

The Spirit of Bandung

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UNDERSTANDING BANDUNG

On April 18–24, 1955, delegates from twenty-nine states attended a conference in Bandung, Indonesia.¹ The meaning of the events that took place during those days was disputed then and now. Bandung has generated, as a result, myths and countermyths, hopes and disappointments, solidarities and fractious disputes, visions for international law and its subversion. In fact, scholars and politicians refer to the conference by different names: the Asian-African Conference, the Bandung Conference, or simply Bandung. Each of these names signals a different understanding of the Conference and a different conceptualization of both its origins and horizons.

Bandung was born of the challenges of grappling with the legacies of European imperialism, their long reach from the past, as well as their transmutation into the structures of the current world order.² However, it also had, a forward-looking, almost utopian dimension with an unprecedented number of peoples across the world actively reimagining, changing, and prefiguring the rules of the global order. Newly independent countries such as Indonesia and India had begun to assert their presence in international politics and law. Postcolonial states that were previously held together within different empires

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¹ From Asia: Afghanistan, Burma (now Myanmar), Cambodia, Ceylon (now Sri Lanka), People's Republic of China (PRC), India, Indonesia, Iran, Iraq, Japan, Jordan, Laos, Lebanon, Nepal, Pakistan, the Philippines, Saudi Arabia, Syria, Thailand, Turkey, North and South Vietnam (now unified), and Yemen. From Africa: Egypt, Ethiopia, the Gold Coast (now Ghana), Liberia, Libya, and Sudan. The conference was also attended by several others who were in solidarity with the anti-imperialist project such as the Black American scholar Richard Wright and the Kenyan freedom fighter Joseph Murumbi.

² See Chimni, Chapter 1 in this volume.

were now building new alliances among each other as “sovereigns.”³ While almost all countries in Asia had attained independence, in 1955 most of Africa was still colonized by European states. In fact, delegates from the Gold Coast (now Ghana) attended Bandung while their government was at a critical stage in their independence negotiations with the British (only achieving full independence in 1957). Countries on the cusp of independence, such as Ghana and Kenya, were aware that “self-determination” was going to be affected by the international landscape as much as by factors internal to their nations. While Asian states may have instigated Bandung, African states took it and continued to push for and assert their independence with their Declaration of the First Conference of Independent African States (held in Accra on April 15–22, 1958). Later, Latin America, in the form of some states and an expanding network of liberation movements, all of them postcolonial creations, joined their Asian and African counterparts to push for an even stronger anti-imperial agenda in the 1966 Tricontinental Conference.⁴ Pankaj Mishra describes decolonization as “the central event of the last century for the majority of the world’s population,” namely “the intellectual and political awakening of Asia and its emergence from the ruins of both Asian and European empires.”⁵ This “awakening,” we could argue, is also applicable to Africa, the Pacific, Latin America, and beyond. Bandung and its legacies are a manifestation of that “awakening.”

The Bandung Conference was a coming together of leaders of countries whose combined population made up approximately two-thirds of the world’s people. Attendees did not easily map onto a First World versus Second World political matrix, nor was the Conference a straightforward precursor to the Non-Aligned Movement.⁶ Of the five organizers – the Colombo Powers – India, Burma (now Myanmar), and Indonesia were socialist but neutral, whereas Ceylon (now Sri Lanka) and Pakistan were anticommunist and pro-West. The delegates from Iran, Iraq, Libya, Lebanon, Pakistan, Philippines, Turkey, and South Vietnam were also anticommunist and pro-West. On the other hand, Egypt, an important player in the Conference and its aftermath, was engaged in developing a form of Arab socialism during the Nasser years.⁷ Categories of “imperial” and “postcolonial” were also complicated, by the fact that delegates

³ See Anghie, Chapter 32 in this volume. ⁴ See, e.g., Obregón, Chapter 13 in this volume.

⁵ Pankaj Mishra, *From the Ruins of Empire: The Revolt against the West and the Remaking of Asia* (Toronto: Doubleday Canada, 2012), p. 8.

