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Institutional Hybridity: Rangeland Governance in Amdo, Tibet



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Pastoralism, Uncertainty and Resilience: Global Lessons from the Margins

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Author's declaration

I hereby declare that this thesis has not been submitted,
either in the same or different form to this or any other
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Abstract

There has been much debate on appropriate forms of land governance and tenure systems in pastoral rangelands. Various models have been proposed, ranging from private to state to common property systems. But what does land control and rangeland use look like on the ground? Through multiple cases across two pastoral settings in Amdo, Tibet, China, this thesis looks at how rangeland governance is assembled in practice and explores what a 'hybrid land governance' implies for the way pastoralists use land and confront uncertainty.

Following a review of the history of rangeland governance and policy in Amdo Tibet China, qualitative case studies on monastery-centred, pluralism-centred, and relationship-centred governance from Lumu and Sagas show how land governance is assembled through customising norms at hand, making rules in plural contexts, and negotiating with authorities, thus, three approaches to assembling hybridity are identified. As a result, rangeland governance is highly dynamic, always in-the-making, and is emerging through different assemblage processes in the real-world situation. Through the lens of assemblage, this thesis argues that rangeland governance in practice is far more diverse, complex, context-specific — often in the form of ongoing processes of forming hybrid governance — than the conventional understanding of private, state, and communal tenure. Land governance in the pastoral areas of Amdo is thus more complex and less fixed than the official regimes suggest, given the social, political uncertainties faced.

A fluid notion of hybrid land governance, as seen through the cases, is contrasted with the fixity and stability assumed by standardised property rights and land tenure systems. The thesis therefore offers a new way of thinking about land governance in the Tibetan Chinese context and suggests a more nuanced approach to rangeland governance that goes beyond the conventional approach, with implication for management, policy, and politics of land in the Tibetan-Chinese context.

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Abbreviations

BRI The Belt and Road Initiative or One Belt One Road

BWC *Badma Rinto* Conservation

CCP Chinese Communist Party

EEMP The Ecological Environmental Management Programme

GMD Chinese Nationalist Party or Nationalist Party Kuomintang

GHC Grassland Household Contract

LMB The Lake Management Bureau

LAD The Lake Affairs Department

NCD The Natural Conservation Department

PAB Poverty Alleviation Bureau

PAEC Poverty Alleviation and Eradication Campaign

PRC People's Republic of China

REPSRM The Rangeland Ecological Protection Subsidy and Reward Mechanism

RMR The Rangeland Management Regulations

TAP Tibetan Autonomous Prefecture

TDC The Tourism and Development Company

TRR The Three Rivers Region

Chapter 1

Introduction

“The life of the pastoralists depends on the livestock,
and the life of the livestock depends on the rangeland.”

- Tibetan saying¹

Rangelands encompass 42% of China's total land area, with three-quarters of that area concentrated in the country's western regions (Banks 2003; Banks *et al.* 2003; Gongbuzeren *et al.* 2021). The management of these ecosystems depends on attentive grazing, including seasonal migration across different pastures to track beneficial combinations of forage plants (Goldstein and Cynthia 1990; Gruschke 2012; Scoones 2019). This livestock and rangeland-based production system provides livelihoods to approximately 17 million pastoralists and agro-pastoralists in China (MOA 2014; Gongbuzeren *et al.* 2015). Rapid global changes, such as population growth, economic development, political shifts, and climate change have pushed the once rural pastoral territories into modern settings, placing enormous challenges and demands on pastoralism and pastoralists worldwide (Nori and Davies 2007; Dong *et al.* 2011; Dong, Liu, and Wen 2016; McPeak and Little 2017). Socioeconomic concerns in China, including property rights reforms, land expropriation, ecological relocation and conservation efforts are fragmenting vast pastoral ecosystems into spatially-isolated systems (Yeh *et al.*, 2014; Kyinzon, Gabriel, and Simmon 2019; Yeh and Makley 2019). With 'Reform and Open up²' since the 1980s and the 'Great Opening of the West³' development strategy since the 2000s (Ptáčková 2013; 2020), the landscape of the once-marginalised rural plateau has become the hinterland for infrastructure development, resource extraction, recreational centres, ecological conservation and rural modernisation (Daniel 2000; Fischer 2008; Yeh 2013; Fischer 2015; Ptáčková 2020).

Increasing pressure on the rangeland, including that of climate change, new large-scale investments and the establishment of new settlements, results in fragmentation. This poses considerable challenges for governing rangelands, which is key to pastoral livelihoods. There has been much debate on appropriate forms of land governance and tenure systems in pastoral rangelands. Various models have

¹ མཐོ་ནག་བདེན་ས་ལྷ་ནག་ལྷ་ནག་བདེན་ས་ལྷ་ལྷ།

² *Gaige kaifang*, 改革开放, also known as the ‘open-up and reform,’ China’s reform and open-up policy has been implemented since 1978 and has reshaped China in many aspects on the road to economic transformation from planned economy to market-oriented economy (Zheng 2021).

³ *Xibu da kaifa* 西部大开发 or the Great Western development, as it is commonly referred to in English, aims at establishing inferiority of the peripheral (the west). According to Sines, the great western development is the process of socialism, not just generic socialism, it is socialism with Chinese characteristics. As Deng Xiaoping writes, "the essence of socialism is liberating and developing productive forces" (Sines 2002:23).

been proposed, ranging from private to state to common property systems. However, rangeland governance on the ground has never genuinely been the responsibility of the state or private. Rangeland control and access entail decisions of various, dynamic actors, whether through formal or informal channels. Rangeland governance is a mix of many improvised and hybrid rules, relationships and roles. The boundary between formal and informal is blurred, as formal governance is practised in certain respects by informal authorities. The state launches different policies, measures, interventions and programmes, but they are all filtered through 'informal' authorities, giving each of them a different flavour. As a result, state interventions in rangeland governance have unpredictable impacts and influences as they unfold on the ground (Heilmann and Perry 2011; Heilmann 2017a; Scoones 2019; Simula *et al.* 2020; Gongbuzeren, Wenjun, and Yupei 2021; Qi and Li 2021). In China, the existing debates remain between state, collective and private property rights. Nevertheless, rangeland governance is complicated and fuzzy in practice, and multiple perceptions and understandings of land tenure exist.

With multi ethnographic case studies from Saga and Lumu (chapter 3), this thesis probes different ways of rangeland governance, including who has control over the resources, who has power over them, and who benefits and who loses. By carefully looking into the details of rangeland governance, the research adds to a larger body of work on land control and land governance as institutions that are always changing through negotiations and collaboration. Hybridity offers a different way to think about how to govern land, and it brings implications on how land is managed and how land policies are made in the Tibetan-Chinese context.

Based on this knowledge, this thesis asks how hybrid rangeland governance shows up in the pastoral Amdo. What kinds of institutions are important, and how do they come together? How does the way pastoral land is actually managed compare to the conventional property rights that suggested, and what does that mean for land policy? Therefore, this thesis is about understanding, through a series of case studies, how institutions work every day in terms of control and access to land and natural resources, and why the results help some people and hurt others. Pastoralists have to make use of different rangelands in places that are very different and uncertain. So, standardised, fixed models of rangeland management that are imposed from the top may not work as planned, whether they are based on private or collective management. This study looked at what happens in two pastoral rangeland settings in Amdo. Furthermore, describing the complicated ways that rangelands are used and who controls them is only the first step. This research is also about how hybrid rangeland governance speaks to

existing literature, and how different practices of assemblages are related to the wider debate on simplistic forms of land tenure systems, which has gained many critiques from rich empirical studies.

The notion of hybridity within rangeland systems is under-theorised – it is more than just multiple actors being involved. What practices does it involve? What legal framings and foundations? How do differently positioned stakeholders interact, and how do these interactions translate into governance on the ground? Following a review of the history of rangeland governance and policy in Amdo (see chapter 4), and three dimensions of rangeland governance, including bricolage, pluralism, and negotiation-centred rangeland governance from selected qualitative case studies, distil how governance is practised and shaped on the ground (see chapter 5, 6, and 7). Specifically, this thesis highlights three practices of assemblage⁴, including through customising existing norms (chapter 5), making rules in plural contexts (chapter 6), and negotiating with authorities (chapter 7). Through the lens of assemblage (chapter 2), this thesis argues that rangeland governance, in practice, is far more diverse, complex and context-specific, often in the form of ongoing processes of forming hybrid governance than conventional understandings of private, state and communal tenure imply. A notion of hybrid land governance, as seen through the cases, is contrasted with the fixity and stability assumed by standardised property rights and land tenure systems. This thesis, therefore, offers a new way of thinking about land governance in the Tibetan Chinese context. It suggests a more nuanced approach to understanding rangeland governance that goes beyond other normative approaches, with implications for policies and politics of managing rangelands in Amdo (chapter 8 and 9).

Conventional perspectives on rangelands and their governance in China, whether focused on private, state, or common, centre fixity, stability, standardised, and regularised approaches to property rights. These property right systems assume that effective resource management needs secure and enforceable tenures such as clearly defined rights of exclusion and management for clearly defined boundaries. My research argues that land governance in pastoral Amdo is more complex and less fixed than the official regimes suggest, given the social, political uncertainties faced. The different cases from contrasting contexts show that rangeland governance in reality is highly dynamic, always in-the-making, and is emerging through different practices of assemblage. In contrast to the fixity and stability assumed by standardised systems of land governance and tenure, whether state, private or common, a more fluid notion of hybrid land governance is appropriate.

⁴ Assemblage is the practice of bringing together an array of agents (villagers, Tulku, official governments) and objectives (poverty alleviation, cultural preservation, livelihood, reciprocal relationships) to “intervene in social processes to produce desired outcomes and avert undesired ones” (Li 2007, 2014; 264).

Chapter 2

Institutions, Hybridity and Institutional Hybridity

Introduction

Since the establishment of the New China in 1949, the 20th century has seen the plateau's ever-closer integration into the Chinese State (Dhongdue 2019; Ptáčková 2020). The gradual integration of Tibet into the Chinese state has opened the plateau to the influences of a wide array of State-led policies directed at developing, modernising and urbanising the land and the people (Yanjuan *et al.* 2015). These have brought profound changes to both the landscape and the people in Tibet (Yeh 2004; 2013). With a booming number of highways, railways and airports in alpine regions, covering Lhasa in central Tibet, Yushu and Ganzi in Kham, Golok, Aba, and other places in Amdo (Zhang *et al.* 2012; 2015), the state's large-scale infrastructural investments have connected even the most isolated pastoral communities to thriving national and international markets since the 1980s (Fischer 2008; Yeh *et al.* 2013; Fischer 2015; Fischer and Zenz 2018; Li *et al.* 2018). Since the 1980s 'open and reform' era, the Tibetan Plateau has experienced varying degrees of state-invested infrastructure and technological growth. Trains, airports, and telecommunications have generated new dynamics and made it easier for the external population to seek benefits in western China's resource-rich regions. Moreover, eliminating the disparity between western areas and the prosperous eastern seaboard states is a massive challenge for the ruling party (Cai 2017). Since 1999, China's intensive preferential policies, large-scale fiscal injections, and state-led investments to balance the development scale between western and eastern regions have exceeded expectations (Cai 2017).

The increased exploration and competition for natural resources, notably land requisition, commercialisation and preservation of land, have frequently resulted in pastoralists losing their right and ability to access rangeland and resources on the ground (Bauer and Nyima 2011; Gelek 2002; Gruschke 2008; Yeh *et al.* 2017; Nori and Scoones 2019). Therefore, existing institutional arrangements for rangeland use and access are altered through time and space by various actors and at multiple layers, resulting in newly-emerging institutional arrangements for land governance. This is also a process seen elsewhere (Peluso and Lund 2011). For example, the assemblage of 'underutilised' land (German *et al.* 2017) in rural regions has been widely practised since the 1980s in Indonesia. As Tania Li notes in her study, governmental interventions that are designed to "improve" the world are "assembled from diverse elements, such as discourses, institutions, forms of expertise and social groups whose deficiencies need to be corrected, among others" (Li 2014:264). In rural China, the

assumed necessity to 'civilise,' 'progress' and 'develop' the backward, conservative western regions (Yeh *et al.* 2013) became the People's Republic of China (PRC)'s primary concern after de-collectivisation and the shift to a market economy in the 1980s (Fischer 2008; Heilmann and Perry 2011; Topgyal 2011; Gruschke 2012; Roche and Hillman 2017; Yeh *et al.* 2017).

Increasing uncertainties and changes have resulted in pastoralists being relocated and pastureland becoming fragmented. To manage and regulate rangeland, pastoralists must negotiate uncertainties impinging on the control of land with varied formal and informal, state and non-state institutions. This is increasingly the case as the Chinese government reconfigures local relationships, mainly through the promulgation of legislation, policies, and initiatives to facilitate the development of new infrastructure. However, there is still insufficient knowledge on the ongoing governance of rangeland, and how changing conditions influence pastoralists and their land management techniques.

This research will contribute to a large literature on hybrid governance of land as being negotiated and complex, as well as configured through day-to-day practices on the ground. In addition, the thesis marries ideas of bricolage, the making of rules in a plural-legal setting, and negotiations with authorities as three practices of assemblage that generate different routes to hybridity. Overall, this research aims to go beyond the conventional private, common, and State debate, offering a more nuanced perspective of rangeland governance debate in the Tibetan-Chinese context. To accomplish this, this chapter introduces and explores several key concepts: to begin with, hybridity, where the multiplicity, joining, connection, co-constitution and order-making is discussed; secondly, the notion of institution, which encompasses the rules in practice, relationships, and roles and finally, using assemblage as the analytical instrument for probing hybrid rangeland governance through the related concepts of bricolage, pluralism and negotiation.

2.1 Hybridity

The term 'hybrid' originates from the Latin word *ibrida*, which indicates a person born of a Roman father and foreign mother, or a freeman and a slave⁵. According to Robert Young, the historical basis of the Latin word alludes to the progeny of a tame sow and wild boar (Young 1994: 6). The English word 'hybridity' was firstly used in biology and botany (Hutnyk 2005) to denote offspring of two animals or plants of different subspecies, breeds, varieties, species, or genera in the early 17th century (Webster 2020).

⁵ Oxford references.

Hybridity has been widely used in social sciences, literary, artistic and cultural studies to describe distinct social elements and mixed processes to create new structures, objects and practices (Canclini 2001; Clements *et al.* 2007). This word has also surfaced in resource governance studies in the twenty-first century, particularly among researchers specialising in common-pool resource management. The presence of several institutions in rural settings and their interconnections in land control is characterised as polycentrism (Elinor Ostrom 2010): in other words, there is no single crucial governing authority. Instead, the governance of land and natural resources is “enacted through a variety of state and non-state actors with plural configurations of laws, rules, and procedures, as well as a diversity of uses and values” (Cleaver *et al.* 2013:168).

Debates toward rangeland governance in China are complex with the archetypes of private, state and collective debates (Ho 2005; Zhou, Li, and Liu 2020). However, emerging academic studies attempt to link resource governance with the notions of hybridity. Among the many, the studies of Moritz, Qi and Li, Behnke, Robinson and others (Behnke 2018a; Moritz *et al.* 2013; Qi and Li 2021; Robinson 2019) offer different perspectives on resource governance, whether it is the ‘open property regime’ in Cameroon; ‘complex mosaic regimes’; the ‘sovereign tenure system’ in eastern Africa; or the ‘nested property right system’ in China. All of these provide new ways of looking at resource governance in different contexts and highlight mixed and complex practices from the fixed and regulated one. Governance⁶ involves different kinds of actors, with interconnecting sets of social functions, such as different institutions, social networks and values (Robinson 2019), and the “effectiveness of governance depends on its capacity to respond flexibly and use reversible strategies that can be adapted to new circumstances”(Eshuis and Gerrits 2021:277).

Hybridity is not simply a fusion of the ‘two forms’ of bureaucracy and tradition, but rather a matter of sources of authority acting concurrently and becoming co-constitutive through order making processes. Hybridity refers to institutional arrangements for governing rather than the multiplicity of formal or informal institutions. It is not about the diversity of formal or informal institutions, but rather a cooperation and competition between informal and formal institutions to fill gaps in state capacity” (Albrecht and Moe 2015:10; Meagher *et al.* 2014). It refers to the various links between state and non-state systems (Meagher *et al.* 2014:19). Meagher and colleagues focused on ‘arrangements that work’ in fragile areas of Africa, shifting the attention from ‘form to function’, claiming that the suboptimal hybrid arrangement, such as rebel militia engaging in taxation and service provision, is preferable to the total collapse of services of the State (Meagher *et al.* 2014). Although Meagher *et al.* highlight the nature of

⁶ Which is different from government, as Oran Young writes, “governance is a social function related to the management of interdependencies among actors, social coordination and resolution of trade-offs” (1996:23).

hybridity in a very different context of state fragility and insecurity, their perspectives are still useful for clarifying the nature of hybridity in the realm of resource governance.

Hybrid governance reorganises “a whole range of indigenous institutions that create local forms of order ‘in the shadow of the state’” (Meagher 2014:501). Hybridity analysis focuses on how governance arrangements are negotiated or disputed between diverse actors (Cleaver *et al.* 2013:173), and critics tend to stress the dynamic, creative and voluntarist features of institutional formation. The linking of hybridity to the study of institutions has attracted many scholars in state governance, development, security, social organisation and conflict studies (Clements *et al.* 2007; Goodfellow and Lindemann 2013a; Tockman 2014). Among the many, Cleaver and others explored ‘*Sungusungu*,’ a hybrid pastoralist security system in Tanzania. *Sungusungu* in Tanzania exemplified the “dynamic hybrids of the modern and traditional, the formal and informal that are negotiated and structured, uneven in functioning and impact” (Cleaver 2013:169). Furthermore, using the Institutional Logic Approach, Skelcher and Smith looked at how hybrids emerge in public and non-profit organisations. They define hybridisation as “a process in which plural logics and thus actor identities are in play within an organisation, leading to a number of possible organisational outcomes” (Skelcher and Smith 2015:434). Many scholars have criticised the misuse of the term ‘hybridity’ to describe every situation in which state institutions coexist and interact with non-state ones, noting that there are underlying institutional discordances in many cases. Thus, the interactions between state and non-state are better described as ‘institutional multiplicity’ rather than ‘institutional hybridity’ (Goodfellow and Lindemann 2013b) and, therefore, a comprehensive review of institutions is critical to studying institutional hybridity.

2.2 Institutions

Max Weber was the forerunner of institutional focus and study, emphasising the establishment and the interrelationship of the religious revolution and the capitalistic institutions from the 16th century. Weber saw that the fundamental religious revolutionary moral elements, such as trust, hard work and sacrifice were significant for the capitalistic socioeconomic development. As a result, the link between culture and institution was highlighted, which had a huge impact on the academic research arena. Many schools of thought on institutionalism have emerged since the 1970s, including the new institutionalism and sociological institutionalism in the late 1970s. Although the term ‘institution’ had gained burgeoning attention in the scientific community, there are many interpretations of it. Numerous researchers use institutions to refer to ‘rules’ (North 1987). According to Elinor Ostrom, rules are “prescriptions that are

commonly known and used by a set of participants to order repetitive, interdependent relationships, and they are potentially subject to change” (Ostrom 1986;5-6).

The school of historical institutionalists defines institution as the formal and informal routines, norms and conventions embedded in institutional organisations. Institutions are often associated with organisations and the rules or conventions promulgated by formal organisations (Hall and Taylor 1996). Historical institutionalists have paid close attention to how institutions distribute power unevenly across social groups, using calculus and cultural approaches. New institutionalism (Ostrom 2005), on the other hand, highlights the role of calculus structures the intercalation - to reduce uncertainties, thus, the basic ‘calculus approach’ is passed down.

