World people's perception of themselves as underdeveloped society. As a result, the development programs are led into unintended direction. Instead of increasing the prosperity of the Third World, they have created the condition where poverty is widespread and where exploitation and violence increase.

Poverty that is identical with hunger has attracted the attention of the scientists. Many studies have been done in order to find the solution for hunger problems. However, many "nutrition's" programs appearing as a result of the influence of power only brought about further problematizing of the hunger problem. This is due to them being implemented in the context of pervasive economization of substance; instead of improved consciousness, scientific progression, or technological refinement. These programs in many cases have been politicized. Despite initially appearing rational and neutral, they are in fact part of power exercise in the modern world, which contributed to the domination over the Third World.

The peasants, women, and environment have been long invisible in the development programs. Violence is a cultural manifestation of hunger that applies not only to the physical aspect of hunger but also to the lack of representation. Lack of their representation in development programs has led into social or grassroots movements. These movements are forms of collective actions and social mobilization to change the characteristics of political practice. Despite being seen as resistance to modernity, these movements are in fact a form of struggle that seeks acknowledgement in the invisible space of development. Such struggle appeared in the first place because of their needs and roles in development were neglected. It could be seen from the case of how the development programs consider the role of

women. In many development programs, male bias has created its own structure and considered women as "invisible" actors by ignoring their contribution to the development. Women are neglected. They are dealing with huge workloads, but got little reward and even lost the right over their lands. Such situation has led to the rise of women movements generated in order to place themselves as "visible" actors in the development process. The movement is a struggle to seek acknowledgement of women's contribution to development. In economic approach setting, empowering the peasants and women to become actors in development process is the strategy to overcome the poverty issue. It gives them the opportunities to develop themselves and to play their role in development.

In the eradication of poverty as a part of development, the nature and environment have been capitalized by the state to increase the economic growth. As a result, it encourages exploitation of the resource of production while destroying the nature. Social struggle was once again generated to deal with such conditions. The struggle, which was against the state's policies over the exploitation of natural resources, was sought to protect the people, especially the poor from being victimized. These actions resulted in the formulation of strategy of sustainable development, which eradicates poverty while also protecting the environment, as an alternative.

The neglect of investigation of the anthropological aspects of the Third World has led into unintended consequences of the programs. However, the author is trying to analyze the development from both sides: from the recipient perspective and also from the donor perspective. The argument that the Western know nothing about the reality of the Third World is countered by another argument that in the past, the Western had already dealt with the similar problems that most of the Third World countries are facing these days. According to the author, modernization is not merely the power exercise of the Western over the Third World, but under the "anthropology of modernity", modernity is also perceived as "social forms as produced by historical practices combining knowledge and power." The resistance and struggle of the Third World people over the development programs are not merely because the programs have inappropriate nature, but also because the internal factors that support the development programs could also hinder them from success, such as the lack of capability of the development apparatus.

Poverty, violence, and exploitation are inevitable in development. Therefore, in order to reach the goal of development, shifting the perspective to how First World and Third World perceive development problems and their roles in it is required. It can only be done by changing realities such as accepting the price of massive impoverishment, the selling of Third World resources to the most convenient bidder, the killing, torturing and condemning of their indigenous populations to near

extinction, the changing of perception that the Third World is inferior, underdeveloped, ignorant, and should doubt the value of their own culture, and the impossibility of fulfilling the premise that development seemed to be making.

Post-development is an era where crisis related to modernity appears. Distinction between traditional and modern; rural and urban; mass, high, and popular cultures is becoming loose in terms of sharpness and relevance. The issue with modernity crisis is overcome by seeking an alternative to development. This alternative is "hybrid cultures". "Hybrid cultures" is an alternative representation in concrete local settings. Either the Third World or the Western starts to compromise to deal with a struggle between global capital and biotechnology interest, and local communities (usually involves minority culture) and organizations. Under this idea of hybrid cultures, reconstruction of modern and traditional orders is to be promoted by acknowledging cultural differences. On one hand, the process of re-conceptualizing traditional cultures is compromised rather than being eliminated by development. Thus, re-conceptualization by transforming traditional cultures to be more engaged with modernity is becoming an appropriate choice to survive. On the other hand, new theories and research strategies are reconstructed to make the truth and the reality, the words and the things, more connected in order to fulfill the demand of practices of seeing, knowing, and being.