⁶ Lorenz M. Lüthi, “Non-Alignment, 1946–1965: Its Establishment and Struggle against Afro-Asianism” (2016) 7 *Humanity* 201. See also Oklopcic, Chapter 16 and Özsü, Chapter 17 in this volume.

⁷ See Peevers, Chapter 34 in this volume. See also Fouad Ajami, “On Nasser and His Legacy” (1974) 11 *Journal of Peace Research* 41.

from Japan, a formal imperial power, attended the Conference,⁸ and because many countries that were seen as the custodians of Bandung developed “colonial” relationships with internal minorities or neighboring regions that they had annexed.⁹ Moreover, the Conference itself, the speeches given, and its final outcomes were all formally framed and articulated in the language of international law. This was the very same language that had served to unroll empires across the planet and that, in the post–World War II context, was again engaged in “constituting” a new “order” in the world¹⁰ – an order that came to be soon denounced as neocolonial by critical and, especially, Southern intellectuals.¹¹

These contradictions, tensions, and diversities shaped the Bandung Conference, and the ways in which most people in the world confronted that moment of decolonization and the political reconfigurations and possible futures that it heralded. The Final Communiqué reflected the complexities of this landscape and the exercises in alternative world making being conducted, as well as the contested futures of the time.¹²

The Conference was divided into Political, Economic, and Cultural committees.¹³ Accordingly, the Final Communiqué outlined a series of principles under the following headings: Economic Co-operation, Cultural Co-operation, Human Rights and Self-determination, Problems of Dependent Peoples, Other Problems (which identified specific existing colonial cases), and Promotion of World Peace and Co-operation. It concluded with ten principles (the Dasa Sila),¹⁴ which were meant to conform to the UN Charter. With the benefit of the passage of time and our knowledge of what emerged from 1955, we can see the Communiqué speaking to a vision of a new international order, and planting the seeds for a new international law. In the Communiqué’s dual voice of formality and openness, we can also see the struggle to both conform to and resignify the language and categories of the

⁸ See Shahabuddin, Chapter 5 in this volume.

⁹ For example see Choudhury, Chapter 19 in this volume regarding Kashmir and India, McGregor and Hearman, Chapter 9 in this volume about West Irian and Indonesia, and Dirar, Chapter 21 in this volume regarding Western Sahara and Morocco and Eritrea and Ethiopia.

¹⁰ Anne Orford, “Constituting Order” in James Crawford and Martti Koskenniemi (eds.), *The Cambridge Companion to International Law* (Cambridge: Cambridge University Press, 2012).

¹¹ See, for example, Thomas Benjamin, “Neocolonialism” in Thomas Benjamin (ed.), *Encyclopedia of Western Colonialism since 1450* (New York: Thomson Gale, 2007), p. 831. See also on a theorization of neo-colonialism, Gyan Prakash, *After Colonialism: Imperial Histories and Postcolonial Displacements* (Princeton: Princeton University Press, 1994).

¹² See especially Parfitt, Chapter 2 and Pahuja, Chapter 33 in this volume.

¹³ Conference Chair and Chairman of the Political Committee was Sastroamijoyo, Prime Minister of Indonesia. Chairman of the Economic Committee was Roosseno, Minister of Economy Indonesia. Chairman of the Committee on Culture was Muhammad Yamin, Minister of Education and Culture of Indonesia.

¹⁴ See Oegroseno, Chapter 37 in this volume.

international legal order. This duality and its attendant challenges get revisited again and again in the extended (and still ongoing) process of decolonization over the decades following the Bandung Conference. This process includes institutional initiatives such as the Non-Aligned Movement (NAM) and the United Nations Conference on Trade and Development (UNCTAD); projects seeking to shape international law such as the New International Economic Order (NIEO) and the Law of the Sea; and interventions regarding specific independence struggles such as in Palestine and Namibia.