Sociological institutionalists argue “institutional forms and procedures used by modern organisations were not adopted simply because they were most efficient..... even the most seemingly bureaucratic practices, have to be explained in cultural terms” (Hall and Taylor 1996:14). Moreover, they also seek to broaden institutions to include symbolic systems, cognitive scripts and moral templates that serve as “frames of meaning that guiding human action” (Hall and Taylor 1996:14). Thus, culture is viewed as an institution in and of itself. According to mainstream institutional theory, the nature of institutions is “formal and functional; they are crafted to address a specific dilemma of resource management; effectiveness is equated with clarity of purpose, transparency, public accountability and regularity of operation” (Cleaver 2012:12). In her work, Cleaver divides institutional concepts into two schools of thought: Mainstream Institutionalism and Critical Institutionalism (Cleaver 2012), where mainstream approaches are comparatively instrumental and linear, whereas critical approaches are more complex, nonlinear and fuzzy. Mainstream approaches “provide information and assurance about the behaviour of others, to offer incentives to behave for the collective good, and to monitor and sanction opportunistic behaviour” (Cleaver 2012: 8). On the other hand, critical institutionalism aims to explore how various “institutions dynamically mediate relationships between people, natural resources, and society” (Cleaver and Koning 2015). This approach highlights the complexity of institutions rooted in daily life, as well as negotiations shaped by history and politics, and the incorporation between traditional and modern, informal and formal arrangements, and are “often multi-purpose, intermittent and semi-opaque in operation” (Cleaver 2001; Cleaver 2012:13; see also Lund 2006). Furthermore, mainstream institutional approaches often underestimate and overlook institutional governance's complex and dynamic nature in the socio-economic system (Cleaver 2012). Therefore, highlighting institutions from form to functions and how institutions, no matter formal or informal, construct society is the core of the critical institutionalism approach.

In addition, numerous researchers sought to explain institutions by emphasising their informality, which also aids in understanding them. According to Helmke and Levitsky (2004), informal institutions are “socially shared rules, usually unwritten, that are created, communicated, and enforced outside of officially sanctioned channels” (27). Customary rules are an essential aspect of informal institutions, and they are evaluated as functioning and evolving effectively in desired ways (Scoones 2020a). There is a substantial body of Chinese literature devoted to informal institutional arrangements: Xueyi (2001), for instance, analysed the successful use of informal institutions during the implementation of household contract policy (HCP) in the rural agricultural contexts. Hu Biliang (2015) investigated the relationship between informal institutions and rural development in five agricultural villages in rural China. The above Chinese scholars focused on informal institutions consisting of traditional ethics, morality, family network and *guanxi* network⁷, and highlighted the importance of these institutions in the cooperation and transformation of the resource with the market.

However, a large proportion of the studies on institutional research in China are peasant-centred. An advanced search of the National Research and Information Publishing Institution in China (CNKI) since 1990 yielded 1,216 publications relevant to the study of institutions, the majority of which were from the previous two decades. Furthermore, using the Google scholar search engine and, again, adding the keywords ‘rangeland’, ‘management’ and ‘institution in China Tibet’, ranging from 1990 to 2020, 68 documents were discovered. Among these researches, Gongbuzeren and colleagues (Gongbuzeren, Zhuang, and Li 2016a; Gongbuzeren, Huntsinger, and Li 2018b; Gongbuzeren *et al.* 2021; Gongbuzeren, Li, and Yupei 2021) investigated the relationship between market mechanisms and local customary institutions in rangeland management. Zhou Tao (2011)’s latest anthropological investigation in central Tibet has applied the common pool resource management theory and pinpointed the interwoven set of social, cultural and environmental factors, which have led to the collapse of the community institution in a pastoral setting.

While various theorists interpret institutions differently, many underline their complexity and embeddedness in day-to-day life. This thesis deploys Richard Scott’s definition, where he describes institutions as “socially constructed symbolic systems that, together with associated activities and resources, provide stability and meaning to social life” (2014: 45). Scott categorised institutions into three types, or as he puts, ‘three basic pillars,’ which are: regulative, normative and cultural-cognitive. However, on the ground, these socially constructed symbolic systems rarely work in isolation. By contrast, many formal and informal institutions in rural settings are often in a state of ‘messiness’ and

⁷ Definitions of *guanxi* vary, according to Chen et al.’s review *guanxi* is referred to: “as relational entities and their relationships, as social practices of building and using personal relationship to get through lude and wok, as a strategy for organisation to gain competitive advantage, and as a mechanism of constructing and transactions” (Chen et al. 2013:170).

overlap, merge and are located in particular cultural, social and political contexts (Waylen 2014; Scoones 2015). After all, the formal and informal are constantly interchanging, where formality skirts around informality, and *vice versa*. The boundary between informal and formal is blurry, and a dichotomous perspective needs to be questioned. Institutions, which are frequently constructed through informal rules, roles and relationships, are critical for assemblage. This concept focuses on practices of constructing institutions, as explored below.

2.3 Assemblage: Negotiating Hybridity in the Tibetan-Chinese Context

Many studies on resource governance concentrate on well-established, controlled and potentially complete models in real-world settings, however, this is not the case. The idea of assemblage helps to identify different resource governance practices. Deleuze and Guattari (taken from Anderson and McFarlane 2011:125) describe assemblage as “a process of ‘co-functioning’ in which diverse parts join together in a non-homogeneous grouping”. Tania Li describes assemblage as “an ongoing process of connecting dissimilar elements, such as materials, relationships, technologies and discourses, and forging connections between them” (Li 2007:264; 2014). Assemblage is the practice of bringing together an array of agents (pastoralists, monastic Tulkus, local governments and investors) and objectives (poverty alleviation, cultural preservation, livelihoods and reciprocal relationships) to “intervene in social processes to produce desired outcomes and avert undesired ones” (Li 2007; 2014: 264). Assemblage is concerned with the technique of drawing heterogeneous elements together, forging connections between them, and sustaining these relationships in the face of uncertainty. To be explicit, it emphasises the encounter of different processes and practices, echoing other concepts, such as bricolage, pluralism and negotiations. Cleaver defines institutional bricolage as “a process in which people...draw on existing social formulae to patch or piece together institutions in response to changing situations” (Cleaver 2012b: 45). This definition resonates with the practice of reassembling described in Li’s study; she stresses that ‘reassembly’ refers to the grafting of new elements, and reworking old ones, such as deploying new discourses to new ends and transporting the meanings of key terms (Li 2007:264). Although the terms ‘assemblage,’ ‘bricolage’ and ‘pluralism’ have different *foci*, they all stress practices that occur in a nonlinear, messy and changing context. These concepts pose the ‘how’ question: how the actions of connecting different elements/materials at hands/forums are arranged under tension, uncertainties and changes in different contexts. There is much overlap between assemblage, bricolage, pluralism and negotiation. It is often hard to differentiate the uses of these terms unless contexts are given, and the meanings of institutions are made clear.

Assemblage has been interpreted in a variety of ways in the last two decades. Science and technology studies refer to assemblage with the hybridity and heterogeneity of elements in actor-network. Li and Sassen, among others, employ assemblage to explore the ambiguity of paradigms. Rather than its powerful centre, assemblage focuses on the weak and marginals. In other words, the notion of assemblage is aimed at understanding the whole picture of the paradigm, thus, “deliberately destabilising current categories and definitions” (Murray Li 2007; Sassen 2008; Li 2014; Aneesh 2017:129). Scholars employ assemblage in a variety of circumstances. For example, as “a broad descriptor of disparate actors coming together, as an alternative to notions of network emerging from actor-network theory, as a way of thinking about phenomena as productive or practise-based, as an ethos that attends to the social information, and as a means of problematising origins, agency, politics (Sic) and ethics” (Anderson and McFarlane 2011:126). However, as Anderson and McFarlane (2011) point out, assemblage can only be a temporary process since new components may enter, relationship can alter, disputes and coercions can arise, and alliances can be destroyed. Thus, assemblage entails an orientation to assembling and disassembling, as relations emerge, take hold, and endure, but may also change or be disrupted” (125).

Assemblage provides a lens through which to analyse hybrid practices on the ground, deflecting attention away from completed or settled formations and toward ongoing processes. The analytical task is to investigate practices by studying the continuous assembling of heterogeneous elements within a given context. Three practices of assemblage in Amdo are the continuous improvisation, co-constitution and co-production of rules and relationships pertaining to rangeland governance. These practices are important to create probabilities and spaces for negotiations and development, thus generating space for local actors to negotiate uncertainties. Each of these practices is not an independent case but rather, these three practices of assemblage are overlapping in each site, with more or less in extent. As a result, the sense of connecting practices to the policies becomes urgent for policy-making, and sustainable rangeland control and governance on the ground.

2.3.1 Bricolage: Customising Material at Hand

Critical institutional approaches explore the complexity of natural resource management, considering the multiplicity of actors, scales, uses, values and meanings. A promising direction for critical institutionalism is the probe of institutional changes at the ‘messy middle,’ where incorporating local institutional arrangements within the broader governance frames becomes significant. Cleaver coined the concept of institutional bricolage to describe the changes that occur in the ‘messy middle.’ In French, the term ‘bricolage’ is used to describe “a handyman who makes use of the tools available to complete

tasks such as laying bricks or fixing a car” (Wyatt and Zaidi 2022:174). Bricolage refers to repurposing materials discovered, regardless of their intended use (Johnson 2012). Alternatively, according to Lankford and Hepworth’s description (2010), a bricolage approach is analogous to “bargaining in the bazaar, therefore can deliver better results than could standardised, monolithic institutional design” (quoted from Scoones 2015:48). Bricolage draws inspiration from anthropology (Levi Strauss 1962; Johnson 2012), structuration and critical realist social theory (Giddens 1994; Archer 2000; Sayer 2000). Cleaver *et al.* (2013) used bricolage to scrutinise pastoralists’ governance practices in Southwest Tanzania, where bricolage helped to explain “the nature of hybridity as a dynamic and uneven process and illustrate how hybrid institutions are formed in the social and material practices of daily life” (Cleaver *et al.* 2013:169).

Bricolage, thus, is defined as the “constant reuse of the old to make the new” (Johnson 2012:369), and it highlights the everyday improvisation and informal negotiations that characterises hybrid institutional arrangements, which are neither entirely customary nor wholly bureaucratic (Cleaver 2012; German *et al.* 2017; Cleaver and Whaley 2018). Tobias Haller contends that institutional bricolage occurs in a more formal setting because it stresses the “contested power specific and strategic notions inherent in such processes” (2019:10). However, many researchers use this approach to probe situated, messy arrangements toward natural resource management, which often extends beyond the formal and informal debate. Building on Cleaver’s point, institutional bricolage is more than just the interplay of different organisations; it is also a reflection of their underlying framings, worldviews and perspectives on land and resource governance. Thus, there is a mashup of information, beliefs and notions about nature and existence. Consequently, the customising of ‘materials at hand’ by the various bricoleurs is the core of hybrid rangeland governance, and thus, assembled to meet collectively valued outcomes.

Therefore, the notion of institutional bricolage enables us to understand how institutions are socially formed and practised through people’s everyday actions. It also casts light on how practices of assemblage are imbued with authority to become acceptable and meaningful. Bricolage encourages researchers to look at “how macro and micro processes interact and shape people’s actions and their ability to form and work with institutions” (Cleaver *et al.* 2013:184). It is an “authoritative process, shaped by relations of power” (Cleaver 2012:49) that enables the individual to be socially fit, and accepted and validated by others. A critical area of study for land governance is determining who the bricoleurs are, who builds institutions in response to changing circumstances, and who gains and loses in the process. Thus, bricolage elucidates the nature of relationships among diverse bricoleurs, including the various levels of government, monasteries and pastoral communities in the Chinese -

Tibetan context. However, to understand the limits of this practice and the contestations around bricolage, one needs a political economy approach to uncover power relations. Rules, roles and relationships all alter in response to changing circumstances: thus, pluralism, or the concept of customising institutions for use in a variety of contexts, is another way of thinking about hybrid rangeland governance.

2.3.2 Pluralism: Making Rules in Plural Contexts

Understanding the numerous arenas where norms, responsibilities and relationships are modified is important, based on the concept of bricolage. A complementary idea is 'legal pluralism,' which examines the cooperation, interactions and competitiveness between distinct or overlapping normative systems (Joshi 2020). The literature on legal pluralism has studied the dynamics between normative systems in a vast number of areas of "interaction between individuals, individual(s) and institutions, and between institutions" (Sic) (Reyntjens 2016:354). Vanderlinden defined pluralism as "the existence, within one given society, of different juridical mechanisms that apply to identical situation(s) (Sic)" (1972:19). A great number of studies have shown that numerous regulations, including state, religious, customary and local practices, coexist, hybridise and interact, all of which create the framework for asserting property rights (Berry 1989; Lund 2008; Moritz 2017; Berry 2018; Robinson 2019). Legal pluralist frameworks focus on the co-existence and interaction of multiple legal orders or rules within a social domain (Goodale 2021; Merry 2013, 2014). This approach underlines how individuals employ multiple rules to justify and legitimise their decisions regarding resource control and access (Meinzen-Dick and Pradhan 2002). K. von Benda-Beckmann refers to this framework as 'forum shopping,' in which individuals use a variety of contexts or forums depending on which law or interpretation of law they believe is most likely to support their claims. However, as the word 'legal' implies, the legal pluralist framework frequently lacks engagement with the deeper social, cultural and emotional dimension of rule-making. Thus, incorporating the everyday rules becomes necessary; these rules here refer to the collectively constructed notions and practices, which are always unwritten and in the making. Thus, legal pluralism has both legal and non-legal characteristics, and both are significant in the study of rules in plural contexts. Official, formal, written rules are always blended with unofficial, informal and unwritten norms, and these norms are frequently adopted by different actors consisting of the state, local governments, investors and the pastoralists to either accomplish the state-funded projects, or to claim and defend rights to land for the *de facto* gain.

This notion of legal pluralism is also critical for comprehending adaptive co-management⁸, which is necessary for sustainability and a requirement for improved resource governance performance (Chaffin, Gosnell, and Cosens 2014; Eshuis and Gerrits 2021). As Lund indicates, “while a plurality of institutions may open up new avenues, also for poorer people, it is generally the most affluent, the better connected and the more knowledge who have (the) upper hand in such contexts” (Lund 2007:27). Adaptive co-management, according to many researchers (Folke *et al.* 2005; Olsson *et al.* 2004), is the legitimacy and representation of diverse interests. Co-management entails power-sharing between the state and local community of resource users, with varied degrees of collaboration. This emphasis is on participation of resource users “at local scales, connected across governance levels, and often tailored to specific places and situations that are supported by, and work with, various organisation at different levels” (Hasselman 2017:37). Adaptive co-management establishes links for shared learning-by-doing between various actors, and learning is essential to the system’s ability to adapt to changing conditions. Thus, adaptive management requires a diversity of rules and institutions to manage these learning processes, in which more recent rules, regulations and projects are filtered through existing layers of rules and institutions, and through this, are reinterpreted in ways that respond to local needs.

State institutions are never definitely formed, but that “a constant process of formation takes places” (Lund 2006:697). According to K. von Benda-Beckmann and Eckert, pluralism notes the forms of “devolution of governance competence from the state to alternative organisation” (2009:5), and helps to understand the complexity of intertwined relationships between different rules on the ground, as well as

⁸ Terms, such as ‘adaptive management,’ ‘adaptive co-management’ and ‘adaptive governance’ often overlap. Adaptive management, according to Hasselman, “is a systematic process for improving policy and its implementation. It seeks to address at least one type of uncertainty with varying emphasis on experimentation to discover new knowledge; participatory processes to engage multiple perspectives in decision-making; and monitoring of outcomes and changes with responsive adjustment” (2017:36). Olsson *et al.* (2004:2) define adaptive co-management as “knowledge generation of ecosystem dynamics and the capacity to respond to ecosystem feedback among local resource users, and steward associations tend to be integrated with management practices and evolve with the institutional and organisational aspects of management in what we refer to as adaptive co-management systems. Adaptive co-management is a type of adaptive management that empowers resource users and managers in experimentation, monitoring, deliberations, and responsive management of local scale resources, supported by, and working with, various organization at different levels” (Hasselman 2017:37). And adaptive governance has “at least four essential parts: understanding ecosystem dynamics; developing management practices that combine different ecological knowledge systems to interpret and respond to ecosystem feedback and continuously learn; building adaptive capacity to deal with uncertainties and surprise including external drivers; and supporting flexible institutions and social network in multi-level governance systems (Folke 2006: 262).

providing an aspect to consider “the dynamism in property rights, as different legal frameworks do not exist in isolation, but influence each other and can change over time” (Meinzen-Dick and Pradhan 2002). After all, rules are not settled; formal, official, legal rules interact with informal, unofficial and illegal regulations, and they are always evolving in response to the changing of contexts. While pluralism provides a framework for investigating how norms are improvised in plural settings for adaptive management, the ongoing negotiations and contestation between different resource users are sometimes overlooked in reality.

2.3.3 Negotiating with the State and Local Authorities

Many looked at how negotiations over access and property intersect with the formation of state power and authority (Sikor and Lund 2009). Critical institutionalism aims to explore how various “institutions dynamically mediate relationships between people, natural resources, and society” (Cleaver and Koning 2015). The conventional understanding of political control highlights the coercive and formal mechanisms from the state. However, states have not been the sole institutions conferring property rights; the everyday political control of the state is informal and ambiguous on the ground (Mattingly 2019). In the eyes of many researchers, state authorities are perceived as highly political, authoritarian, repressive and bad. However, empirical studies from the ground illustrate much more complicated and mosaic pictures, for instance, the fluid relationship between government and religious institutions in the pastoral peripheries. Since the 1980s, highly ranked monastic lamas and incarnates have become both bureaucratically and religiously entitled, and hold significant political and cultural power. States and governments prioritise these religious individuals to fulfil their nation’s building objectives by manipulating these elite groups and their social network, power relations, cultural impact, charismatic (in the Weberian sense) influences and prestige to play as mediators (Hillman 2005a).

Local governments create space and arenas for the participation of these individuals and groups in negotiating, bargaining and competing for resource governance on the ground. Thus, local informal institutions, such as incarnates and monasteries, not only function as a public service provider but also generate increased support for the government in rural China (Heilmann 2017a). Local governments may, intentionally or not, prefer to ignore policies that are defined by the central government, but they are still “compelled to follow national policy conceptions and spend time formulating and justifying local development policies that do not contradict nationally defined priorities” (Heilmann and Perry 2011; Heilmann 2017:157). Nonetheless, if the central government maintains conducting top-down policies through centralised mechanisms as they did during the People’s Commune, “the fragility of the political system will increase and its ability to learn from and to correct policy mistakes will decrease, rendering

the system both rigid and inflexible” (Heilmann 2017:222); and as Emily Yeh (quoted from Squires 2010:2) concluded, “the success of any policy depends on how the policies are implemented locally,” and the implementation of macro-designs is never a direct conversion at the micro-level.

Land politics is defined as “the land-based social relations between social classes and groups with society, and between the state and society, that are structured by formal and informal, state and non-state rules, procedures or norms, and the degree of autonomy and capacity of actors to understand their situation and take actions to maintain or change it” (Franco and Borrás 2021:1279). Policies that promote land tenure security (Schumbert and Heberer 2015), no matter whether it is the property rights reform (Chin, *Sanquan fenzhi*)⁹, ecological civilisation¹⁰ (Chin, *shengtai wenming jianshe*), or rural revitalisation (Chin, *Xiangcun zhenxing*)¹¹, are all market-oriented and lack the fundamental elements of redistribution, recognition and restitution (Franco and Borrás 2021). “Politics involves actions, debates, decisions, conflicts, and cooperation by and among individuals, groups, and organisations regarding the control, allocation, and use of resources” (Kerkvliet 2005:21). This is to say that politics is not restricted to activities within the hands of authorities, whether it is the government or other organisations. In China, the Communist Party rule had proven to be adaptive, “not because of its institutional foundations but because of a pervasive policy style that encourages diverse and flexible responses to fundamentally redefined development priorities and to large-scale changes in the domestic and global environment (Heilmann and Perry 2011:23). Many define policy-making in China as the ‘guerrilla style,’ which is “a process of continual improvisation and adjustment that shapes itself in the making” (Heilmann 2008; 2011:12-13). Thus, guerrilla-style policy-making is structured in such a way that it embraces uncertainty in order to benefit from it. However, the transmission of this adaptive policy-making style is not just challenged by the socio-economic changes and state preferences, but also significantly depending on how provincial governments, as the direct agent of the central government, reformulate the general

⁹ The separating of three property rights reform (SPRR) is aimed at rectifying the property rights in China; this reform divides rural land property rights into three components: non-tradable ownership, non-tradable contractual rights, and tradable land-use rights (Gongbuzeren et al. 2016; Li et al. 2018; Yang et al. 2020).