Hybrid cultures require the deconstruction of development. Related to the local setting in hybrid cultures, it must first be realized that the solution is already "there" within the community; what needed are new senses, tools, and theories to assess the problems in development along with their solutions. Therefore, ethnographic studies should be done in order to investigate the concrete forms which concepts and practices of development and modernity take in specific communities.

This book is interesting because it is easy to read. The way the writer explores the reality on the development process in either "developed" or "under-developed" countries has encouraged the reader to discuss these realities with others, or even to counter the argument of the writer. The explanation through examples helps the reader to understand the main idea of the book. By reading this, the reader will understand how to respond the idea of development. After reading this book, in responding to the development issues you will realize that you may look outside to find the solution, but the solution is already there (inside) to be found. Encountering development with all of the problems and solutions that already exist requires the consciousness of all the actors of development. The vital key in addressing development problems is not always by starting a movement or formulating a single strategy. Rather, it is simply the acknowledgement and realization of the importance of empowering the people.

HANS KELSEN

Hans Kelsen adalah seorang pemikir hukum dunia yang buah pemikirannya bukan saja diperbincangkan di berbagai belahan bumi, tapi juga menjadi salah satu pemikir hukum garda depan (*avant garde*) pada zamannya, bahkan mungkin sampai sekarang. Roscoe Pound yang juga seorang filosof hukum kenamaan memberikan testimoninya sebagai berikut: "...Kelsen was unquestionably the leading jurist of the time. It is said that if the mark of the genius is that he creates a cosmos out of chaos, then Kelsen has evidently earned that title".[1] Pengakuan Roscoe Pound tentunya bukan tanpa dasar atau sekedar basa-basi, melainkan sebuah testimoni objektif dengan memperhatikan warisan pemikirannya yang tersebar dalam beratus-ratus karya ilmiah yang masih memiliki pengaruh penting sampai saat ini.

Di Indonesia, Hans Kelsen amat dikenal dengan teori piramida hukum-nya (*stufenbau theory*) yang senantiasa dijadikan rujukan baik pada tataran teoritis maupun praktik. Kemungkinan besar, Kelsen identik dan diidentikkan dengan teori piramida hukum tersebut. Padahal, warisan pemikiran Kelsen dengan segala kontroversinya tentunya sangat banyak dan beragam. Hal ini dibuktikan antara lain dengan beragam komentar para ahli hukum baik yang setuju maupun yang tidak yang dikemas dalam beragam bentuk karya ilmiah, dari mulai paper, artikel jurnal, sampai dengan disertasi. Pemikiran Kelsen mencakup banyak topik dari mulai teori hukum, ilmu negara, hukum tata negara, sampai dengan hukum internasional. Pemikiran Kelsen dengan segala kelebihan dan kekurangannya telah menjadi bagian penting dari mozaik pemikiran hukum dunia yang layak untuk diapresiasi sekaligus dikritisi. Sebagai bentuk apresiasi rubrik khazanah kali ini akan mengangkat beberapa pemikiran pokok Kelsen sekaligus memberikan beberapa catatan kritis.

1. Sketsa biografis

Hans Kelsen (1881-1973) adalah seorang Austria yang menghabiskan sebagian besar hidupnya di Amerika Serikat. Kelsen lahir di Praha dari pasangan kelas menengah Yahudi berbahasa Jerman pada tanggal 11 Oktober 1881. Pada usia tiga tahun ia dan keluarganya pindah ke Austria. Tahun 1906 Kelsen memperoleh gelar Doktor di bidang hukum dan kemudian menjadi dosen di Universitas Wina. Pada tahun 1905 Kelsen menerbitkan buku pertamanya berjudul *Die Staatslehre des Dante Alighieri*.[2]

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1 Hari Chand, *Modern Jurisprudence*, Selangor: International Law Book Series, 2005, hlm. 91.
2 Nicoletta Bersier Ladavac, *Hans Kelsen (1881–1973): Biographical Note and Bibliography*, Genéve: Thémis Centre d'Etudes de Philosophie, de Sociologie et de Théorie du Droit, 8, Quai Gustave-Ador.