The Communiqué was built on a premise of cooperation among multiple civilizations and religions – what we would today call a “trans-civilizational” perspective.¹⁵ From that, the text developed some ideas of postcolonial solidarity, based on decentering Europe as the organizing geopolitical and cultural fulcrum of the world. Yet, like all documents that are the result of negotiation and compromise, and indeed of diverse ontologies, it was, without doubt, aspirational, ambiguous, and limited. While it did not have any formal legal status, the Communiqué used and expanded the scope of legal concepts such as sovereignty, self-determination, and human rights. To an important degree, it repositioned postcolonial nations as the “newer” and “truer” subjects of the international legal order, challenging with this the foundations of the legal and political status quo.¹⁶ This new postcolonial model of international legal personhood was to be invoked by these nations in their negotiations and discussions with both Western states and the Soviet Union.¹⁷

Reading the Communiqué as an aspirational document intended to assemble a “new politics” on the surface of a resilient patterning of moving and multiform (imperial) forces, it is possible to capture what is commonly known as the “Spirit of Bandung” – a phrase made popular in part by Roeslan Abdulgani, Secretary-General of the conference.¹⁸ Just the fact that the Conference was convened empowered people in the colonized world to assert their own place in the world on their own terms and to crystallize in the Final Communiqué the convoluted drama of being in the world after empire. As Vijay Prashad notes, “[f]rom Belgrade to Tokyo, from Cairo to Dar es Salaam, politicians and intellectuals began to speak of the Bandung Spirit.”¹⁹ The Communiqué represents a position of hope against almost insurmountable

¹⁵ Yasuaki Onuma, *A Transcivilizational Perspective on International Law* (Leiden and Boston: Martinus Nijhoff, 2010).

¹⁶ See Parfitt, Chapter 2 in this volume. ¹⁷ See Peevers, Chapter 34 in this volume.

¹⁸ Roeslan Abdulgani, *Bandung Spirit: Moving on the Tide of History* (Jakarta: Prapantja, 1964), p. 110.

¹⁹ Vijay Prashad, *The Darker Nations: A People's History of the Third World* (New York: New Press, 2007), p. 45.

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stakes. The agenda was not only about asserting independence against an imperial past and present; it was also about facing an uncertain future. The stakes of peace and cooperation were nothing less than the fear of global nuclear war and the sedimentation of a reloaded, international structure that could be used, once again, against the interests of the Global South, as it came to be known.

It is not surprising that such an ambitious agenda has generated two types of historiography.²⁰ Some have written Bandung into history as a story of disappointment, with little long-term impact on international relations and no concrete agenda that gained traction with the countries of the global South. They argue that the Conference failed to have a tangible impact – there were no new international institutions that were established, and no new collective initiatives that proved sustainable.²¹ Others, however, have measured Bandung differently. They look at the follow-up conferences that took place in the years after Bandung and the multiple solidarity movements that emerged from these efforts as not insignificant for the decolonization of international relations. While acknowledging the limited character of Bandung's formal effects, these other accounts have described the conference as representing and emboldening an emotional and psychological experience shared across the postcolonial and non-white world.²² While both types of narratives continue – traces of which are present in this collection – in recent years, there has been renewed interest in going beyond international institutions in tracing Bandung's legacies for the decolonization of the international order.²³

²⁰ For a detailed account of these bodies of literature, see Michael Fakhri and Kelly Reynolds, "The Bandung Conference" in Anthony Carty (ed.), *Oxford Bibliographies in International Law* (Oxford: Oxford University Press, 2017).

²¹ George McTurnan Kahin, *The Asian-African Conference, Bandung, Indonesia, April 1955* (Ithaca: Cornell University Press, 1956).

²² Odette Guitard, *Bandoeng et le Réveil des Anciens Peuples Colonisés* (Paris: Presses Universitaires de France, 1961).

²³ For recent historiographies, see Seng Tan and Amitav Acharya (eds.), *Bandung Revisited: The Legacy of the 1955 Asian-African Conference for International Order* (Singapore: NUS Press, 2008); Christopher J. Lee (ed.), *Making a World after Empire: The Bandung Moment and Its Political Afterlives* (Athens: Ohio University Press, 2010); Sally Percival Wood, "Retrieving the Bandung Conference . . . moment by moment" (2012) 43 *Journal of Southeast Asian Studies* 523; Robert Vitalis, "The Midnight Ride of Kwame Nkrumah and Other Fables of Bandung (Ban-doong)" (2013) 4 *Humanity* 261; Naoko Shimazu, "Diplomacy as Theatre: Staging the Bandung Conference of 1955" (2014) 48 *Modern Asian Studies* 225; Brian Russell Roberts and Keith Foulcher (eds.), *Indonesian Notebook: A Sourcebook on Richard Wright and the Bandung Conference* (Durham and London: Duke University Press, 2016); "Special Issue: Bandung/Third World 60 Years" (2016) 17:1 *Journal of Inter-Asia Cultural Studies* 1–163.