¹⁰ Ecological civilisation, a concept inherited and vigorously promoted by President Xi Jinping, that advocates balanced and sustainable development, has been highlighted as a keyword for northwest China’s Qinghai province (China Daily 2021). The long-term goal is to build a complete industrial chain for green businesses and position the province as a firm pillar of biological safety for the country. Qinghai has also announced it would take the lead in the country, achieving a carbon dioxide emission peak by 2035 (Qinghai Gov 2021).

¹¹ According to China’s strategic Plan for Rural Revitalisation (2018-2022), rural revitalisation aims to realise the comprehensive revitalisation of industry, talent, culture, ecology, and organisation in rural areas with the ultimate goal of modernising agriculture and rural areas throughout the country (Xinhua News Agency 2018). The RR’s requirements include industrial prosperity, ecological liveability, rural civilisation, effective governance, and personal prosperity. Important ways to accomplish the goals of RR include cultivating “new professional farmers, revitalising the rural stock of construction land to ensure land demand for rural development, strengthening high-standard farmland construction and protection of cultivated land to increase agricultural production capacity, and improving rural human settlements through comprehensive consolidation of villages” (Zhou et al., 2020:6; Kit and Tang 2019; Jun Yang and Sheng 2021).

central policies ‘into implementable government documents’ (Ma and Liu 2021:2). As some scholars define it, local governments and officials in rural, pastoral China prioritise funding-oriented task fulfilment rather than rangeland protection and landless pastoralists. This is due to the upwardly accountable system (Heilmann and Perry 2011; Nyima 2021b), where “local cadres are not responsible to local citizens but to higher-ups” (Heilmann and Perry 2011: 270); and “bureaucrats have neither the incentive nor the authority to address the mismatch between policy implementation and local demands” (Nyima 2021:3).

The notion of ‘everyday politics’ and political reactions ‘from below’ (Hall *et al.* 2015) distinguishes the often surreptitious, mundane and subtle expressions and actions from the official rules and regulations, no matter whether formal or informal. “Everyday politics occur where people live and work and involves people embracing, adjusting to, or contesting norms and rules regarding authority over, production of, or allocation of resources” (Kerkvliet 2005:22). Everyday resistance is more varied and complex on the ground; it takes different forms, such as discontent, nicknames, sarcasm and gossip in everyday life toward particular rules, abusive local officials, government failures and corruption. Most of these struggles are indirect and entwined with everyday life. Different forms of resistance take place when people are relatively powerless to contest, negotiate and improvise the dominant procedures, rules, regulations and order, and these resistances lead to participation and negotiated outcomes.

The state-local relationship is diverse and rapidly changing, corresponding to the development of state policies and the local conditions. The notion of ‘indirect recognition’ (Lund and Rachman 2018), which highlights the indirect property claims in everyday situations, and indirect recognition can, as the authors write (417), “perform important legal and political work, and serve as pragmatic proxies for formal property rights.” This notion also sheds light on how pastoralists, when direct claims to resources are impossible to pursue, seek indirect claims to legitimize their presence and their resource use and access, and the recognition of their rights. The probe of everyday politics is to have a better understanding of the contested relationship between the state and local society, and to “realise that institutions that construct hybrid governance are not often operate in the shadow of the state, rather with the line between the formal and informal, state and non-state is blurry and often overlap (Sic)” (Reyntjens 2016:34). Thus, the notion of everyday politics helps to see the hybrid rangeland governance through the everyday struggles of the pastoralists to defend and claim their rights toward resource use and access.

Although the practices of bricolage, pluralism and negotiation often overlap, they are also complementary to each other, as all practices stress the role of institutions in modelling everyday life.

The practice of bricolage is highlighted in this research because it demonstrates the authoritative process shaped by power relations, the practices of incorporating local institutional arrangements into broader governance frames, and the everyday improvisation and informal negotiations that characterise hybrid institutional arrangements. Bricolage focuses on how evolutionary relational processes can induce different patterns of social interaction (Cleaver 2002; De La Cruz S. and Dessein 2021) and how resource users patch together dynamic institutions (i.e. values, norms and beliefs) to ensure use and access. While it is critical to understand the diverse contexts in which norms, responsibilities and relationships are modified, legal pluralism examines the cooperation, interactions and competition between different or overlapping normative systems.

The practice of pluralism underlines how individuals employ and choose multiple rules to justify and legitimise their decisions regarding resource management, although by no means a free choice, between different institutions. Pluralism, thus, centres on individuals' rule selection for the right to benefit. The state and local relationship is not always top-down or one in which the state is bad and the local is good. Continuous negotiations and contestation occur between diverse stakeholders, which dynamically alter the rangeland governance in response to the state policies and the changing conditions. Thus, negotiation spotlights the making of dynamic social networks and their implications for rangeland governance. After all, all these practices are interrelated and raise the "how" question, specifically how connecting disparate elements are arranged under tension and uncertainty. All these practices happen in a non-linear, messy, and changing environment.

2.4 Institutional Hybridity

In contrast to Western interpretations, institutions in the Chinese context, as Fei Xiaotong, student of Bronislaw Malinowski, defined the relationship between institutions and rural management as "*Xiangtu Zhongguo*," which refers to the idea of 'rural China,' is an unseparated part of the state (Hamilton and Zheng 1992). Fei noted in his milestone book, '*Rural China (Xiangtu Zhongguo*¹²),' informal institutions, such as traditional beliefs, rituals, perceptions and ways of conduct are not backward or ancient, as the dominant narratives portray. They are not opposed to the concepts of 'modernity' and 'progress,' on the contrary, these informal institutions play a significant role in resource management practices (Li 2004). Fei's work had accelerated the study from the lens of institutions in rural settings, and a scholarly focus on the informal institutions in rural China. Following Fei's initial work in rural China, scholars such as Li

¹² 乡土中国, *Xiangtu zhongguo*, a work first published in 1947 and translated into English as 'From the Soil: The Foundations of Chinese Society' (Hamilton and Zheng 1992).

Peilin expanded Fei's idea of '*Chaxu Geju*¹³,' where '*Chaxu Geju*' refers to a collection of 'informal institutions' found in rural settings. In his paper, Li explored the significance of conventional morality, family networks and personal connections, as well as the ways in which these informal institutions reshape rural society (Li 1995). Dang Guoying (2001) expanded the scope of 'informal institutions' to include morality, religion, ritual, patriarchal system, classics and culture, detailing the impact of these on social stability.

Throughout Tibet's history, various institutions, such as the monasteries, regional chieftains, kinship-based alliances and the Karsha (the Tibetan central government) have been critical in enforcing laws and regulations on land governance. Since the early 1980s, re-nomadisation (Gruschke and Breuer 2017) and de-centralisation (Heilmann and Perry 2011) along with the revitalisation of Tibetan Buddhism (Yü 2012; Heller 2020) have triggered the emergence and re-emergence of religious institutions on the ground. At the same time, new forms of institutions and organisations in rural pastoral regions are taking shape through state development schemes and externally-funded projects from both international and national organisations (Tsering 2019). With the 'Reform and Open' programme since the rise of Deng Xiaoping and his proactive market-economy reform that started from 1992 after his Southern Tour (Harvey 2005), several 'Special Economic Zones' in the eastern coastal regions were initiated with national and foreign investment (Howe *et al.* 2003). This state-led, instrumental, economic reform did not only create an economic imbalance between the east and west, but also social insecurity and political instability (Barnett and Akiner 1996). The incomplete autonomy in autonomous regions and prefectures¹⁴, the ineffectiveness of formal institution on the ground, and contexted-based institutional designs in these 'under-developed Western Regions' of China, in particular the Tibetan plateau, had offered an arena for informal institutions and organisations to thrive and be authoritative representatives on the ground (Tockman 2014).

Over the last half-century and more, the implementation of "Land Reform" in the late 1950s (Goldstein 1997), the "Western Great Development" project in the 2000s, and the constant influx of the state development projects (Yeh 2013) and non-Tibetan populations into the Tibetan Plateau (Holdstock 2015) have resulted in major socio-cultural changes, including increased social marginalisation and stigmatisation of Tibetan pastoralists as conservative and backward (Yu 2012). As a result of this, social exclusion (Fischer 2005), rangeland disputes (Yeh 2003; Gelek 2017) and social disparities have developed (Gruschke and Breuer 2017). Additionally, these state-led development policies, in

¹³ 差序格局, *chaxugeju*, translated as 'differential mode of association.' Chaxugeju refers to a "pattern of oscillating but differential social circles" (69). It is an abstraction of familial relationships broad enough to encompass the extensions of kinship ground in rural China (Barbalet 2021:360).

¹⁴ There is a total of 5 Autonomous Regions and 30 Autonomous Prefectures in China (Gov 2019).

conjunction with anthropogenic disturbances, such as mining, road construction, hydroelectric dam-building, and others, as well as climatic change, have created a slew of social and environmental challenges and uncertainties in Amdo Tibet.

The existing Chinese literature speaks about particular forms of hybridity, often a mix of state policies with variations of implementation and improvisational strategies from the ground, which some scholars define as ‘the guerrilla style’ policy-making (Heilmann 2017b; Zeng 2020). Hybridity analysis and its relationship to Tibetan plateau rangeland governance are, however, rarely explored in China. Rangeland governance is always polarised as either private or communal, considered to be a shift from genuine communal to private use in the Tibetan-Chinese context, and ultimately ended up with the ‘grassland contracting policy’ from the 1980s, and yet, on the ground, rangeland governance appears more complicated, dynamic and flexible. Here, at this level, the differences between ‘right’ and ‘ability’ help to clarify the ‘enforceable claim’ (Peluso and Ribot 2020) and the ability to access, under the rangeland use right, contract policy in pastoral regions (Nyima 2021b). Ownership and use rights had been authorised from the contract, where the contract claims the contractor's use right; however, do contractors have the ability to constrain the use and access to the contracted rangeland? As Peluso and Ribot (2020) raise in their latest piece, do formal rights, in this case, the use rights that the state guarantees, ensure access in reality? Unfortunately, this is always fuzzy and messy on the ground. Thus, it is important to shift the analytical focus from “hybridity as a form to an ongoing process of mixing and reconverting sources of authority and powers to adapt them to changing conditions of resource distribution and reconfigured political orders” (Albrecht and Moe 2015:7)

Apart from the mainstream land governance models, scholarly critics and different models of land governance are proposed. For example, Mark Moritz proposes the concept of ‘open property regime.’ As he notes, that with the right circumstances, livestock herders will dynamically distribute and redistribute themselves without collective or centralised decision-making and rules - in other words, in open access conditions - and that this results in optimal allocation of resources, and also avoids the tragedy of overuse, predicted by commons theory in open access situations (Moritz 2016). In their research from the Fakara region of southwestern Niger, Turner and Moumouni realise that the control of village territories deviates strongly from the common notions of private and common property, where the village territories appear to be a diverse landscape with parcels of mixed property rights, which they call ‘mosaic property.’ According to Turner and Moumouni, these rights “do not include clear, unfettered private property or property claimed equally by members of the community” (Turner and Moumouni 2019).

Lance Robinson developed the idea of ‘complex mosaic regimes,’ which applies in settings that are neither conventional commons nor open property regimes. In these settings there is a gradation of strength and clarity of exclusionary property rights over different resources: property rights are often unbundled and allocated to different actors and governance mechanisms, and a prominent role is played by social processes and governance mechanisms other than property rights institutions (Robinson 2019). Roy Behnke elaborated another model referred to as sovereign pastoral commons. He argues that in many pastoralists’ systems the securing of access to a large territory, and an inclusive and flexible approach to group membership, which builds the political and military strength needed to secure that territory, are prime concerns. These priorities take precedence over some of the characteristics normally assumed to be fundamental to effectively-governed commons, such as clearly defined group and territorial boundaries and the existence of rules to prevent the overuse of resources (Behnke 2018a).

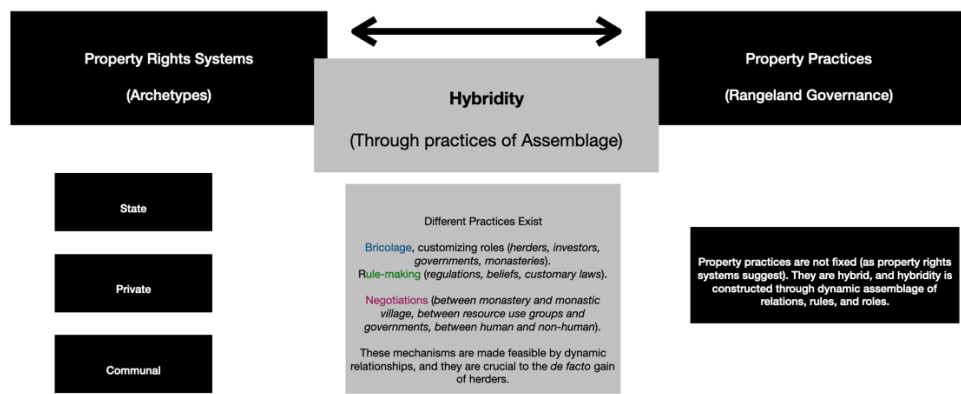


Figure 2.1: From Property Rights to Property Practices in the Tibetan-Chinese Context.

Nevertheless, this research examines how hybrid rangeland governance is constructed and whether it matches the expectations of the different ‘new’ tenure models suggested; and how do the three practices of assemblage relate to different perspectives on hybrid rangeland governance. The term ‘institution’ in the Tibetan-Chinese context refers to both the formal and informal rules. In the case of rangeland governance, institutions spotlight the norms, relationships, and roles of different stakeholders. Based on this, hybrid rangeland governance is constructed through different practices of assemblage, including bricolage, pluralism, and negotiation. As aforementioned, these practices are often complementary to each other, and all convey the practice of fusing disparate norms in order to achieve desired outcomes for resource users. Hybrid rangeland governance in the Tibetan-Chinese context is placed on fluid property practices, thus, not just placing emphasis on function over formation, but also

indicates a critical shift in the study of institutions and hybrid (rangeland) governance, further connecting ideas of bricolage, pluralism, and negotiations with hybrid governance. Thus, hybrid rangeland governance is about the fluidity of processes and practices that determine resource governance, not the multiplicity of the property rights systems (see fig 2.1).

How does hybrid rangeland governance in Amdo speak to the recent rangeland governance literature? The practice of bricolage highlights incorporating local bricoleurs into decision-making and implementation of rangeland use, and, therefore, shifts the debate about resource governance away from representations of the resource users toward everyday participation and co-management. Bricolage emphasises utilising pre-existing relationships within local society, particularly the interdependent relationship between different resource use groups in the given context, which determines use and access to the resource. Bricolage bears resemblance to the idea of complex mosaic regimes proposed by Lance Robinson, particularly the emphasis on mosaic property practices rather than fixed property rights. Thus, bricolage-centred hybrid rangeland governance associates with the concept of a complex mosaic regime in which resource governance is carried out through the practice and collaborations of different stakeholders.

The practice of pluralism is analogous to the nested property rights proposed by Qi and Li, but emphasises functions rather than formations. In this sense, pluralism-centred hybrid rangeland governance stresses the “strategic selection of laws, rules and regulations in plural institutions to declare and legitimise assertions of control over resources, which are under increased pressure” (Haller 2020:2). However, resource users are not engaged in a struggle for property rights in these cases, but rather, are scouring multiple institutional contexts for the rules that work best for *de facto* gain, such as the normative governing Grassland Household Contract (GHC) and the Grazing Quota System. Pluralism demonstrates the resource users’ capacity and ability to mingle with a variety of rule scenarios in the face of change and uncertainty.

Negotiation is critical in all practices of assemblage, though access to negotiations varies from case to case. All of the land tenure regime models discussed previously emphasise the importance of negotiation between diverse stakeholders in establishing co-production and co-management. Hybrid rangeland governance, based on negotiation, has always been a challenge in the Chinese-Tibetan context, as political structures vary, policy directions differ, and the interrelationships between stakeholders determine who has more and who has less access to negotiate. This is consistent with Roy Behnke’s concept of sovereign pastoral commons, in which access to resources is conditional on community sovereignty, and sovereignty is often determined through negotiations and contestations

among resource users. The state, on the other hand, is active and heavily involved in all aspects of rangeland governance in Amdo Tibet, though scales vary according to variables, such as distance to the centre, local community capacity for self-management, or a lack of transportation and interest in development.

All these practices are context-dependent, as the institutional variables governing them, such as roles, rules, and relationships, change in response to uncertainty. Hybrid rangeland governance is not fixed and regulated, rather, it is suitable management, in which rangeland governance is often in the motion of adapting itself to changing policies, regulations and unpredictable conditions. After all, institutions in the Tibetan-Chinese context go beyond the conventional distinction between formal and informal debate. Institutions are not fixed, they are rules, roles and relations that often evolve in response to changing contexts. Based on this understanding, the notion of assemblage enables a nuanced analysis of various rangeland governance practices (see fig 2.1). Three practices of assemblage are identified in this research: bricolage, pluralism, and negotiations with authorities. These practices generate multiple, overlapping routes to institutional hybridity, defined here as the fluid co-constitution of institutions through bricolage, plurality and negotiation determined by various actors. Thus, hybridity is not a new phenomenon, it has been historically structured and improvised in response to changing circumstances and has remained a crucial mechanism feature of rangeland governance in the region.

This notion of hybrid rangeland governance, as practices of assemblage that combine heterogeneous elements, such as rules, relations and roles among resource user groups for *de facto* gain, contribute to the commoning literature's focus on social processes and relations. The term 'commons' or the 'Common Pool Resources (CPRs)' refers to something distinct from the property rights systems governing and managing them. According to Ostrom *et al.* (1999), "commons refers to regulated resource use, as opposed to open access, which lacks property arrangements" (19). However, 'new commons' and the commoning scholarship have shown the importance of treating commons as significant social dimensions, as well as the question of how "individual and collective acts are not always conscious, but rather are relational outcomes of subjectification¹⁵, individual agency, emotion, and embeddedness within larger political economies" (Nightingale 2011; 2013; Velicu and García-López 2018). Commons is not a resource or place, but rather "a set of more-than-human, contingent relations-in-the-making that result in collective practices of production, exchange and living with the world"

¹⁵ A concept that comes from Foucauldian-inspired feminist theory and refers to the processes whereby subjectivities come into being, and subjectification occurs as power is internalised and re-expressed (Butler 1997; Nightingale 2019). As such, subjectification is a dynamic process that can change over time and space.

(Nightingale 2019:18). Commons is the social form¹⁶ of matter that is constructed through practices of commoning¹⁷, the core of what makes commons what they are (Euler 2018), and which is a set of social practices and performances that foster new relations and subjectivities, but these relations are always contingent, ambivalent outcomes of the exercise of power (Nightingale 2019:16). Rather than seeking to cement property rights, relations of sharing and collective practices are the backbone of durable commoning efforts.

Therefore, the commons are not just resources to be governed through new institutional arrangements, but a whole suite of personal, political, ethical, and relational practices around the production of value and solidarity that emerge in the new commons, from the internet to collective approaches to finance or urban living. Commons do not simply exist, they are dependent on the relationships, the type of interactions, that people have with each other and with the goods in question (Helfrich and Heinrich-Böll-Stiftung 2009:25; Helfrich 2012:61). Thus, commons are part of a web of relationships, both concrete matter and a process in motion, all in one (Bennholdt-Thomsen 2012:83). Critical property studies have expanded the definition of 'property' from a focus on institutions and rights, to conceptualise property as a relationship that links social actors with objects of value (von Benda-Beckmann *et al.* 2006; Sikor 2008). Furthermore, property rights are meaningless if they cannot be exercised, and many contexts have overlapping and competing relationships that govern resources (Peluso 1996; Lund 2008; Sikor and Lund 2009; Côte and Korf 2018). Property in this sense is conceptualised as power-laden social relationships that emerge around land or resources, rather than an object or rights (von Benda-Beckmann *et al.* 2006; Sikor and Lund 2009).

Conclusion

Top-down policies and interventions on rangeland governance have resulted in reconfiguring the socio-economic status of the pastoralists. Furthermore, reshaping everyday habits and institutional arrangements toward the governance of natural resources, increasing uncertainties and changes have placed pastoralists under significant stress. These rapid changes have been intensified in recent years

¹⁶ “A social form shapes the materiality of the matter. It is the shape that a matter becomes if people interact with it in a specific manner” (Euler 2018:11).

¹⁷ “opportunities for individual growth and self-development are combined with the search for shared solutions, meaningful activities with extended and depend relationships, and the creation of material abundance with the care for others and for nature. Living together like this was and still is practised to various degrees all over the world. In the process, commoning has to be repeatedly scrutinised, updated, and rehearsed in order to remain embedded in everyday life. This can never be taken for granted, and needs a suitable framework which currently we can rarely find” (Acksel *et al.* 2015:134).

by large-scale infrastructural and livelihood initiatives funded by conservation and development ideologies, which have resulted in the resettling and fragmentation of pastoralists and their rangeland. However, the conventional perception toward the role of the state as repressive, dominant and bad is unlikely to be the reality on the ground. Rules and arrangements toward rangeland governance are always fuzzy and messy in the middle, thus, utilisation and access to land are beyond the private versus communal debate.

This thesis probes institutional hybridity by focusing on bricolage, pluralism, and state-local negotiation, which will aid in understanding how diverse institutions combine, adapt and compete in response to climatic, political and economic factors. This also poses the question of how land governance works on the ground and how this construct hybridity manifests itself in the context. This research will contribute to a wider literature on rangeland governance as negotiated, complex and everyday practices on the ground by analysing these changes. In addition, the research will add value to studies on institutions in development, linking to the importance of hybridity and institutional bricolage. In summary, this research contributes to the study of pastoralism and resource tenure beyond the conventional private versus communal debate and therefore brings a more nuanced understanding of the land control debate in China. The history of state-v-local interactions over land in Tibet over the last 60 years has resulted in a complex institutional arrangement (Banks 2003), with state policies and institutions interacting with monasteries and traditional pastoral community arrangements. As a consequence, how land is controlled is, therefore, highly complex, with many historical influences, which vary across the region and over time (Gruschke 2012). Different sources of uncertainty have influenced land control, ranging from environmental, social, and political, to economic changes. Hybridity of formal and informal institutions is central, but always changing, and how these kinds of institutional arrangements affect access to, and control over, land in Amdo, therefore, requires a nuanced, bottom-up study. In order to present hybrid rangeland governance through the notion of assemblages better, this research has chosen two pastoral settings in Amdo Tibet.

Chapter 3

Introducing the Study: Case Study Sites and Methodology

Introduction

Grassland¹⁸ accounts for China's largest land resource, covering nearly 41% of the total landmass (Ho 2016). The Qinghai-Tibet plateau¹⁹ is one of the world's largest pastoral areas, with 300 million ha, 257 million in China. Plateau rangeland is primarily composed of alpine meadows, which account for 44.6% of the total rangeland area and another 28.8% of alpine-steppe (Bureau of Natural Resources 2019). With the substantial rangeland area for grazing, the Qinghai-Tibet plateau became one of China's major pastoral areas, supporting approximately 30 million sheep and goats, and 12 million yaks (Wen *et al.*, 2013). Rangelands in the Qinghai-Tibet Plateau provide forage for around 14 million yaks and 50 million sheep, supporting 5 million pastoralists and agro-pastoralists (Sheehy *et al.* 2006; Xu *et al.* 2014). This rangeland and the livestock-based system helps pastoralists confront uncertainties due to the harsh environmental conditions and persistent, ever-changing political and economic trends (Sheehy *et al.* 2006).

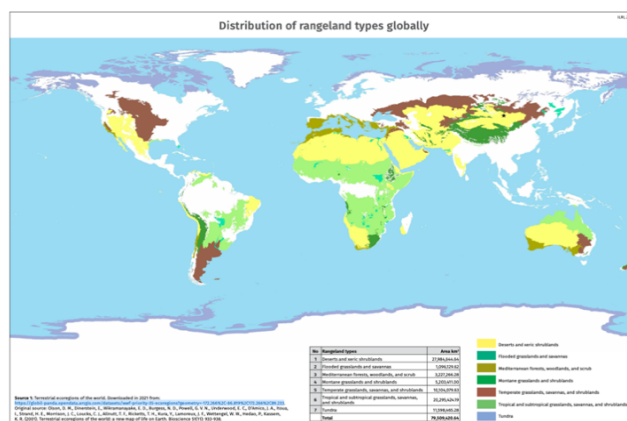


Figure 3.1: Distribution of Rangeland Types Globally (ILRI *et al.* 2021).

Qinghai Province is located in China's geographical north-western region. The high plateau of Qinghai is covered by mountains with about 80% above 3,000 meters above sea level (asl). In 1958, Qinghai was founded as an autonomous region comprised of Tibetans, Hui Muslims, and Mongols, each as autonomous administrative prefectures for each ethnic²⁰ (Qinghai Government 2019). Qinghai province

¹⁸ Grassland covers approximately one-fifth of the earth's land mass, and the countries with the largest area of grassland are, respectively, Australia, Russia, and China, with an estimated 6-8 per cent of the world's total area located on the Chinese mainland (World Bank 2011).

¹⁹ བོད་བླ་སྒྲུབ་པ་མཆོག་། in Tibetan or 青藏高原 in Chinese, the Tibetan Plateau or Qinghai-Tibet Plateau.

²⁰ *Minzu* 民族, in Chinese, ethnicity, or sometimes translated as nationality or minority in the Chinese context (Xiaofei and Sutton 2016).

features substantial geographical contrasts, and its abundant natural resources, including hydropower, solar, wind and animal husbandry, are in the leading position in China (Hu *et al.* 2021; Qing, Li, and Zhao 2021). The landscape of Qinghai is diverse, with snow mountains and hills, lakes, deserts and flood plains, and bases cut through by the Yellow River. Grassland was discovered to cover approximately 49% of the region's total surface area (Qinghai Resource Bureau 2017). The grasslands are spread throughout the alpine meadows in the middle, alpine steppe region in the east, and hilly pasture located in the south (Qinghai Resource Bureau 2017). Alpine pasture is the major land resource for the extensive pastoral livestock industry in Golok, Yushu, Hainan, Huangnan and Haibei Prefectures (FAO 2005).

3.1 Two Pastoral Rangeland Settings in Amdo

Amdo is roughly the size of France and occupies the north-eastern part of the Tibetan plateau (Pirie 2005, 2013), with the majority of the Tibetan inhabitants being pastoralists who speak the Amdo dialect and practise Tibetan Buddhism. Amdo was ruled by Mongol forces from the mid-16th to early 18th centuries, and then by the Manchus (Chin, *Qing* dynasty), who established Silang (Chin, *Xi Ning*), which is now the capital of Qinghai province (Guo 2016; Weiner 2020). In the early 20th century, the Qing dynasty's power waned. Their control over Amdo was supplanted by the Hui Muslims, whose administrative influences were largely confined to the north and east of Amdo (Pirie 2013; Goodman 2004; Li 2017). However, in the first half of the 20th century, the political roles of these various ruling polities were negligible. By contrast, relative autonomy existed, and monasteries and other local rulers, such as the tribal chieftains and the monastic elite, wielded authority (Goodman 2004; Hillman 2005). For instance, tribal chiefs were the local authorities in charge of rangeland allocation, and tribal members raised yaks and sheep, and traded their animals and animal products with the farmers. Each tribe maintained its army, monasteries and laws (Li 2016), and this traditional social system remained in place until 1958.

Like many other natural resource-dependent populations globally, Qinghai (also historically and culturally self-distinguished as the Amdo region) faces tremendous socio-economic uncertainties. Even though the two research sites, Lumu and Saga, are known for their richness in rangeland, livestock, and natural resources in Amdo, there are also variables that distinguish these two pastoral settings from each other. Contrasting variabilities, such as scales of state integration, influences from the monasteries, and of external interventions, are the key to probing the intensive negotiations toward land control and governance in Amdo. These variables are vital since they influence patterns of variability in pastoral systems and so, experiences of uncertainty. They also determine the practices of assemblage towards

rangeland governance variables, such as attention from the state and engagement of the local monastery. Moreover, other variables also determine rangeland practices, such as suitability for tourism, distance to the markets and distribution of natural resources, such as caterpillar fungus²¹. All these variables had shaped and are continuously shaping these two settings to different resource governances and pathways of development.

Variables	Lumu (Golok)	Saga (Kokonor)
Distance to Township Centre Market	76km	4km
Suitability for Tourism	Less suitable	Very suitable
Natural Resources (Caterpillar fungus)	Rich	Limited
State Investment	Small-scale Village Eco-tourism Centre	Provincial Level Tourist Hotspots; Lake National Park
Ethnic Composition	Tibetan	Tibetan, Chinese, Hui Muslims and Mongolian
Monastic Involvement and Influence	High	Low

Table 3.2: Variables from the study sites (tourism suitability extracted from Tang *et al.*'s study (2018), and scale of caterpillar fungus resources from (Gruschke and Breuer 2017).

A recent study showed that although the economic development of various regions in Qinghai has steadily improved, Golok Tibetan Autonomous Prefecture is still the least developed region in Qinghai (Qing *et al.* 2021). The differences in location, resources and industrial structure development are considered the main causes of this unbalanced regional economic development in Qinghai (Qing *et al.* 2021). 90% of the population in Golok derive their primary income from pastoralism, whether it is direct involvement in animal husbandry, animal food production or pastoralism-related economy. As statistics showed in 2019, animal husbandry and agriculture shared 18.18% of the gross regional domestic product in Golok. The commodity rate for livestock in Golok reached 24.07%, consisting of total production of 33 million kg of milk, 23 million kg of meat and 310,000 kg of sheep wool in 2019 (Dawu Gov 2020), and resulted in 5,981 yuan of per capita consumption expenditure (Qinghai Statistical

²¹ *Ophiocordyceps sinensis* is a fungus endemic to the Tibetan plateau, and noted from the Tibetan areas of China and from along-the-Himalayan-belt in Nepal, Bhutan, and India. "It is an *entomophagous* fungus feeding on larvae of certain populations or species of moths of Thitarodes. Infecting the larva, the fungus "consumes" the tissues of the host organism and completes its living cycle by producing spores which will infect new hosts. The *Ophiocordyceps*' hybrid look gave it its Tibetan (ཡར་མཁའ་ལྷ་མོ་ *yarsta gunbu*; དཔལ་ར་ཏུན་པུ་ *dbyar rsta dgun 'bu*) and Chinese name (冬虫夏草 *dong chong xia cao*) or "summer grass winter worm", as well as its English appellation: caterpillar fungus. It is used in medicinal production, as a diet supplement and in a rich "gift" culture" (Sulek 2011:9)

Bureau 2020). Comparatively, animal husbandry agriculture shared 24.5% of the gross regional domestic product in Hainan Tibetan Autonomous Prefecture, where the commodity rate for livestock reached 43.21%, and a total of 58.5 million kg of meat was produced in 2019 (Hainan Statistical Bureau 2020), and an average of 9,950 yuan for per capita consumption expenditure (Qinghai Statistical Bureau 2020).

As the table above shows, distinct variables exist, and among the many, the scales of state investment and the engagement of the monastery are crucial for patterns of rangeland practices on the ground. According to a study (Tang *et al.* 2018) on tourism from the climate effect in Qinghai, the Kokonor region in Hainan Tibetan Autonomous prefecture is very suitable for tourism, whereas Golok is marked between suitable and less suitable for tourism (2018). Beyond the focus on the climate variable, Tang and colleagues' study also highlighted the importance of geographic distance, road condition and transportation convenience to the major cities and markets. Their research concludes that the closer one place reaches the provincial and prefectural capitals, the higher suitability it gets for tourism (Hu *et al.* 2021). This makes sense since Kokonor is only 151 km away from Xining, the provincial capital, whereas by contrast, Golok is 538 km away from Xining. In addition to the distance measure, temperature and altitude variances also affected the different scales of investment and development of tourism in both settings, where Golok maintains an average of 0.8 °C and 4,200 meters above sea level (asl), and Kokonor is comparatively warmer and lower in altitude. According to the National Ethnic Affairs Commission of the PRC, in 2019 a total of 326,000 tourists visited Golok and generated 0.24 billion yuan of income for the tourist industry (NEAC 2019). Comparatively, 9,390,000 people visited Kokonor and generated a total of 2.54 billion yuan the same year (Hainan Prefectural Gov 2020).

Government investment in tourism not only accelerates the pace of using rural land and natural resources for recreational purposes, but also tourist performances strengthen provincial economy. The city of Xining, as the stop point for the influx of tourists, the distance, transportation convenience and altitude all exert significant influence on tourists' decision-making and propensity to visit Kokonor rather than Golok. In general, the tourism industry is more established in locations with a relatively low altitude, better economic conditions and dense road networks, which in turn attracts more public and private investment (Hu *et al.* 2021).

However, greater distance from the provincial capital, worse road networks and weak tourist performance may also create more space for the engagement of local institutions, such as monasteries, thus determining patterns of practice toward rangeland governance. The re-nomadisation and the 'revival' (Caple 2019; Jansen 2018) of Buddhism and mass monasticism in Amdo after the cultural

revolution and the start of the market-centred 'Great West Open Up'²² in China revitalised Tibetan Buddhist monasteries and monastic institutions to become powerful forces in the government's pursuit of its socio-political and economic purposes. Since the 1980s, the monastery and monastic elite have not just been engaged in macro-level policy implementation but also, in many cases, are highly involved in the everyday decision-making on rangeland control and governance. However, the scale of monastic involvement varies in Lumu and Saga due to the influence of the local monasteries, the constraints from local government and the changing interdependent relationship between the monastery and the pastoral communities over time and space. In retrospect, the local monastery in Lumu is influential and proactive, and is highly involved in rangeland and natural resource governance. By contrast, the local monastery in Saga is less influential, passive, and have often distanced themselves from engaging in rangeland and natural resource-related negotiations and decision-making.

As afore-mentioned, variables, such as distance to the centre and market, and suitability for tourism, have influenced different scales of policy interventions and investments from the state, engagement of the local monastery, and pastoralists' capabilities of benefiting from the land, thus determining distinct practices of assemblage. I have chosen to work in Kokonor and Golok, both of which are pastoral settings in Amdo. Apart from their shared rangeland richness and socio-ecological systems, these two settings differ in connectivity, natural resource dependency, monastery involvement and the scale of investment from the state. Various cases have been selected from Saga and Lumu to probe practices of assemblage, and these cases are aimed to seek explanations for the question of how different practices of assemblage construct hybridity in Amdo.

3.2 Saga Village

*"Tso Ngon Bo (Kokonor or Qinghai Lake)"*²³

You bear witness to history,

You are the hope of the future,

You are the source of happiness²⁴."

²² *Xibu Da Kaifa*, 西部大开发

²³ མཚོ་ངན་བོ་ *tsongonbo* or 青海湖 *Qinghai hu*.

²⁴ Quoted from the Tibetan song 'Tso Ngon Bo,' composed by Dun Dre Jar.

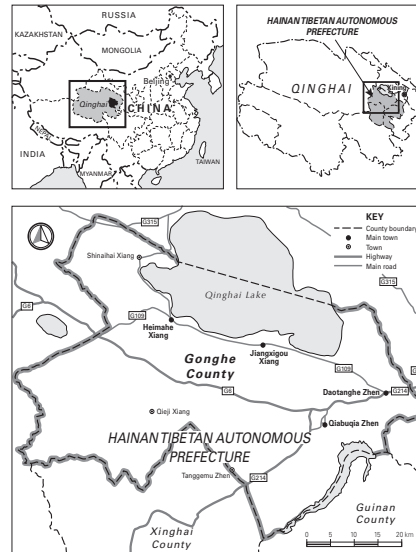


Figure 3.3: Saga in Shinai hai Township, Gonghe County, Hainan TAP, Qinghai.

Hainan Tibetan Autonomous Prefecture (TAP)²⁵ (also known as the Kokonor region and since referred as such) is one of the important pastoral regions in Qinghai Province. Hainan TAP covers an area of 44,500 kms, accounting for 10.4 % of the total area of Qinghai Province (FAO 2005). It is located south of lake Kokonor, with an average altitude of 3,000 meters (Wu et al. 2016), and with a total number of 4.66 million head of livestock (FAO 2005). Saga village is in the north-western part of the lake Kokonor region. With an average of 3,200m altitude, Saga has 366 households and a total of 1,245 people (Hainan TAP 2019). The pastoralists graze 65,434 head of livestock, and sheep account for nearly 87% of the total livestock numbers in Saga. The average income in Saga is slightly higher than in Lumu village, where an approximately 4,000 yuan renminbi (RMB) difference exists (extracted from Township Report 2020). Saga has become one of the tourist hot spots in Qinghai province since the early 2000s.

Altitude	Population	Households	Livestock Number			Rangeland (ha)		Land per person	Livestock for per person	Annual Income ²⁶ (RMB)
			Sheep	Yak	Horse	Winter	Summer			
3196 m	1245	366	56653	8088	693	13260	14267	22 ha	52	14183

²⁵ 海南藏族自治州 in Chinese and མངའ་སྡེ་མངའ་སྡེ་རིགས་རང་སྐྱོང་ཁུལ། in Tibetan.

²⁶ Annual productive value, based on monetary (Chinese RMB) income, also includes monetary valuation of livestock and rangeland, and the revenue created from the sale of marketable pastoral commodities over one year, i.e. meat and dairy products (butter, cheese, yogurt), land that leased and incomes from alternatives such as caterpillar fungus harvesting.

Table 3.4: Basic Livestock Numbers from Saga, Kokonor. (Data collected and integrated from Qinghai Provincial and County Level Statistic Bureaux, 2018 and 2019.)

Saga is five kilometres away from one of the regional tourist hotspots. For the last two decades, Saga has attracted massive investment from the state because of its richness in ethnic culture, biodiversity and natural resources, resulting in the boost of land prices and a better connection to the bigger market. Meanwhile, with the promotion of tourism within the Lake Kokonor region by the province²⁷, new forms of land control, such as land-grabbing from external investors, land expropriation from the governments for conservation prioritised projects, and land commoditisation for eco-tourism-centred development occur. This provides cases to explore the interrelationship, particularly how pastoralists and pastoralist communities negotiate with the state (leading to large-scale investments) and local authorities on land control and governance.

3.2.1 Cases from Saga

In Saga, four interconnected cases are identified to test the hybrid rangeland governance hypotheses, based on the contrasting variables. Firstly, the grazing ban and balanced rangeland management policy have been chosen to investigate how state regulations are improvised on the ground. Then the *rsta srun* case is specifically chosen to examine pastoralists' strategies for coping with policy uncertainties. Then there is the case of lake expansion and the development of tourism around the lake, which is chosen to demonstrate how pastoralists negotiate under uncertainties. All of these cases appropriately illustrate different practices of assemblage in Saga, probing hybrid rangeland and its associated features of pluralism and negotiation. These cases are not mutually exclusive; rather, they frequently overlap and are entwined, thus bringing various resource users, such as the pastoralists, the resource management bureau, the township government and the state to the stage, focusing on interactions, negotiations and contestation between these actors on resource governance.

3.3 Lumu village

"I rebel (*golok*) against those up there. I rebel against Tibet.

I rebel!

Against the orders of the Dharma King of Tibet.

I rebel!

I rebel, and the sky is with me.

The blue sky is with the rebellion (*ngo log*)!

²⁷ According to the Provincial Tourist Bureau (2018), over 3 million tourists visited Kokonor from May to early October, 2018.

I rebel against those down there, I rebel.

.....

We make our laws!²⁸

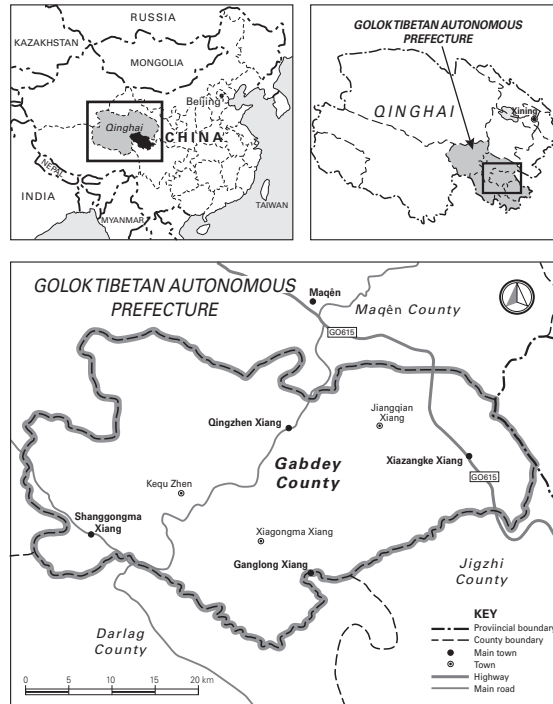


Figure 3.5: Lumu Village in Ganglong Township, Gande County, Golok TAP, Qinghai.