Some of these accounts are more invested in celebrating Bandung and are keen to mine its legacies for remaking international relations today; others are more wary about romanticizing the conference and retrospective mythmaking. However, rather than dismissing certain accounts as simply “romantic,” or measuring Bandung in terms of success and failure, we believe that one of the most significant things about Bandung was precisely this unknown and unknowable potential – no one at the time knew what the repercussions of Bandung would be. This powerful sense of being on the precipice of the new and unknown emerges, in one way or another, across these different strands of literature on Bandung. The final goal of the Conference was to undo imperialism and “racialism” (as it was then called). But at the dizzying heights of this historical summit, there were different ideas about what were the best tactics to achieve such a goal, and different visions of what that goal looked like. The trajectories that came out of the Conference were as disparate as they were aspirational. The stakes were high and the challenges enormous. In this sense, the debate over Bandung’s meaning began even before the Conference was formally convened. However, if there is one thing that animated Bandung then that also characterizes its meaning now, it is the call to act, to shape history – a sensibility captured in Aimé Césaire’s famous words in *Notebook of a Return to the Native Land*:

Beware of crossing your arms in the sterile attitude of the spectator, because life is not a spectacle, because a sea of sorrows is not a proscenium, because a man who screams is not a dancing bear.²⁴

Bandung was a conference against both imperialism and *mere* spectatorship. It was a performative commitment to changing the conditions of life under empire and returning the native land to the possibilities of history, with all of the associated costs this enterprise entails. This was the challenge confronting the *Wretched of the Earth*. As if in response to Césaire’s poetic manifesto against spectatorship, his Martinique comrade, Frantz Fanon, calls for collective action and a new sense of collective humanity to shape a new history:

Today we are present at the stasis of Europe. Comrades, let us flee from this motionless movement ... [to] ... reconsider the question of mankind. ... Come, brothers, we have far too much work to do for us to play the game of rearguard [action]. ... The Third World today faces Europe like a colossal mass whose aim should be to try to resolve the problems to which Europe has not been able to find the answers. ... No, we do not want to catch up with

²⁴ Aimé Césaire, *Notebook of a Return to the Native Land* (1939) (Middletown: Wesleyan University Press, 2001), pp. 13–14.

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anyone. What we want to do is to go forward all the time, night and day, in the company of Man, in the company of all men. The caravan should not be stretched out, for in that case each line will hardly see those who precede it; and men who no longer recognize each other meet less and less together, and talk to each other less and less. It is a question of the Third World starting a new history of Man.²⁵

SITUATING THE POWER OF BANDUNG

Even though this collection starts from Bandung and examines how it may help understand the present, much work could also be done in trying to understand how Bandung is situated within a longer history of anticolonial solidarity and resistance engaged with international law. For instance, one could also look to liberal anticolonialists of 1919 or to the formation of the League Against Imperialism in 1927 as earlier moments when international law was deployed to challenge and undo imperial rule, and in a sense opening a road toward Bandung.²⁶ However, what makes the Bandung Conference particularly profound for international lawyers, in its time as well as in our own, is that it was the formal beginning of a project whose aim was to ensure that all peoples of the world benefited from what was claimed to be the twin building blocks of world order, sovereign statehood and international law. For most of history – despite good intentions, and sometimes enabled by good intentions – purveyors of past and modern international law either ignored or legitimized various forms of imperialism.²⁷ But at Bandung, international law's relationship with imperialism was formally and significantly challenged, from within.