Golok Tibetan Autonomous Prefecture (TAP)²⁹ in the Three Rivers Region (TRR)³⁰ is the primary source of water for the Machu (Chin, *Huanghe*, or Yellow River), “with an annual 11 billion m³ river flow and seven operational hydroelectric power stations with a combined capacity of more than 10 GW. Golok is important to China for its contribution to the water supply, which is primarily provided by rainfall and melting ice (Buckley 2014:23). Golok’s ecological and cultural significance has also attracted continuous external investments in conservation and infrastructure development over the last two decades, including the establishment of a national park, a hydropower dam, a mineral water factory and an eco-tourism centre. All of these interventions increased the uncertainty and complexity surrounding the utilisation of, and access to the rangelands in pastoral Golok. Including rangeland requisition and

²⁸ Quote from ‘Journey among the Tibetan nomads’ (Norbu 1997:3).

²⁹ 果洛藏族自治州 in Chinese and མགོ་ལོ་གཙང་རྫོང་རྒྱུད་ in Tibetan.

³⁰ The Three Rivers Region (TRR) is a territory in China well-known for its rich biodiversity and cultural diversity. It is located in the province of Qinghai in the north-western part of the country. The TRR is ecologically significant because it contains the headwaters of the Yangtze, Yellow and Lancang rivers (also referred to as the Mekong).

land-grabbing from monasteries, pastoralists, and pastoral communities for the purpose of conservation and development, reconfiguring existing rangeland practices and arrangements, each with its own roles, rules and relationships, are involved in the process of rangeland control and use decision-making. It is critical to understand how these disparate institutions interact and are customised for different concerns through negotiations and contestations in order to comprehend the ongoing rangeland governance in Lumu, Golok.

According to the 2016 data from the county statistical bureau, there are 386 pastoral households, with a total of 1,271 people³¹ in Lumu village. Lumu holds total rangeland of 55,000 ha, and 54,000 ha is available for animal grazing. 29,000 ha of rangeland is contracted as winter-spring pasture since the 1980s; another 26,000 ha as summer-autumn pasture is mainly governed by the village and under collective use. There are 15,742 livestock in Lumu, mostly yaks and horses (Township Record 2019).

Altitude	Population	Households	Livestock Number			Rangeland (ha)		Land per person	Livestock per person	Annual Income (RMB)
			Sheep	Yak	Horse	Winter Pasture	Summer Pasture			
4,200 m	1,271	386	36	5,600	138	28,800	26,600	44 ha	4.5	10,200

Table 3.6: Basic Livestock Numbers from Lumu, Golok. (Data collected and integrated from Qinghai Provincial and County Level Statistic Bureaux, 2018 and 2019).

Local monasteries are highly involved in pastoralists' daily lives and are active in decision-making on land, among other issues. Therefore, Lumu village provides cases to focus on the involvement of religious institutions in land governance, exploring their interaction with state institutions and pastoral communities in an area that has seen less external investment to date.

3.3.1 Cases from Lumu

In Lumu village, four cases have been identified. Firstly, the hydro-power dam case illustrates the dynamics of local politics, in which the monastery and monastic association play critical roles in decision-making on rangeland use and access. Second is the case of the mineral water factory, which is appropriate for illustrating the interdependent relationship between the pastoral village and monastery.

³¹ Data updated from Lumu village Committee in 2020.

Then there is the ecotourism centre and monastic museum, which showcase the monastery's role in local society and rangeland use decision-making.

3.4 Cases and Practices of Assemblage

Cases from these two settings were chosen for the empirical chapters to describe the contrasting variabilities and the practices of assemblage on land control and governance. Case studies include the monastery-centred land control and governance in Lumu, negotiations with state and local authorities, and the plurality of institutions. These cases demonstrate different institutional arrangements (and forms of hybridity/bricolage) responding to uncertainties. They also provide the focus for in-depth analysis of institutional arrangements, in particular on who is involved (state, religious, community) in land governance, relationships between different actors, and the power gradients and politics of inclusion/exclusion. This analysis allows examination of how formal and informal institutions and their interaction operate in processes of institutional change in both settings, and how access by different groups (men/women, young/old, richer/poorer) affects inclusion and exclusion in the process.

3.5 Methodology

To collect data, I spent 13 months in the field, moving between Lumu and Saga in Amdo, and living with pastoralists from these settings on their winter and summer pastures, in the tents during summer time and concrete houses during winter time. I also spent seven months in Xining³² where I combined writing up with interviews with provincial and prefectural officials. This research uses a multi-case ethnographic approach and mixed methods, combining various qualitative and participatory techniques.

Various methods were adopted for data collection. For instance, historical interviews and archival research was used to review the history of rangeland governance in Amdo. Household surveys were used in each site to collect general data on land use and access, land allocation, household structure, livestock numbers and family income. House survey was particularly used for the details of the rangeland allocation in Lumu and the land loss in Saga (see fig 3.8). In-depth-interviews were crucial for the collection of multiple empirical cases, with a total of 125 recorded interviews from both sites, and a total of 40 in-depth interviews on detailed descriptions of the selected cases (see fig 3.7). Participatory

³² Xining Shi, the capital city of Qinghai Province.

observations were used from both sites to see practices on negotiations and decision-making toward land control and governance. Focus group discussions were used for themed topics, such as responses to the establishment of the eco-tourism centre in Lumu, the lake expansion in Saga, and the monastic museum in Lumu. Photo-voice³³ was used to help visualising uncertainty in the Tibetan context in both settings; and the frequent use of informal discussions provided complementary data, such as pastoralists' reactions consisting of gossip, backstage talk and rumours from both settings that helped to reveal the existing relationships and tensions between different interest groups. Of the 125 interviewees, a total of 84 informants were men, and the remaining 41, women. The mean age of the interviewees was about 38.5 years and ranged from 19 – 81; 41 participants were illiterate, and the remaining 84 either had primary school or monastic education.

Interview Type	Number of Interviews	Compositions
Government Official	12	4 Female, village-based party secretary
Village Committee	22	1 female, the leader of the village women's association
Pastoralists	66	26 female pastoralists
Non-pastoralists	25	Including farmers, business people and monks among the many. 8 female businesswomen, 2 nuns.
Total:	125	

Table 3.7: Semi-structured interview breakdown.

Questionnaires in the two Settings			
Lumu		Saga	
Type	Number	Type	Number
Pastoral Households	81	Pastoral Households	80
Non-pastoral Households	0	Non-pastoral Households	3

Table 3.8: Household Survey Breakdown.

A range of factors was coded for analysis, including actors (consisting of village pastoralists, investors, monastic elite, workers from resource bureaux, and government officials); institutions (such as the laws, regulations, beliefs, customary practices) relationships (consisting of the monastery and monastic village; and pastoralist with state and local authorities) and interactions (such as, compliance, resistance,

³³ Wang and Burris (1997), a specific photographic technique that, through photos, people can identify, represent, and enhance their community. For more information please visit the PASTRES website: <http://seeingpastoralism.org>.

collusion, and cooperation). Multiple cases were transcribed and thematically assigned to various assemblage processes, including bricolage materials to hand, making rules in plural contexts, and negotiating with the state and local authorities (see Chapters 5, 6 and 7).

Since 2015, I have spent the majority of my time in Golok and Kokonor, Amdo, working with pastoral households; collaborating with international conservation organisations, such as FFI (Fauna and Flora International) on biodiversity baseline studies and pastoral community development projects, and constant involvement with grassroot organisations, such as PNC (Plateau Natural Conservancy) on awareness-building and livelihood alternatives.

I have been working on conservation and rural development issues in Amdo over five years and have lived in the area since birth. I am familiar with the context, concepts, and institutions. Additionally, I am aware that my Tibetan background can serve both as an asset and as a liability. While a shared language and cultural familiarity will undoubtedly benefit me, being from the Amdo region requires additional effort to distance myself from my own experiences, developing an 'insider' and 'outsider' perspective. This is not a new challenge as I have previously conducted research in these areas individually, and with various different institutions, including the Durrell Institute of Conservation and Ecology (DICE), Kent University (for the MSc degree), FFI, and Qinghai PNC.

As someone from Amdo, and possessing both work and research experiences in that region, I am also familiar with the stresses and rapid changes there. These changes have accelerated in recent years by large-scale infrastructural development, which has resulted in the removal and fragmentation of pastoralists and rangelands. As an outside observer, I noticed that many of these externally-implemented projects and attempts to alter pastoral lifestyles achieved temporary success (or failure) but ultimately failed when the projects concluded and time passed. The central reason for this failure, in my opinion, is that the majority of these external projects were designed to entice herders away from pastoralism, particularly the livelihood they have practised for generations, and in which they have developed confidence and professionalism. Pastoralists are frequently excluded from conservation projects, such as national parks, preserved areas, and protected zones for flagship species. Often, the design and implementation of such projects place the welfare of wildlife and the ecosystem above the wellbeing of pastoralists and their livelihoods. Then, alternative livelihoods, or the many alleged development-oriented projects, attempted to entice pastoralist away from the rangeland and livestock-based livelihoods, toward a more predictable and fixed food production system, often promoting a more 'progressive' way of life, usually non-pastoral preference, whether through periphery business, social entrepreneurship, community cooperation, or eco-tourism. Many of the efforts, which required intensive

investment of time and money, sank to the bottom of the ocean when the project's duration expired. These uncertainties bring profound consequences for rangeland use and access on the ground, but there is still a lack of understanding about rangeland governance, the engagement of various actors, and the impact of these changes on pastoralists and their land governance institutions.

Conclusion

Nuanced case studies are necessary to improve the understanding of property rights and practices in the Tibetan-Chinese context. By selecting multiple context-based cases from each site, employing a multi-case ethnographic approach and mixed methods, combining various qualitative and participatory techniques, and incorporating these cases with concepts, such as bricolage, pluralism and negotiations, I am able to address my larger research question of how institutions interact to generate hybrid rangeland governance in Amdo, with what consequences and for whom. Before delving into the details of the empirical cases from both settings, the following chapter serves as a primer on the history of hybrid rangeland governance.

Chapter 4

A Short History of Rangeland Governance in Amdo

Introduction

Rangeland governance has taken different forms and functions throughout time and across space. As early as from the ‘*Tu Lu* system’ during the reign of the *tzanpos* (Tib, Kings of Tibet)³⁴ in the 8th century; the ‘*Tu Si*’ system³⁵ under the control of the Mongols and Manchus during the 16th and 19th centuries; and different forms of *tsowa* customary laws. Due to the involvement of various actors and practices, rangeland property rights appeared to vary over time. A combination of the feudal, collective and private use of rangeland has been discussed throughout Tibet’s history. However, the history and the legacy of the mosaic rangeland practices before the 1980s was often neglected (Banks 2003; Squires 2009; Kreutzmann, Yong, and Richter 2011; Nyima 2021b). Thus, a reassessment of the dynamics of rangeland control and access, and the complexities associated with socio-political and social-ecological changes is crucial. Furthermore, shifting attention from the standard land tenure history (from feudal, collective to private) and property rights to property practices helps to understand the dynamics of land use and politics between different user groups in Amdo. When a legalised, regulated and fixed property rights system was either absent or ineffective, and local authorities were in charge of the land and people (Ekvall 1939; Li 2016; Cencetti 2015; Feng, Shi, and Xu 2020), it makes sense to shift the focus from looking at property rights to property practices, concentrating on the social relations and politics of land, and the ability to access under such social systems.

Hybrid land governance, mosaics, polycentrism has become a way to describe contemporary rangeland settings – a way of responding to uncertainties through flexible institutions, overlapping boundaries and an assembled, plural bricolage of practices. However, this is frequently thought to be recent, often arising from more formal, regulated systems, whether state, private, or common, and with well-defined land tenure regimes. This paper argues that hybridity (in various forms) has always been present in Amdo Tibet, despite the political changes over time and space. Hybridity is a necessary response to uncertainty and central to the utilisation of variable resources, which is the core strategy of pastoralism. Yet the form of hybridity varies as it must be constructed in particular historical circumstances, constrained by political economic conditions between the feudal, collectivist, liberalised eras. Today’s

³⁴ Tibetan, བཙན་པོ་ refers to the kings of Tibet.

³⁵ A political institution, which was carried out during the Ming and Qing dynasties. “The areas under the *tusi* system were completely controlled by the chief of the local minority ethnic group who, as the highest official, had absolute autonomy” (Feng, Shi, and Xu 2020:582).

hybridity – and so contemporary rangeland use and management strategies – must be understood in this historical context, as an accretion of practices and strategies that have emerged over different eras. Therefore, this chapter discusses the earlier periods of rangeland governance in Amdo Tibet, including the Feudal Period (pre -1950s); the Collectivist Period (late 1950s to early 1980s); and the De-collectivisation Period (post -1980s). Moreover, this chapter asks the questions of ‘What did pastoral land governance look like?’ ‘Did it follow standard type of practices as many labelled it?’ or ‘Were there other things going?’

4.1 A Short History

Before the establishment of the People’s Republic of China (PRC), pastoral Golok and Kokonor in Amdo maintained distinct political, economic and military relationships with the central political powers, whether it was the *karsha* ³⁶, the Communist Party (Chin, *Gongchandang*), the Nationalist Party (Chin, *Kuomintang*) or the Hui Muslim warlords. Additionally, the scale of central political interventions in Amdo varies and political powers have differed due to geographical distance, and domestic and international political uncertainty, such as the Chinese civil war³⁷, the anti-Japanese war³⁸, and the ‘Peaceful Liberation of Tibet³⁹’ (Goldstein 1997; Adams 2005; Topgyal 2011; Xiaofei and Sutton 2016).

The first half of the twentieth century in the Sino-Tibetan context was a chaotic and turbulent period marked by continuous geopolitical unrest, such as the British army’s invasion of Tibet in November 1903 (Goldstein 1989; Goldstein 1997; Palace 2004); the collapse of the Manchu (or the Qing empire) in 1912 (Palace 2004); the rise of the Chinese Communist Party (CCP) and the Chinese civil war between the Chinese Communist Party and the Nationalist Party Kuomintang (GMD) from 1927 to 1949; the anti-Japanese war that started in the late 1930s; and the collapse of *Karsha* (the central Tibetan government) in 1959. These socio-political turmoils did not only hasten the demise of *Karsha* and the emergence of China’s nation-building process, but also created spaces for local authorities to exercise independence and autonomy on the ground, including the politics of resource governance.

“Sa Golok, Nam Golok⁴⁰,” as the Golok people say, “the sky is big, the land is wide,” and Golok is heaven and earth. Unlike the Kokonor region, most of Golok had no direct experience of state-like control before the 1950s. As Kozloff, a Russian explorer who travelled to Amdo in 1900, recalled, “you

³⁶ Or *Karshag*, བཀའ་གནས་མེད་གཞི་ལྷན་པུ་ 噶夏

³⁷ 国共内战

³⁸ 抗日战争

³⁹ 西藏和平解放

⁴⁰ ས་མཐོ་ལོག་གཞི་ལྷན་པུ་ 天果洛，地果洛。

obey the laws of strangers, the laws of the Dalai Lama, of China, and of any of your petty chiefs... We Golok people, on the other hand, have from time immemorial obeyed none but our own laws, none but our own convictions”(Kozloff 1908: 522-528). Golok nomads were notoriously independent of centralised control, and numerous accounts speak of their pride, warlike qualities, and threats to traverse neighbouring tribes alike (Kozloff 1908; Rock 1956; Namkhai Norbu 1997).

Kokonor, on the other hand, was historically the frontier between polities, such as China, Tibet and Mongolia, serving as the central stage for interethnic collision, and battleground for numerous conflicts and wars between the Mongolians, Chinese, Hui Muslims and Tibetans (Palace 2001; Yeh 2003; Griffiths 2020). Unlike the Golok pastoral tribes, the Kokonor tribes faced ceaseless political uncertainties due to external invasions and intrusions from multiple polities across time and space. Contemporary historians repeatedly documented tribal migrations and immigrations, to and from, Kokonor (Griffiths 2020; Weiner 2020). This is also to say, the frequent and intense involvement of these various polities and the constant outbreaks of political turmoil in Kokonor had somehow influenced the decay of the local political powers and monasteries in the region. Different geopolitical relations and scales of interactions with the central powers had also effected local polities, ethnic characteristics and socio-territorial identities (Yeh 2003). In Golok, the tribal system remained autonomous and independent from central powers, whereas in Kokonor, tribes were often under continuous ruptures by socio-political interventions. This is also proved by the documented number of the tribes before the 1950s. For example, Golok was home to 51 autonomous pastoral tribes and over 210 sub-tribes; by contrast Kokonor had only eight recorded pastoral tribes (Gu 1990; NamKhai 1993). Due to variables, such as political instabilities, natural hazards, population growth and tribal disputes, the existence of distinct tribes with varying relationships to more centralised power had shaped different patterns of social relations and politics of land, and thus rangeland governance.

Rangeland property rights appear to have varied over time, from the hands of *karsha* and regional chieftains to communes, and then to private households. However, property practices, particularly access rights, appear to have been complex and mosaic. Reviewing the dynamics of rangeland control and access in Amdo, and the complexity associated with socio-political and socio-ecological changes is crucial, and a shift from standard property rights to practices enables a better understanding of land-use dynamics and land politics between different user groups. Therefore, this chapter looks at the property practices in different periods of time to investigate rangeland governance in Amdo.

4.2 The Feudal Period

Many Chinese historians and scholars describe the tribe-centred, pre-1950s social system in Tibet as ‘a feudal serf system’ (Li *et al.* 2007; Mieke *et al.* 2009). According to various studies, Tibetan herders (or serfs in the feudal serf system) were a part of the semi-feudal tribal system being hereditarily tied to certain land areas and the respective feudal landowners. The feudal landowners, or ‘*sa bdag*’⁴¹ in Tibetan, were a small, upper class that comprised 5% of the total population and controlled 95% or more of the land and livestock (Yang 2007; Jun *et al.* 2011; Gruschke & Breuer 2017). Prior to the 1950s, feudal lords were mainly aristocratic families, incarnate lamas, and monasteries that owned all pastureland and allocated plots of pasture to individual households, under a usufructuary property system, for a certain period (Goldstein & Beal 1990). Numerous scholars argue that the concentration of vast rangeland and livestock in the hands of a few contributed to Tibet’s poverty and inequity (Chen 1998; Wang *et al.* 2004; Shi 2008), thus, concluding that pastoralists’ quality of life and wellbeing were dreadful under this feudal land tenure regime (Squires *et al.* 2009). However, whether authorised or not, ownership was only one segment of the land tenure system; owning land does not imply having the rights to control and access it; thus, focusing merely on rangeland ownership prior to the 1950s neglects the significant dynamics of power relations and rangeland practices on the ground. Different aspects existed as well, for instance, in his book, ‘Hoofs on the Field,’ Ekvall noted, “the poor were none too numerous. Even when we found (poor pastoral households) they had much more than some sharecropping Chinese peasant had ever had” (Ekvall 1968:96). A study by Li, a Chinese historian (2016), also depicted pastoralists’ living standards as economically above average, and where the poor were few before the 1950s, and also those with no livestock “were approximately 2--4% of the total population before the 1950s” (Li 2016: 32).

4.2.1 *tsowa* System

One has to understand the *tsowa* system to investigate rangeland practices during the so-called feudal period. The *tsowa* system, was an important social structure comprised of the interdependent relationship between the monastery, tribal leaders, and their members, and had played a crucial role in rangeland governance before the 1950s. Although the *tsowa* structure is persistent, it has been transformed and reinvented throughout history to help pastoralists in confronting uncertainties and catastrophes.

Prior to the 1950s, rangeland in Amdo was held as common property, and different owners including the monasteries, regional chieftains and the *karsha* had played fundamental roles in enforcing laws and

⁴¹ ས་བདག *sa bdag*, land owner.

regulations on rangeland governance. However, many empirical studies indicate that access and user rights were often in the hands of *tsowa* and its leaders (Ekvall 1939; Yeh 2003; Chen 1995). *tsowa*, in the Tibetan context, refers to the basic pastoral economic unit before the 1950s. "At the lowest level, encampments (*ru skor*) typically consisted of five to ten patrilineally-related households and constituted the basic pastoral economic unit⁴². Encampments were usually aggregated into higher-order groups or 'tribes', referred to as '*tsowa*' in Tibetan" (Sic)(Yeh 2003: 510; Gruschke 2008), and these *tsowas* were, in turn, aggregated into bigger 'confederacies' or 'unions'. For example, *Akyung tsowa* in Golok had a total of 235 households before 1958 (Namtar 1998).

Within the *tsowa*, patterns of authority varied greatly across space and time. As Ekvall (1939:50), a missionary anthropologist who lived in Amdo throughout the 1930s and 40s described, the overall *tsowa* structure, as one of alliances, warfare, feuding and overlapping spheres of political, military and religious influences (1939; 1964; 1968). Ekvall also wrote, "*tsowas* were quite independent in Amdo; although they can hardly establish its rights to grazing privileges without the consent of the tribe as a whole, it can, being nomadic, always secede and go somewhere else" (quoted from Yeh 2003:510). According to Yeh's study in Amdo, "some *tsowas* had groups of elders who acted either as advisers to a chief, or in place of one. Some chiefs had such extended power that they were known instead as 'king.' Most chiefs were hereditary, but some were also elected" (Yeh 2003: 511). Not all *tsowas* existed as part of larger unions: many were independent for periods of time. Large *tsowas* split into smaller ones due to resource scarcity, external intrusions and internal tribal disputes, and small encampments grew into large *tsowas* to form confederacies to confront natural disasters and political turmoil, and it was common that pastoralists, under such turbulent conditions, would flee from one and join others (Xing 1994:91-94). Although this created a mosaic of social territorial structure and identities, a reciprocal, mutual, and interdependent relationship between the alleged resource controllers and actual users existed, and these determined pastoralists' access rights to rangeland and other resources (Yeh 2005; Fischer 2008; Yeh 2013; Esler 2017; Gruschke 2012).

In Amdo, this mosaic social structure included a variety of land tenure systems and rangeland practices. Numerous historians have noted that, prior to the establishment of the PRC, the practice of authoritative

⁴² The Tibetan phrase '*ru skor*' means "a large family of herders who camp in a circle" (New Tibetan Dictionary, 1989). The word '*ru*' means "place of the herders" or "settlement of the herders". Clarke (1989) claims that the name stems from the Mongol military division of 'banners'. The second word, '*skor*' means 'circle' and refers to the encampment's shape. Tents are arranged in a circle and their proximity represents familial ties. Livestock are placed in the circle of tents at night for protection. Only the tent (i.e. the household) was smaller than the *ru skor* in Tibetan herders' social organisation. During collectivisation, *ru skor* became units under production teams (Clarke, 1989). The *ru skor* consisted of a few families divided into households that developed as a family grew. Herders in a *ru skor* worked together and moved between seasonal sites.

powers over rangeland control and access was highly dependent on the mediation of intermediaries (Weiner 2020), in this case, local organisations, such as *tsowas*, the elite, and religious institutions. Meanwhile, local authorities used existing practices, understanding and relationships to extract the requisite minimum of tribute, military support and loyalty for the centre's benefit (Tilly 1997). Among these local actors, chieftains played a critical role in determining the use and access to rangeland in Amdo. Some *tsowa* leaders, as the authorised governors, hold authorised rights from the ruling powers; these authorised rights include land control and judiciary power, and combine religious and political power. *tsowa* leaders practise their authority through land distribution, adjustment, leasing and taxation. These hierarchical, indigenous leaders were not the only authorised land allocators before the 1950s. Monasteries and monastic leaders had also played significant roles in rangeland governance. Monasteries and their emissaries had controlled the political fields of Tibet before 1959, where monasteries and monastic representatives had become dominant rulers in both religious and political arenas of Tibet (Goldstein 1989; Goldstein 1997). These practices resulted in the promotion of local monastic roles in resource governance: together with secular chieftains and sub-tribal leaders, religious leaders practised genuine authority over resource allocation and supervision. Through the allocation and supervision processes, decision-makers, such as the chieftains and sub-tribe leaders, started to cut taxation and possess private parcels as remuneration for their dedication to tribal affairs. This also resulted in the monasteries accumulating resources, as chieftains and leaders demanded additional land from the tribe to offer to the monastery as worship and alliance-seeking. The monastery, in turn, had used the land for monastic business and livestock herding, employing vulnerable pastoral households that moved and assembled around the monastery, gradually forming the '*tawa*⁴³' community. '*tawa*' refers to the group of people that resides near the monastery and make their living by selling labour forces to the monastery. Many *tawas* became the monastic herders before the 1950s in Golok. As the 80-year-old Uncle Jo recalled his childhood life in *tawa*,

"We lived very close to the *Lunmo Chee* River, and there was only a total of 30 *tawa* households when I was little. The monastery gave us a few cattle, and my father helped herding the monastic livestock while my mom helped milking and making butter and cheese with other *tawas* families. We had enough food for the family, but being a *tawa* meant more than that, my father moved to *tawa* from a nearby village because the monastery offered him refuge from the wars. And my parents enjoyed being *tawas*, and this led them to a peaceful twilight year." (Sic)⁴⁴

⁴³ མཐོང་པོ། *Tawa*, is a type of Tibetan social construction; it refers to communities located around a monastery. It has its own characteristics, which are basically embodied in its reliance on the monastery for both material and non-material development.

⁴⁴ Interview, Uncle Jo, Golok, May, 2020.

The dynamics between the empire and the local society were entangled by the empire's frequent investment in the local secular and religious elite through handing out titles⁴⁵ (Zhang 1989), honours, seals and rewards. This is not to say that empires exercised direct control over *tsowas*; rather, for hundreds of years, these *tsowas* remained substantially unsupervised by imperial authorities (Weiner 2020). Chieftains practised their on-the-ground rights through established power relations and *tsowa* acknowledgements. To be precise, as oral histories from Golok and Kokonor indicate, chieftains had the authority to allocate pastures in the *tsowa*, as well as distribute, adjust, lease and tax land. Additionally, as documented in the customary laws of Golok and Kokonor, different land tenure regimes existed over time as a result of diverse geographic, ethnic, socioeconomic, and political circumstances.



Figure 4.1: Self - archived Documents in Kokonor (by Palden).

The *tsowa* customary laws of Lumu and Saga provide additional insight into the internal variance and flexibility of rangeland governance in Amdo. *tsowa* customary law was often drafted (written or unwritten) and announced by chieftains, with negotiations and consultation from sub-tribe leaders, and occasionally with the monastic institutions. These laws were enforced by tribal forces, such as the tribal militia, or on some occasions, by the religious figures from local monasteries, such as *Tulku*. These laws operated on a bottom-up basis, usually based on 'practical agreement' with the mass, and the implementation by the people through everyday life. Thus, *tsowa* customary law was significant before

⁴⁵ 1) Chieftains, 'tso dpon' or 'hon po' in Tibetan, are the leaders of a few allied *tsowas* (unions or confederacies). 'hon po' has the administrative, diplomatic, juridical and militia power. However, their power is also constrained by the *tsowa* unions, provincial and central governments; 2) Sub-*tsowa* leader is leader of a smaller 'tsowa,' which contains a total of 30-50 households. The sub-*tsowa* leader is responsible for allocation and governance of land; violation of the regulations, such as theft or robbery; religious affairs; military force; and participating in meetings and decision-making; 3) Intra-*tsowa* is leader, of the 'ru skor,' or the encampment, usually an average of 10 households. The intra-*tsowa* leader is selected by the pastoral households, and some were directly assigned from above. These intra-*tsowa* leaders are considered the 'civil servants,' usually in charge of production and religious affairs on the ground (extracted and collated from Zhang 1989: Cheng 2002).

the 1950s and resultant context-specific regulations and strategies for pastoral production and land management have evolved since then.

4.2.2 Seeing Hybridity through *tsowa* Customary Laws

Prior to the 1950s, rangeland customary laws appeared to be concise and regional, based on historical records in Amdo (Yeh 2004; 2003; 2017). Empirical and archived documents indicate that the customary laws from both settings were influenced by regional customs, taboos, ethics, codes of conduct, and sometimes, Dharma teachings from the monastery (Bauer and Nyima 2011; Kabzung 2015; Tsering 2019). Often, it is difficult to differentiate the customary law from local cultural traditions and monastic institutions. This hybrid form of the customary laws not only strategically increased public acceptance and feasibility of the rules, but also created flexibilities on the ground through pastoralist inclusion in religious activities and relationships with the monastery. Thus, diverse framings of rights coexist in plural contexts, and they converge, overlap, and create opportunities for bricolage.

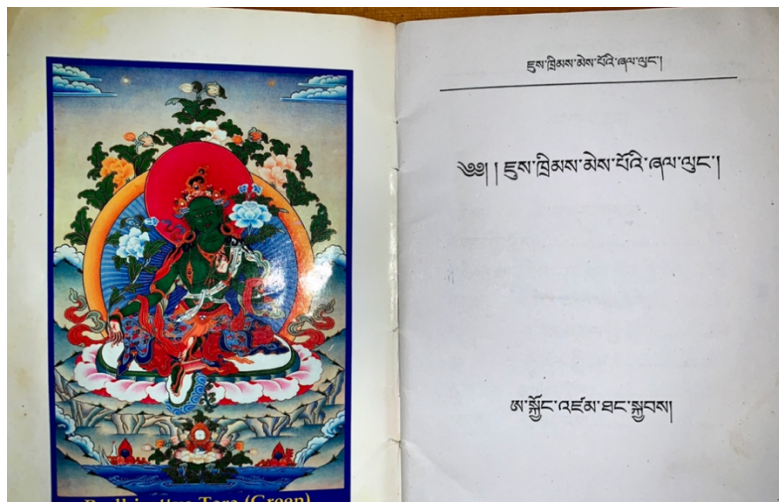


Figure 4.2: The Bodhisattva Tara and Customary Law from Akyung, Golok (by Palden).

Unlike the 'one size fits all' fixed and regulated rules and regulations prevalent during the collectivist and post-collectivist periods, mosaic, context-specific and improvised customary laws were functioning, based on the needs and interests of pastoralists in particular places. Moreover, archived data showed that different pastoral *tsowas* had distinct forms, processes, and measurements of rules as a result of the diversity of pastoral production, social-economic life, and social habits. For example, the *Moba tsowa's* customary law in Golok, emphasised land ownership, access rights, and the penalties for illegal grazing as detailed below.

“Rangeland belongs to the *tsowa*, and livestock should be kept within the *tsowa* rangeland; anyone who crosses the boundary and graze their livestock, a yak should be paid as a penalty for the landowner; no one shall herd yak and sheep around the tribe leader’s tent, a yak should be paid as a penalty. If it was a horse, then the horsetail should be cut; anyone herding livestock on the *tsowa* leaders’ rangeland should have 30% of the livestock confiscated.” (Sic)⁴⁶

Even though the law stated unequivocally that the rangeland belonged to the *tsowa* in Moba, the law was determined to emphasise the chieftains’ and *tsowa* leaders’ power by enforcing penalties for grazing livestock on the chieftains’ land. Another *tsowa*, *Akyung* in Golok enacted distinct regulations governing tribal rangeland ownership, use and measurement:

“The land and water of the *tsowa* is a public asset. The leaders of the *tsowa* should divide the land into seasonal use. All families shall gather together and move together. Land shall be distributed according to the family status, more land for the poor and less for the rich. Whoever moves privately or invade others’ land shall be punished; During the summer season, all sub-tribe horses shall be herd together on summer pasture, and grazing shall be banned on Winter pasture. Whoever uses the winter pasture in summer shall be punished; Families should move according to the arrangement by the *tsowa* leader; Disputes between sub-tribe shall be mediated by the *tsowa* leaders, and sub-tribes shall obey the leaders. Whoever crosses the boundary shall be punished by confiscating livestock or cutting off the livestock’s tails.” (Sic)⁴⁷

Rangeland in *Akyung* was under common use and the land was governed by the *tsowa*. The law indicated a tendency toward equal distribution and utilisation of rangeland. As illustrated by the laws above, these two pastoral *tsowas* had distinct arrangements and measurements for rangeland governance. To begin, both *tsowas* clarified that rangeland boundaries between *tsowas* and sub-tribes were demarcated, and rangeland was divided into each sub-tribe according to the number of the people and livestock. Secondly, as the *Moba* customary law explained, chieftains and tribal leaders seized privileges with excludability, thus excluding the majority from herding on their pasture, thus forming a practice of privatisation in the *tsowa*, where access to the land of chieftains and sub-tribe leaders was prohibited. Thirdly, when *tsowa* members violate the law, disciplinary measures such as fines and asset forfeiture are listed. Lastly, distinct management rules exist, for example, in *Akyung tsowa*, rangeland and water belong to all *tsowa* members, and the *tsowa* decided to use and move between different pastures through collective negotiations. Thus, claims of rangeland ownership, access rights and use rights were complex and mosaic in Golok. This was also observed in pastoral *tsowas* in Kokonor where mosaic arrangements and practices of rangeland were prevalent; for example, as stated in the ‘Rangeland Management Customary Law’ of *Kyampo tsowa* in Kokonor,

“Rangeland belongs to the *tsowa* leaders. The *tsowa* leaders hold pasture with a warmer temperature and better water sources. No one shall herd livestock on land of the leaders, or they shall be punished if

⁴⁶ Texts are extracted from 《果洛阿什郡贡玛部落法规天之准绳不变金刚》 and translated by Palden.

⁴⁷ Texts are extract and translated from 《果洛阿什郡贡玛部落法规天之准绳不变金刚》 by Palden.

they do; Pastoralists are only permitted to graze on 'public rangeland,' and are not permitted to cross the boundary; The *tsowa* leaders determine the move between seasonal pastures and pastoralists must obey them unconditionally; Those who intrude seasonal rangeland, leaders' private lands, and the land of the monastery shall be punished; Those who don't pay the fine, then the chieftain or his administration would resolve the issue; Those who still don't obey, then half of his assets shall be confiscated, or that family shall be expelled from the *tsowa*.⁴⁸

As the document showed, rangeland was declared to be the property of the *tsowa* chieftains and leaders in *Kyampo*. Most of the pastoralists were granted access to '*sbyis sa*,' the pastures that did not belong to the *tsowa* chieftains, leaders or the monasteries. Furthermore, *tsowa* leaders not only possessed the privilege of grazing on better pastures, but also held the authority to decide when, where and how the majority of pastoralists used and accessed rangeland within the *tsowa*, thereby establishing the majority's use and access rights. The chieftains had the authority to seize and reclaim the land if someone violated the *tsowa*'s rules. Adjustment is also included when a right to lease is granted. For instance, when pastoralists with a shortage of rangeland demand to rent land from the well-offs, they were required to negotiate with chieftains. Confirmation of the leasehold should be made by the leaders, or the land transfer was considered a violation. The chieftains must confirm the leasehold, or the land transfer will be considered a violation; however, chieftains' positions as appointed and authorised land managers came with ground privilege. These privileges included the right to benefit from pre-selected land and the right to retain control and use of the *tsowa*'s best pasture. Chieftains promulgated *tsowa* customary laws after consulting with sub-tribe leaders and, on occasion, monastic institutions. Bottom-up execution of these laws relied heavily on 'practical agreement' with the masses and their implementation in daily life. This is crucial because it demonstrated how concepts such as assemblage, bricolage and so on, emerge from a longer history of diverse parties bargaining for access.

These documented (written or unwritten) customary laws illustrate the diversity and multiplicity of institutional arrangements governing rangeland use and access in Kokonor and Golok. The improvisation of different laws, rules and relationships between central and marginal areas is key for these mosaic and hybrid arrangements. Additionally, as previous stated, the historical context is critical for accommodating and constructing hybrid rangeland governance in Amdo. The geopolitical distance to the central government, political unrests (at regional, national and international levels in the mid-20th century) and the fluctuating relations between the central and marginal authorities had created spaces for complex mosaic resource and rangeland governance.

Rangeland use and access in the real-world *tsowas* were more complicated than the customary laws had covered. Pastoralists from both Golok and Kokonor had customised the roles, relationships and

⁴⁸ The 'Rangeland Management Customary Law' from the 'Kyampo' tribe in Kokonor, translated by Palden.

rules at hand to gain access to rangeland under uncertainties and complexities, and among the many practices of rangeland access, three types of everyday practices were identified in both Golok and Kokonor *tsowas*. Firstly, is selling labour. The landless and livestock-less families and individuals sell labour to well-off families and monasteries, with labour payment varying according to the time and type of the employment. For example, some hired labourers received 5-10 sheep each year in Kokonor as remuneration from well-off families whilst others received basic allowances like accommodation, butter, and cheese from the monastery⁴⁹. Secondly, is livestock entrusting and land renting from monasteries and well-off families. The rent is determined by the quality and quantity of the goods. Thirdly, usury was common in pastoral *tsowas*; for example, non-monetary usury was often seen in Golok, where the poor and vulnerable rented livestock, and sometimes rangeland, from the well-off families, then livestock was subsequently paid as interest according to the contract. For instance, one well-off family entrusted 100 sheep to a poor family in Kokonor then, after taking care of the 100 sheep for a total of three years, the poor family had to return a total of 200 sheep to the family⁵⁰. All this is to say that pastoralists were active and flexible to accommodate and customise different ways to benefit from the resources, as previously said, through selling labour, entrusting livestock and renting rangeland from the well-off families and monasteries. This is to suggest that, although the claimed 5% of the population had controlled the most land in Tibet, the use and access to land and livestock was dynamic on the ground, and pastoralists were more engaged than might otherwise be assumed.

Unlike the standard, labelled, feudal rangeland governance, where 5% controlled land and the rest were serfs, rangeland practices in Amdo before the 1950s were messy and complex in all aspects. Under the *tsowa* system, customised arrangements for rangeland control and access existed, and hybrid practices on the ground were heavily influenced by the political socio-economic uncertainties, wealth disparities and political power between ruling elite (Wiley 1984), monasteries and pastoralists. Although *tsowa* customary laws indicated that authorised actors, such as *karsha*, monasteries and local elite had claimed ownership of the land, property practices were flexible and dynamic. Pastoralists have always negotiated forms of hybrid tenure via interactions with institutions, in order to remain flexible and continue with pastoral production. Moreover, rangeland renting, labour trading, livestock entrusting and loan-taking were some of the fundamental strategies by which to gain access to rangeland during the feudal period.

⁴⁹ Interview, November, Apa Yangbo, Kokonor, 2019.

⁵⁰ Interview, November, Apa Yangbo, Kokonor, 2019.

4.3 The Collectivist Period

The establishment of the communist-led People's Republic of China and the land reform in the late 1940s had ended the traditional *tsowa* property rights systems in Tibet by abolishing the roles of chieftains and the monastic elite⁵¹. Beginning in the late 1950s, the *tsowa* system was reconfigured by the assertion of state power, with continuous involvement in controlling and managing rangelands through production brigades and teams and different scales of communes. This shifted rangeland ownership from *karsha*, *tsowa*, and monastery to the central state and state-collective ownership⁵². However, different views on which rangeland is state-owned and which is collectively owned, and contradictions around the ownership rights and use rights remain (Ho 2000).

The commune-brigade system was established in the late 1950s, enforced by government policies; management of land use, cultivation and animal husbandry had been under the plans of the government. When the 'Great Leap Forward'⁵³ was launched, the "higher agricultural production co-operatives were overnight organised into people's communes. The communes owned all the means of production in their territory, sometimes encompassed 10 to 20 villages and had an average population of 25,000 people" (Ho 2000:247). As a state policy that determined to uplift the economy through the concentrated workforce in China, the land tenure system, during the collectivist period, (although never formally incorporated in law), had consequences in famine, overgrazing and rangeland degradation, especially in those areas where the grazing land was being taken for state farms or suffered for inappropriate cultivation practices (Qinghai Province Archive 2000). In the early 1960s, the 'Great Leap Forward' faltered; land and livestock were concentrated in the hands of the production brigades (equivalent to the current administrative village⁵⁴) and production teams (the present natural village⁵⁵).