How is it then that a diplomatic conference on international law on the island of Java projected a “Spirit of Bandung” that has traveled through the imagination of countless peoples and so many subsequent international events and phenomena? To respond to this question it is important to accept that it is not a shortcoming that some accounts of Bandung have a popular and idealistic tenor. This was indeed a defining feature of the Conference. While professional interest in Bandung ebbs and flows, very few international diplomatic conferences have entered popular culture, spread through diverse local social movements across the globe, and remained so resonant in the political imagination across different generations. How is it that Bandung is

²⁵ Franz Fanon, *The Wretched of the Earth* (New York: Grove Press, 1963), pp. 314–315.

²⁶ See Petersson Chapter 3 in this volume.

²⁷ See especially, Antony Anghie, *Imperialism, Sovereignty and the Making of International Law* (Cambridge: Cambridge University Press, 2004).

simultaneously a reference point for Malcolm X,²⁸ international economic lawyers,²⁹ international environmental lawyers,³⁰ and art movements?³¹ Maybe a possible start to answering these questions is to pay attention to Bandung's creative fusion of formalism and subversion, of "formal" forms being turned inside out, against a historical backdrop of oppression. A productive excess comes out naturally here. The future had to be made anew, in a world in which there were already set frames in place. Some steps forward, some steps back. Rehearsals and projections mark the Conference and its history.

Naoko Shimazu has written a richly suggestive account of the Conference as a diplomatic theater consciously designed as a performance.³² The delegates engaged in a number of public events and in pageantry developing a rapport with the people of Bandung. The delegates were particular about what they wore in public, and the conference organizers transformed the city for the Conference. People in Bandung were indeed both the audience and actors in their interaction with delegates at public events, through their conversations with each other, and in public discussions through local newspapers and magazines. But if the people at Bandung had front-row seats, there was also a global audience with their eyes trained on the stage. And the conference organizers and delegates were aware of it: they had in their minds their audiences across the seas, in their home countries and continents as well as in Europe and the Americas. According to Roeslan Abdulgani, the Secretary-General of the Joint Secretariat of the Conference, Sukarno was, for example, attentive to setting the stage in everyway – not just in terms of law and policy talk but also the details of the principal conference venue:

The interior of the Concordia Building must be inspiring. Everyone sitting inside it must be inspired. Don't be so prosaic. Not so dry. Not like a book of laws ... You know what I think – *Met juristen kun je nooit een revolutie beginnen*. You can't make a revolution with jurists! They have no inspiration.

²⁸ Malcolm X, "Message to the Grass Roots. November 10, 1963, Detroit" in George Breitman (ed.), *Malcolm X Speaks: Selected Speeches and Statements* (New York: Grove Press, 1965), p. 3.

²⁹ An Chen, "Reflection on the South-South Coalition in the Last Half Century from the Perspective of International Economic Law-Making – From Bandung, Doha and Cancun to Hong Kong" (2006) 7 *Journal of World Investment & Trade* 201. See also Faundez, Chapter 30 in this volume.

³⁰ Sumudu Atapattu and Carmen G. Gonzalez, "North-South Divide in International Environmental Law: Framing the Issues," in Shawkat Alam et al. (eds.), *International Environmental Law and the Global South* (New York: Cambridge University Press, 2015), p. 1.

³¹ See Kanwar, Chapter 8 in this volume.

³² Naoko Shimazu, "Diplomacy as Theatre: Staging the Bandung Conference of 1955" (2014) 48 *Modern Asian Studies* 225.

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Whereas the participants need to be enfolded in inspiration! For that reason, change the interior of this building!³³

For us the metaphors of performance, actors, and audience are suggestive of how to read Bandung and the multiple contexts that have shaped the event, its reception, and its legacy. As the contributions in this collection suggest, the best approach to engaging with Bandung is not to read Bandung in isolation, but to see how it played out, and continues to play out, in diverse forms at different moments. Contextual, anachronistic, competing, and sometimes contradictory histories of Bandung allow us to understand better, as a result, the many different ways that Bandung occupies the history of international law, imperialism and resistance, and global history in general.