Rangeland was brought under state control and managed by state collectives during China's collectivist period (Tumur *et al.* 2020). State collectives regulated all aspects of pastoral production, including pasture allocation, seasonal movements, milking schedules and herding locations. A fixed, mechanised rangeland and livestock management system was dominant. Since 1962, the commune system had

⁵¹ The timing of land reform for grazing lands differed for the various pastoral regions. Inner Mongolia from 1947-1952.; Xinjiang from 1953-1954; Qinghai from 1952-1958; Sichuan from 1955 – 1960; and TAR from 1959 – 1961 (Ho 2000).

⁵² "Disagreement exists over the exact meaning of 'collective ownership' in China, which makes it difficult to specify which administrative unit has de facto use rights, let alone ownership rights. In rural settings alone, the term 'collective' refers simultaneously to several administrative levels and units: the township, the administrative village, the natural village, and any collective township and village enterprise" (Ho 2000: 247).

⁵³ *Da yue jin* 大跃进. "The great leap forward disaster, characterised by a collapse in grain production and a widespread famine in China between 1959-1961, is found attributable to a systemic failure in central planning. Wishfully expecting a great leap in agricultural productivity from collectivisation, the Chinese government accelerated its aggressive industrialisation timetable" (Li and Yang 2005:840).

⁵⁴ *Xing Zheng Cun* 行政村

⁵⁵ *Zi Ran Cun* 自然村

served as the basic accounting unit in more than 90% of rural China (Zweig 1983). This centralised rangeland governance had restructured the interdependent, reciprocal relationship between monastery, *tsowa* leaders and *tsowa* members into a production and income-induced mechanism. Under this system, each herder became a commune labourer and their livelihood was dependent on communal labour. A complex system of 'work points' was implemented by the commune, with each commune task being assigned a value from 1 to 10 points, and each labourer earning points based on the type and duration of work performed. The commune provided payments for food and other necessities based primarily on the work points and basic ration amount. Thus, herders did not own livestock and had no say in land use or the seasonal movement (Kreutzmann 2012:264; Kreutzmann, *et al.* 2011).

However, some ethnographic studies reveal different pictures of the communes. As Zhang (Letian 1998) wrote in his book, 'Say Goodbye to Utopia'⁵⁶, "production teams used traditional farming methods and followed natural rhythms to rotate crops through their land" (Chang 2013:4). Yet, although the institution of production teams gave stability to the people's communes, it was unable to eradicate the traditional and customary practices. Rural people, as Zhang highlighted from the cases in China's agricultural regions, acted like detached individuals through resistance and everyday politics and thus, coped with changing circumstances and created different ways or mechanism to deal with uncertainties. This was also seen in Ekvall's research in pastoral Tibet, as he wrote, "as in late 1963, when all of Tibetan agricultural regions had been fully collectivised, the nomads were still being allowed private ownership of all their stock, and were told that, if they would just keep producing animal products in ever increasing quantities, they were under no pressure to accept immediate socialisation of their economy (Sic)"(97). This is to say that while planned economies dominated the country, particularly in agricultural regions, pastoral regions had relatively autonomous and flexible production models of private ownership and customised property practices.

The people's communes were eventually disbanded in 1983 in China (Chang 2013). During the collectivist period, the primary pastoral production units, rangeland and livestock were mainly owned by the state collectives, and collective leaders regulated pasture allocation, seasonal movement and daily pastoral production. As some scholars documented, however, mosaic property practices did exist whether it was private land and livestock ownership in some of the pastoral regions, or a combination of collective and customary practices. Thus, while the state collectives dominated land and livestock control during the collectivist period, practices remained flexible and mosaic to a degree.

⁵⁶ 'Say Goodbye to Utopia,' Zhang Letian, Dongfang Publication Press, 1998. 'gaobie lixiang: renmin gongshe zhidu yanjiu.' Zhang Le Tian, Dongfang Chubun Zhongxin, 1998.

4.4 De-collectivisation

From the late 1970s, the Chinese government started to replace the commune system (Clarke 1987) with the 'Household Responsibility System'⁵⁷ (Yongjun 2011), and later on, the 'Grassland Household Contract' (GHC) policy in pastoral regions nationwide. The commune-owned livestock was allocated to individual households in the early 1980s, and rangelands were contracted to each administrative village that derived from the previous production teams (Meng 2019). This policy was aimed at enabling herders with greater incentives in production by granting individual households long-term land use rights under rural collective landownership.

The first round of the household contract was introduced to agrarian regions in 1978, and the second round included the pastoral regions starting from 1993, but the exact policy implementation time of the contract varied on the ground. Rangelands on some of the Tibetan Plateau were left to communal use until 1993, as Goldstein (2012:4) describes in the vision of the GHC policy, "the government's rationale was that if each nomad household controlled its own pastureland, it would be motivated to invest time and resources to improve the quality of the vegetation and animals". Even though GHC brought economic benefits, many criticise its acceleration of rangeland degradation on the plateau (Banks *et al.* 2003). In 1985, China's 'grassland law' further accelerated the practice of GHC in all Tibetan regions. Rangeland privatization had shifted "common resources into discrete parcels, restricting access by livestock to different seasonal pastures and water resources and affecting both animal productivity and pasture condition" (Galvin 2008:5).

"The redistribution took place based on the number of persons which households had in 1984. About 20 sheep units were available per person."⁵⁸

All livestock that was owned and managed by communes since the late 1950s was distributed to the commune members between 1982-1984. Each member was issued with a contract by the village or township committee, which was in charge of the livestock redistribution. Contracts began by specifying the village or township and the household concerned. They then stated how many sheep, yaks and horses the household was receiving from the commune and how many animals the household had

⁵⁷ As the core land tenure regime in China, peasants from an agricultural village tested the Farmland Household Contract System in 1978 (Song 2017). 18 villagers held a secret meeting and came up with a one-page contract, where the first term was about contracting land to each family. This attempt from the ground had gained criticism from other provinces, such as Shanxi and Hunan, where these provinces defined this as an act of 'rejuvenating capitalism' (Song 2017:145). However, Deng Xiaoping, who was the Vice Premier of the State Council at that time, highly endorsed the attempt and this altered the direction, where household contract became the panacea to increase individualisation and marketisation, with massive intervention and investment from the state.

⁵⁸ Interview, Apa Tse, Kokonor, Dec, 2019.

contributed to the commune at the time of its establishment, the difference between the number of the animals received back in 1983-1984 and the number rendered to the commune being taken as the basis for calculating the annual payment to be made. After the privatization of the livestock in the early 1980s, where grazing land was left under communal use in most of the pastoral regions, came the contraction of the rangeland on the ground in the early 1990s.

By May 2013, approximately 97% of the rural land in China was contracted (Ministry of Land and Resources 2018). Contracts are issued to individual households, but for about one-third of all rangeland in the Kokonor and Golok site, the contracts are shared by small groups of 'households,' often with 3-6 families or encampments (Yeh 2013); thus, rangeland was mainly allocated to families, but rarely to individual household⁵⁹. These families are related by family ties, and they help each other in many activities including livestock movement and rangeland management (Cao *et al.* 2018). Cao *et al.* emphasised the achievement of a multi-household management pattern, which inherits the "traditional management practices, social networks, trust and the low cost and high efficiency of informal institutions, which acted to reduce the risk of unsustainable development of ecological and social system" (2018: 88). According to their research, two rangeland management patterns emerged in Tibet after the implementation of the GHC policy, the multi-household management pattern, and the single-household management pattern (2018). However, these patterns had existed before the 1950s in Amdo pastoral *tsowas*, which is still favoured in many pastoral regions. The hybrid rangeland governance that existed before the 1950s, was when the *tsowa* owned rangeland, and access rights were allocated within the *tsowa* through various processes. Traditional (pre-1950s) customary laws from the *tsowa* period are rewritten and revitalised in contemporary rangeland practices, as the customary laws from pastoral villages demonstrate. Thus, many customary institutions, such as the mosaic customary rules, the *tawa*, the indigenous ecological knowledge, and the interdependent relationship that existed before the 1950s, have been passed down to maintain rangeland governance (Gazangcaidan *et al.* 2000; Tsering 2018).

The dismantling of the collectives created a regulatory vacuum in rangeland management. Herders assumed responsibility for all inputs, uncertainties and decisions relating to production where the *tsowa* customary laws, the monastery's roles and informal norms of land use re-emerged. This is to say that practices of rangeland governance are not constrained within the standard types of feudal, collective and private forms. Practices of rangeland use and access is flexible through time and space, through the roles of *tsowas* and the monastic elite to the changing centre-local relationship before the 1950s. The strong interventions of the state into the rangeland management in peripheral regions, where again,

⁵⁹ This might be the dynamic changes of the demographic composition in the village; or the inheritance of collective use of rangeland; or, rangeland scarcity for utilisation, less when it is for one household, more when it is for a family.

central administrative management and local customary practices were mixed and flexibilities were seen from ethnographic researchers from both agricultural and pastoral regions. Then the post-1980s period marks China's private tenure regime after de-collectivisation, where land was contracted to individual households for long-term use. However, hybridity has persisted over time as a defining feature of rangeland governance, and the rejuvenation of the cooperation model in rural regions and the ongoing property rights reform, all had its inheritance from the history of hybrid rangeland governance.

4.5 Hybridity has Always Been There

Through the history of rangeland governance in Amdo, a mixture of feudal, communal and private use of rangeland had been employed: from the *tsowa* system before the 1950s, where land was owned by multiple actors with dynamic power relations for the use and access of land; then to the collectivist period from the late 50s to early 80s, where land and means of production were under the control of the state collectives, and private ownership and customary practices remained to a degree (Cencetti 2015; Zhaoli *et al.* 2005); and finally followed by the termination of the commune system, or 'de-collectivisation' (Cencetti 2015; Levine 2015) and the initiation of the rangeland household contract system in most of the pastoral regions in the 1980s. The evolution of rangeland property rights consisting of the ownership rights, land use rights and access rights appeared to be varied at different times with the involvement of diverse actors (see table 4.3).

Land Tenure System in Amdo					
Time	Ownership	Users	Institutions	Social Relations	Hybrid Practices
Pre-1950s 'Feudal Period'	Mix of Karsha, <i>tsowa</i> and Private Ownership.	Tribe Members Tawa Communities	Customary Law Monasteries	Traditional Monastery, Monastic Tribes and Tribe leaders centred, interdependent, reciprocal and mutuality.	Through trading labour; livestock and land entrusting; becoming tawa; and usury.
Late 1950s to Early 1980s 'Collectivist period'	State and State-collective ownership	Commune members, Production brigades and production teams.	Commune rules Production team regulations	The collective as the 'universal capitalist' and the pastoralists became the 'wage labourer.'	Top-down production mechanism. Tribal system and Monasteries were absent. Fixed, mechanised rangeland and livestock management was dominant.
Post 1980s 'De-collectivisation'	Use rights to	Village; Pastoralists	Land contract	Interdependent relationship	A mix of the old and

'Period	households.	with contracted use rights.	law Customary Law and Practices Government Management Regulations	between monastery, monastic villages. Monastery as intermediator.	new. Household contract for the legal perspective, and complex practices with flexibility and complexity on the ground.
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Table 4.3: Control and Access to Rangeland from 1940 to the Present.

As this table shows, hybridity emerged in all periods through different routes. Each period was labelled and associated with a particular tenure, no matter whether it was communal, collective or private property rights. Although conditioned by the historical socio-political context, property practices in real-world situations were hybrid: for example, the decay of the *tsowa* systems, the absence of the monasteries during the commune period, and the revitalisation of the monasteries and inheritance of customary practices after the de-collectivisation. Nevertheless, as figure 4.3 shows, hybridity has always been there and has been constructed through different practices of assemblage from the pre-1950s feudal era, then to collectivisation from the late 1950s to early 1980s, then to the de-collectivisation period starting since the 1980s.

Conclusion

Hybridity has always existed but in varying degrees as a result of various practices of assemblage and this raises an important analytical point based on historical evidence. Hybridity has been a persistent feature of rangeland governance due to the way Chinese-Tibetan politics have played out; however, this has changed over time as a result of shifting actors, politics, relationships and pressures. Pastoralists have always negotiated forms of hybrid tenure arrangements via interaction of institutions to remain flexible and continue with pastoral production. Throughout each period, regardless of whether it was labelled as being the 'feudal,' 'collectivist' or 'private,' pastoralists deployed a variety of strategies in response to changing political contexts and in relation to different institutions (central state, whether imperial or communist; local community, whether 'chiefs' or village leaders; and monasteries or religious leaders); hybridity emerged, but in different ways and through different routes.

It was demonstrated through bibliographic and archived documents from two pastoral settings in Amdo that 'land tenure security'⁶⁰ (Ren *et al.* 2019; Franco and Borrás 2021) did not take complete control;

⁶⁰ However, recent studies suggest a distinction between legal (de jure) tenure security and actual (de facto) tenure security. Legal tenure security often derives from formal institution, and actual tenure security (could be) derived from both formal and informal institutions (Ren *et al.* 2019: 1400)

that is to say, control over land was not monopolised by a few local elite but rather, access and use was spread much more widely amongst various community members, and spaces were available to negotiate access and use, more flexibly than would be assumed; and techniques of ensuring rangeland use and access were hybrid, often in the making due to changing political and economic environments. The history of shifting politics in the Sino-Tibetan context, constant social reforms and unrest influenced fluctuating ways of governing natural resources and rangelands. When political authority over rangeland was insecure, access rights became an essential indication for understanding the dynamics of resource use and the politics of power. Hybridity emerged through layered histories, social arrangements, local politics, religious influences and state/imperial imposition. This was the case in Amdo then, and it has been since.

This chapter tracks the complex topographies of rangeland governance in Amdo across time, whether during the *tsowa*, state collectives, or household contract era, where hybridity was constructed via the interplay of many norms and connections. Hybridity has always been there, and this is important to the ongoing hybrid rangeland governance in Amdo. Thus, control and access to rangeland were not just a debate between feudal, communal, collective or private property rights systems. It was a mixture of all these land tenure systems that intersected and interplayed over history. This challenges the linear narrative by emphasising that hybridity is layered and emergent over time through changing historical-political contexts. This influences the outcomes of land governance contests, as examples in the following three chapters show.

Chapter 5

The Guardian of the Land and the People

Introduction

China is home to the world's largest Buddhist community, with approximately 100 million individuals self-identifying as Buddhists (Ji *et al.* 2020). Since the 1980s, Buddhist communities in China have been able to revive their practices in various ways; hence, Buddhism has become a more visible, social and cultural phenomenon (Sullivan 2020). Meanwhile, the state has engaged Buddhist groups intensively in efforts to advance national unity, social stability and social welfare, as well as the PRC's soft power (Laliberté 2015; Heller 2020; Weiner 2020). Despite Buddhism's growth and influence in China since the 1980s, the nuanced relationship between Buddhist monasteries, the laity and the government has received relatively little scholarly attention (Yang 2017).

Monasteries and monastic institutions have been a powerful ally of the local government in pursuing its socio-political and economic policies in the post-Mao era (Hillman 2005). Thus, as one of the state-approved religions, Buddhism is expected to converge with the needs and interests of the regime (McCarthy 2017). An in-depth study conducted in Lumu in 2017 revealed that, at a macro-level, the state and governments use Buddhism to legitimise the party's authority, with monastic institutions treated as influential partners in pursuing state policies designed for the local context (Tsering 2019). At a micro-level, the monastery's relationship with the villages is restored through the inheritance of interdependence and reciprocity, in which *Lhades*⁶¹ provide basic subsistence to the monastery in exchange for religious services. Similarly, scholars have proposed the term 'traditional Tibetan community' (Wang and Li 2014; Fu *et al.* 2017; Yang 2017) to describe the pre-Mao era 'local secular elite - Tulku - monastery - affiliated monastery- *Lhade*' relationship-based social structure. According to their studies, the religious and secular pillars of traditional Tibetan communities in rural areas were inextricably linked, with continuous interventions and reciprocal cooperation between the secular elite, such as chieftains, tribal leaders and non-secular actors, such as monastic Lamas and Tulkus.

From the 1950s to the late 1970s, this conventional social structure was reshaped by the rise of the new China and its social policies, emphasising the exclusion of religion from the secular arrangements. After the demise of the cultural revolution, and the reform and opening policy began in 1978, Buddhism and monasteries were reintroduced to China Tibet (Yü 2012), where monastic institutions became important

⁶¹ ལྷའུ་ 香火村 'the villages of the God', refers to the monastic villages, different from administrative villages. *Lhade* provides resources, such as yak butter, *tsembe* (Tibetan barley flour), and cash money to the monastery through a periodic almsgiving, and the monastery provides religious services in return (Tsering 2019).

allies of the state in promoting social stability and development (Weiner 2020). According to Fu *et al.* (2017), since the early 1980s, rural Tibetan regions have developed a new type of social structure that is based on the intertwined relationship of 'Tulku – monastery – *Lhade*.' However, this new type of social structure should be better described as an inheritance of the traditional Tibetan community, with the exception that the state eliminated the existence and power of the secular elite, such as the chieftains and tribal leaders during the land reform period (Guoping and Houqing 2016). On the ground, pastoralists, Tulku, and the monastery strive for development via equity and fairness, while emphasising the safeguard of Buddhism-centred social ecological culture. This is continuously being tested by the influx of various externally prioritised conservation and development projects that require reconfiguration of the existing arrangement for land use, consequently reshaping the relationship between the monastery and *Lhade*.

This chapter aims to look at how bricoleurs incorporate existing 'ways of doing things' in diverse institutional contexts into new rangeland arrangements in Golok. It concentrates on the role of the monastery and monastic institutions while providing insight into the components that should be considered when designing resource governance interventions in the local context.

5.1 On the Land of All: The Hydro-power Dam

Building on Cleaver's definition of institutional bricolage as the dynamic procedure by which different actors customise "existing social formulae and arrangements consisting of rules, traditions, roles, and relationships" (Cleaver 2012:44), bricolage in Lumu is more than the interaction of organisations; it is also the interaction of their underlying framings, worldviews and perspectives on resource use, thus, a bricolage of knowledge, beliefs and ideas about nature and the existence. Many scholars define Buddhism as the bedrock of Tibetan identity, and this identity exists with the earth, the waters and the sky in Tibet (Shakya 1999; Yü 2012). Lumu's landscape encompasses not only the physical environment but also the spiritual realm, resulting in a coexistence of the religious mindscape and natural landscape that interact and bond continuously (Yü 2012; Tsering 2019).

Gande county covers a land of 7,046 km² and is home to 13 Tibetan Buddhist monasteries with a total of 2,163 officially-registered monks⁶² (Smith 2013). As one of the earliest monasteries in the region, Shar monastery was founded in the mid-18th century as one of the region's earliest Geluk monasteries. It was destroyed in 1958, and was rebuilt following the cultural revolution (Tsering 2019). Shar

⁶² Different state regulations of Tibetan Buddhism exist in China, including the requirement of monks to register with local religious bureaux. Other regulations also exist, for example (Cuo Ya 2020), 'the rule on the Management of Reincarnations of Tibetan Living Buddhas (2007)', 'Measures for the Administration of Tibetan Buddhism Temples(2010)', and 'Measure for the Conferment of Academic Ranks on Tibetan Buddhism' (2015).

monastery is approximately 30 kilometres from any township and 70 kilometres away from Gande, the county centre. Shar monastery holds a total of 213 monks and shares a total of 5,200 mu⁶³ of land after the rangeland use right contract policy in 1994. Nevertheless, the land of which Shar monastery asserted ownership is significantly larger than the contract's figure. According to the monastic management department, the monastic land included not only the land mass specified in the contract, but also the cultural territories consisting of the sacred mountains, the sacred lakes, the pilgrimage routes and the *Lun Mo Chee* River, a tributary to the *Ma Chu*⁶⁴ that flows alongside the monastery.