Taken as a complex, composite, collectively authored global history, this volume affirms a historical voice shaped by radical multiplicity in matters related to international law, imperialism, and resistance in our long post-colonial present. Indeed, it would be more accurate to speak of global histories, often even within the multiple registers of individual chapters. Relatedly, many of our contributors speak to social movements and marginalized communities' experience of and shaping of international legal history – what some may term a peoples' history of international law. To this end, it pays attention to how international legal history is narrated, contested, and imagined in multiple fora, from diplomatic memoranda and General Assembly resolutions to paintings and family letters; in other words, our histories are culled both from the formal archive of “official” Bandung and the repertoire of “embodied memory” of Bandung.³⁴ But, as the reader will notice, this multiplicity does not display here as agnostic or unsituated. It does not pretend to be complete and does not aspire to be cosmopolitan. Instead, as an artifact of global history itself, this volume relates to Bandung as part of a longer, open-ended project to de-constitute and reconstitute order in the world, especially in the Global South through post-imperial forms of governance, international legal mechanisms, and permanent resistance.

Bandung could be understood, in this way, as something more than a single event or a moment of commencement. Perhaps Bandung is a story; a story in which the “Spirit of Bandung” was already haunting the world at the moment in which the Conference took place, and it then took off in different

³³ Roeslan Abdulgani, *The Bandung Connection: The Asia-Africa Conference in Bandung in 1955* (Singapore: Gunung Agung, 1981), p. 68.

³⁴ Diana Taylor, *The Archive and the Repertoire* (Durham, NC: Duke University Press, 2003).

directions. If we follow this line of thought, it is possible to realize how Bandung came to provide the necessary conditions for a momentous gathering – one with wide global repercussions at the normative, institutional, and cultural levels. In this sense, our orientation toward the Global South involves an attention to both the cross-geographical underpinnings and effects of Bandung in the South as well as in the North, and the multiple registers, scales, and temporal locations that were haunted and continue to be haunted, productively or not, by Bandung and its “Spirit.”³⁵ As such, we are less interested here in chronicling Bandung as an event; we are more interested in how the “global histories of Bandung” are narrated, how the postcolonial condition is emplotted, and how the intellectual and political stakes of the synergies and tensions in those multiple and varied histories shaped, or could shape, the orientation of the dominant world order.

Bandung’s larger significance as a counterpoint to the dominant order has been particularly significant for international lawyers because it was both an act of collective imagination and a practical political project that gave rise to a range of institutional experiments and social movements. In this sense, Bandung is often identified with birthing the Third World project.³⁶ However, it is more accurate to understand Bandung as a moment that facilitated and empowered a number of “third-world-list” projects.³⁷ Sometimes these different projects aligned together, and at other times they manifested divergent projections of third-world futures.

Focusing on Afro-Asian solidarity, this is a dynamic that peaked in 1955 and subsided in 1965.³⁸ From this perspective, the preliminary institutions and conferences that led to Bandung were the Arab League (1945), the Asian Relations Organization (1947), the Delhi Conference on Indonesia (1949), the Baguio Conference (1950), the Colombo Conference (1954), the Nehru-Chou En Lai Statement (Panchsheel Treaty) (1954), the SEADO Treaty (1954), and the Bogor Conference (1954).³⁹ The Afro-Asian Peoples’ Solidarity Organization (AAPSO) was a social movement created as a direct result of Bandung (and the people-to-people, nongovernment Conference of Asian

³⁵ On the turn to Global History and its complications, see Samuel Moyn and Andrew Sartori (eds.), *Global Intellectual History* (New York: Columbia University Press, 2013).

³⁶ Prashad, *The Darker Nations: A People’s History of the Third World*.

³⁷ Christopher J. Lee, “Between a Moment and an Era: The Origins and Afterlives of Bandung” in Christopher J. Lee (ed.), *Making a World after Empire: The Bandung Moment and Its Political Afterlives* (Athens: Ohio University Press, 2010), p. 1.

³⁸ See McGregor and Hearman, Chapter 9 in this volume.

³⁹ Sundar Lal Piplai (ed.), *Asia and Africa in the Modern World: Basic Information Concerning Independent Countries* (Bombay: Asia Pub. House, 1955), pp. 189–214.