Since 2016, Lumu has received a handful of external investment focused on conservation and development, including a wetland national park on monastic land; a hydropower dam project near the monastery; a mineral water factory in the village; and a tourism centre as part of the poverty alleviation and eradication project. The influx of these external projects altered not only the local pastoralists' relationship to the rangelands, but also the monastery's position and existing reciprocal cooperation with the monastic village. As one of the monastic Tulkus⁶⁵ recalled,

"I know that someone went to the government and claimed that the village would receive 50,000 yuan⁶⁶ in annual revenue. I would like to tell these people, please be clear-headed, you better show me the contract or whatever proof you got, and to make all other villagers see that I have ruined the wellbeing of the pastoralists from rejecting the proposal. Today, I am here to assure you, if there were a 50,000 yuan of annual income for the village, I would extract my eyeballs right after."⁶⁷

The Tulku is in his late 40s, an unusually calm monk with a kind face. The Tulku's quotation originated during one of the religious gatherings in the village, and his statement terrified the crowd that day. "Tulku is our *Tamcan kyinpa* (Tib, the omniscient being), he is sacred in our minds, and he is expected to be peaceful and calm. However, he was enraged that day," according to Uncle Ray, the 58-year-old former village hunter. Furthermore, the trigger of this unexpected irritation can be traced back to July 2017.

⁶³ 1 mu = 0.067 ha

⁶⁴ 黄河 The Tibetan name for the Yellow River in China, and 黄河 *Huanghe* in Chinese.

⁶⁵ ལྷ་མཚན་ 转世活佛 *tulku*, literally means the 'apparitional body', refers to an incarnated bodhisattva who works for the welfare of sentient beings. *tulku* institution is a unique characteristic of Tibetan Buddhism with a central role in this tradition, to the extent that it is present in almost every aspect of Tibet's culture and tradition (Willock 2011; Etesami 2014).

⁶⁶ 1 yuan = 0.154 dollar

⁶⁷ Interview, Tulku, Golok, Dec, 2019.



Figure 5.1: Monastery Shar by Ma Chu (by BMRT).

Around July 2017, a group of non-locals camped near the river in Lumu. The villagers initially had no idea who they were, so they reported them to the monastery, where they later discovered these non-locals were a group of engineers. These engineers started measuring and digging holes near the river a few days later. After learning that the engineers were there to build a hydropower dam, the monastery and village leaders became furious at being ignored and excluded from receiving information about the development and negotiations around it. Consequently, on a late summer night, the villagers marched to the camping site and dumped all the machines into the river, while the engineers fled.

The hydropower dam, as learned from other sources, was a collaborative effort between the county government and a state-owned company. However, because the dam would be built on monastery property, the Tulku was assured that the monastery had the ultimate right to participate in the decision-making and approval of the project. “This piece of land belongs to the monastery,” he explained, “and we have a legal contract with the state. Therefore, we have the right to determine what can be built on the land and for whom, and I believe this is a contractual right.”⁶⁸

After the first attempt failed, representatives from the county-level government and the company returned a month later with an offer to take the Tulku and village leaders on a study tour. The Tulku and other leaders agreed to join them, and they spent a week pilgrimaging to Amdo’s well-known religious sites, followed by a visit to Khri Ka’s hydropower dams⁶⁹. In Khri Ka, the company demonstrated the gigantic hydro-power station and the high-tech control rooms; additionally, a presentation was prepared and the host promoted the socioeconomic benefits of hydropower dam construction. While the Tulku and the village leaders were away, the county government dispatched a negotiator to the monastery

⁶⁸ Interview, Tulku, Golok, Dec, 2019.

⁶⁹ 贵德 *Guide*, one of the administrative counties in Qinghai Province that is well-known locally for its hydropower dam constructions.

with 200,000 yuan, which the negotiator stated was the company's compensation. The monastery consulted the Tulku and immediately returned the money to the negotiator. Although the study tour went well, the Tulku and the village's decision remained unchanged. They voted against constructing a hydropower dam on the monastery's land, and, as one of the village leaders who joined the study tour indicated, the ultimate reason is that,

"There are no residents near the dam we saw in Khri Ka, and I am sure they had relocated the residents to somewhere afar from the big thing. The case here (in Lumu village) is different, because our monastery and the village are right next to the river. You can re-locate the villagers if they have the willingness. But how are you going to re-locate the monastery? And what is a monastery without *Lhades* (monastic villages)? That is something beyond imagination."⁷⁰

Later, the monastery and the monastic association confirmed the village leader's concern, where the Tulku underlined the fears of the socio-ecological consequences, the challenges associated with relocating the pastoral families and the monastics, the threat of flooding and its effect on rangeland and livestock, and the potential for damage to indigenous fauna and flora. The possible outcomes of constructing a hydropower dam in the village were widely discussed on social media, at religious gatherings and in casual conversation. Uncle Ray was overjoyed when I asked about the dam's rejection, as he said, "We did the right thing, and I am glad we are still here next to the monastery. It is hard to imagine where (if you are resettled away from the monastery) do you go for religious help when someone dies in the family."⁷¹ This interdependent relationship between pastoralists and the monastery is further stressed by the pastoralists from *tawas*⁷² who live next to the monastery. As Apa Jay, 72, a well-known craftsman in the village, put it,

"Practising Dharma is the only thing I care about now, and like many *tawa* people here, we are devoted to the teachings of Buddha. We feel safe and secure here because we are right next to the monastery. The dam-building would definitely resettle the pastoralists, and according to what I have heard and seen, there are no monasteries in the resettlements. It is hard to imagine life without the monastery, we have been through life like that, and I don't want to experience that kind of life again."⁷³

As Apa Jay stated, the landscape that was being negotiated is about more than just land and water for the hydropower dam; it is about the spiritual and material needs of Lumu, as well as the ultimate purpose of bricolage in broader dimensions, which is determined for the community's interrelationship and coexistence. The idea of constructing a dam alarmed both the monastery and pastoralists from the monastic village, who expressed their fear that the resettlement would sully their relationship with the monastery. After all, as the land's contractor, the monastery, backed by village leaders, rejected the

⁷⁰ Interview, Apa Jarbo, Golok, Dec, 2019.

⁷¹ Interview, Uncle Ray, Golok, Mar, 2020.

⁷² མཐའ་ལྷག་ གྲུ་མཚན་ *tawa*, here literally means the marginalised people, which refers to the people who choose to live near the monastery for various reasons.

⁷³ Interview, Apa Jay, Golok, Sept, 2020.

proposal for the wellbeing of the majority in Lumu. The existing bond between the monastery and the monastic village served as the impetus for rejecting the state's project on Lumu's land. Pastoralists prioritised the collective realisation of coexisting religious and secular entities, based on cultural and belief systems, over the proposed hydropower dam, which they believed would be detrimental to the monastery's existing relationship with the village.

5.2 On the Land of the Pastoralists: From the Mineral Water Factory to the Ecotourism Centre

Following the rejection of the hydropower dam, Lumu village, as one of the largest *Lhades* of Shar monastery, received an offer for a mineral water factory from a company based in *Jiangsu*⁷⁴ Province. According to villagers, the company promised a 20,000-yuan annual share for the contractor and another 50,000 yuan for the entire village. The company identified a parcel of land belonging to one of the village's pastoral families, totalling 800 mu of winter pasture. Uncle Tek, the rangeland contractor and father of three, stated during an interview that "as a pastoralist knows nothing but grazing, we seek advice at the monastery. So, I consulted with the Tulku regarding the proposal." As Uncle Tek recalls, the Tulku discussed the advantages and disadvantages of constructing a factory on pastureland and emphasised the importance of conserving water resources. As with Uncle Tek, many pastoralists in the village consider the monastery and the Tulku as public authorities and legitimate actors who can be trusted to give voice and are able to represent the interests of the many. After a week, Uncle Tek rejected the company's offer; however, rumours and complaints circulated among other pastoral families, where some alleged that the monastery had taken all the money from the company, and some pastoralists even approached the county government to report the issue, as the Tulku recalled with an uneasy smile,

"The county governor called me one day and informed me that some villagers had some complaints about the monastery and it was about the mineral water factory. I knew rumours were circulating, but I did not expect that people would go to the government and complain. That was somewhat disappointing, as the monastery's work was entirely for the benefit of the local populace and land."⁷⁵

Then, during a religious gathering in the summer of 2018, the Tulku expressed his disappointment to the crowd and reaffirmed his anticipations for the village's development and wellbeing. As Jab, the secretary of the monastic association put it, "We (monastery and monastic association) are committed to doing everything possible for the good of all sentient beings. We are never opposed to development; our concern is with how to develop. This land is owned by pastoralists, the monastery, livestock and

⁷⁴ 江苏, *Jiangsu* sheng, one of the provinces from the Yangtze River Economic Zone, Jiangsu ranks number one for per capita GDP in China.

⁷⁵ Interview, Tulku, Golok, Dec, 2019.

many wildlife. Thus, we cannot destroy the habitats of others for our own benefit; this is selfish. We must consider others; all things are interdependent, and we must bear this in mind.”⁷⁶

The secretary’s quote showed how monastic actors take their role as public authority seriously. They are trusted to listen and give voice, and they also help the majority in interpreting what is happening, in this case, the nature of development. That is, they possess the ability to craft narratives that compete with those of a centralised state and its emissaries.

In the eyes of the state, developing rural western regions has become a priority, with a particular emphasis on alleviating the poor and underdeveloped rural population since 2000. Among the numerous development-oriented interventions, the nationwide ‘targeted poverty alleviation’⁷⁷ (Chin, *jingzhun fupin*)’ project gained popularity for its efforts to alleviate rural China’s poor. A few weeks after the religious gathering, the county government proposed establishing an ecotourism centre in Lumu as part of a project to alleviate poverty in Golok by promoting tourism-related projects⁷⁸ (Chin, *lvyou fupin*). According to the archived document from the county poverty alleviation bureau, 4.25 million yuan was budgeted for the establishment of Lumu’s ecotourism centre (PAB 2016). After rejecting a hydropower dam and a mineral water factory, and in light of growing public opposition, the Tulku and the monastery decided to compromise this time. “The government will rent the land from us,” Jab, the loud voice secretary, explained. “They have promised us 50% of the revenue, which includes money from tickets, the hotels, and restaurants. That is why we permitted them to construct the centre on the monastic land.”⁷⁹

According to Jab’s statement, the ecotourism centre will be established on the monastery’s land, and the government has promised to share 50% of the revenue. However, on the ground, issues remain unsolved. Firstly, the share of revenue generated by the ecotourism centre appeared to be a mirage, as there was no contract or formal agreement between the government and the monastery regarding the project. In contrast, a county official confirmed that the centre to be a poverty-alleviation project. While drinking his milky tea in a Tibetan restaurant, a young official from the County Poverty Alleviation Bureau explained to me, “The fund for the centre came from the county Poverty Alleviation Bureau, which means it was intended to help the village’s poor pastoralist households through the state programme. Therefore, the profit must go to the poor, not the monastery, in accordance with the programme’s spirit.”⁸⁰ However, the ensuing question is why build it on the monastic land, but not on the

⁷⁶ Interview, Jab, Golok, Dec, 2019

⁷⁷ 精准扶贫 *jingzhun fupin*

⁷⁸ 旅游扶贫 *lvyou fupin*

⁷⁹ Interview, Secretary, Golok, Dec, 2019.

⁸⁰ Interview, Official L1, Golok, May, 2020.

land of the poor pastoralists? As the young official, who is in his early 30s and has fair skin and finely combed hair explained,

“The piece of land we have spotted is next to the main road and the pastoralist village, and not far away from the monastery, which makes the transportation much more convenient for the tourists. The monastery claimed ownership of the land, but the contract makes no such claim, although the village gave the land to the monastery as a religious offering, this is not a legal act. Therefore, the monastery lacks the authority to reject the project.”⁸¹

Lumu’s land control struggles continue to be fuelled by ambiguous tenure rights. As the young official explained, the village, not the monastery, contracted for the land for the eco-tourism centre. This statement, however, was rejected by a 43-year-old monastic account, a monk wearing metallic-framed glasses. As he stressed, “Without a doubt, this is the monastery’s sacred land. The great Arkyung chieftom offered this land to his holiness, the Dropa Rinpoche, and he and many other devoted followers meditated here as well. Those stupas and the prayer flags (far right in fig 5.2) are all in memory of the great ones who spent their entire lives practising Dharma here.”⁸²



Figure 5.2: The ecotourism centre on the left, and the religious sites on the right (by Palden).

In Lumu, land is perceived differently by different perceivers, resulting in a diversity of relationship constructions with the land. Unlike the young official who viewed the land as a useful asset for completing the poverty alleviation project, the monastery views the piece of land as a sacred religious relic that is revered by the locals, and the village donated the land to the monastery in recognition of its sacredness in the early 1990s. The land offer was an informal act demonstrating the village’s devotion to the monastery, even though there was no contract or evidence of land transfer in this case. Consequently, both the monastery and the village recognise the act of the land donation, which is why

⁸¹ Interview, Official L1, Golok, May, 2020.

⁸² Interview, Ake Lob, Golok, May, 2020.

the monastery is involved in the land use decision-making process: in this case, the construction of the ecotourism centre.



Figure 5.3: The landscape of Lumu in 2017, before the tourism centre and the museum were built (by BMRT).



Figure 5.4: The tourism centre was still under construction in the summer of 2020 (by Palden).

Although the issue of land use rights remains ambiguous in reality, this did not prevent the ecotourism centre from being started in early 2019. The government had chosen a piece of land 500 m from Ma Chu River and one km away from the monastery. As the Tulku stressed, “The monastery approved the use of the land for the eco-tourism centre, because the government has assured us that it is for the greater good, and we, as the *Bdad po* (Tib, the owner), have the legal support of the ‘Rural Land Contract Law’ and ‘enforcement of the Grassland Law in Qinghai’” (Gov 2018). The Contract Law referred to by the Tulku was enacted in 2003, and the term ‘land’ refers to farmland, forest, rangeland and other types of land suitable for agricultural use (NPC 2019). Once the land has been contracted, the ownership remains as before, and the land cannot be traded or transferred. The law specifies five legal

rights for the owner: 1) the use of the land, and the right to benefit; 2) the interchange, and transferring the contractual right of land; 3) the lease of contracted land; 4) the right to be compensated after land was expropriated and occupied; and 5) other regulated legal rights.

Along with legal rights come the contractor's responsibilities, which are also detailed in the law, and some key ones included the following: 1) land must be used for its permitted purposes; non-permitted uses are prohibited; 2) bring no damage to the land; 3) others. Rangeland and its use were also discussed in detail in the 2008 'enforcement of the grassland law in Qinghai.' Rangeland, alpine meadow, and other types of grassland are all examples of natural grassland. Contract law makes it abundantly clear that the contractor, regardless of whether an individual or a collective, has the ultimate right to use, lease and transfer the land. However, all of these rights listed from the Rural Land Contract Law are invalid because the monastery is not the land's contractor, even if they practise use right in reality. According to the County Poverty Bureau's 'Ecotourism Centre Implementation Plan,' "the land was clearly defined as the collective land of village Lumu, thus could be transferred for the use of the collective ecotourism centre for free" (PAB 2016: 6). Nevertheless, to avoid potential disruptions and rejections from the actual user of the land, and to ensure the centre's establishment, county officials chose to reach out to local public authority for the permit and support, as the Tulku said,

"They promised me to give one of the hostels for private use, which I declined. As a religious leader here, this kind of action (accepting the hostel) would cause rumours and criticism from the masses."⁸³

As the quote reveals, even though the county government is well aware that the monastery is not the land contractor nevertheless, involving the monastery and the Tulku in the negotiation and decision-making processes became vital to ensuring the village's collective land was used and governed sustainably. This agreement between the monastery and the government was contested during the project's early stages of site selection, as the Tulku recalled, when a group of 11 people visited the village in the summer of 2018, including government officials, designers, and cartographers at the county level. One of the female officials from the county tourism bureau, who held an umbrella the entire time to avoid the sunlight, told the crowd that the government should expropriate a larger area for the eco-tourism centre since the land belongs to the state by law. Her statement enraged the Tulku and according to the monastic account at the scene, the Tulku responded vehemently, "Since the state had contracted the land to the monastery and pastoralists for 50 years of use right, then the monastery and pastoralists have the ultimate right to decide what to do with the land. Priority should be given to

⁸³ Interview, Tulku, Golok, May, 2020.

conservation of rangeland; the monastery and pastoralists have the right to evaluate all projects involving changes in land use.”⁸⁴

The initial round of negotiations between the government and the monastery resulted in the Tulku and the monastery rejecting the centre’s preliminary, ambitious design. A few days later, county officials paid a second visit to the village and the officials assured that the eco-tourism centre would be kept small to avoid potential environmental damage, and that revenue would be split evenly between the monastery and the government. Thus, the monastery approved the ecotourism centre project. Even though the project has been approved, the monastery and the Tulku are concerned about its feasibility. As one of the monastery’s *geshes*⁸⁵ concluded during an interview, “Everyone is aware of the number of tourists who visit each year, and this kind of project is merely a show by the government. They must spend the state funds and make use of this centre for their own publicity. Why such a project is necessary and how it will benefit the locals are irrelevant to them.”⁸⁶ This is consistent with the concept of ‘directed improvisation (Ang 2016a), which, as a form of institutional adaptability, “allows for creativity at the local level within the parameters of a particular institutional context” (Lu and Tsai 2021:961), and directed improvisation has contributed to the establishment of China’s economic growth and development since 1978 (Dutta 2019).

Gande County receives approximately 110,000 tourists each year (PAB 2016), according to the County Cultural Affairs Bureau; however, the locals in Lumu are highly suspicious of this number. According to Sheb, a young Tibetan restaurateur in the village, “There are tourists visiting Golok prefecture, but the majority of them visit popular sites, such as *Anymachin*⁸⁷ and *Nyanbo Yutze*⁸⁸ (the two well-known mountains in the region). We lack the famous landmarks that other areas have. Moreover, the road from the county capital to here is horrendous; it takes four hours to travel 70 kilometres, and the summer is brief, and nobody wants to visit here during other seasons.”⁸⁹

As with Sheb’s pessimistic assessment of the centre, pastoralists from Lumu expressed their opposition to the project by commenting on the building’s style. Tus, a former monk who disrobed seven years ago and is now a father of two, offered his observations on the centre, stating, “We have mountains and Ma Chu here, so why can’t you just use the local materials, such as stones to build the centre? Moreover, consider the surroundings, structures should always complement the surrounding environment. I assure

⁸⁴ Interview, Tulku, Golok, Jan, 2020.

⁸⁵ དགེ་བཤེས། 格西, Geshe, name of the title for Tibetan Buddhist scholar.

⁸⁶ Interview, Geshe, Golok, May, 2020.

⁸⁷ ཨ་ཁྱེ་མ་ཆེན། 阿尼玛卿雪山

⁸⁸ ལྷ་མོ་པོ་ལྷ་མོ། 年宝玉则雪山

⁸⁹ Interview, Sheb, Golok, Dec, 2020.

you that nobody would come here for a posh western-style hotel; and, to be honest, these (constructions) are ugly, but they adore modern, western-style architecture made of bricks and cement.”⁹⁰

The soon-to-be-completed ecotourism centre will feature a dozen finely-decorated wooden hostels, a two-floor vegetarian restaurant and two public restrooms. Whether it is scepticism about the centre’s viability, the dissatisfaction with the building style, or uncertainty about the project’s incentive and the potential outcomes, the downfall of such a project is collectively acknowledged by various groups of Lumu residents. As demonstrated by this case, perceptions of development and development pathways differ between the local government and the monastery. As aforementioned, the government views the piece of land as a valuable asset for implementing the state-funded poverty alleviation project, which included development through establishment of an ecotourism centre on the property. However, the monastery and local pastoralists have divergent views on the development, with the monastery viewing the land as the inheritance of the great gurus, and local pastoralists having grave reservations about the promotion of livelihood through tourism revenues. In retrospect, government interventions in development tend to measure and implement projects using a single, simplified and technological understanding, often overlooking the dynamic, situated and local understandings of the people.

5.3 On the Land of the Monastery: A Museum

“Tulkus are always the charismatic figures in Tibetan Buddhist monasteries, and they can always rely on their good connections to secure funding.” (Wang, Golok, 23rd May, 2017)

As soon as the construction of the eco-tourism centre started, the Tulku proposed, and the monastery approved, the establishment of a monastic museum in 2019. A museum with a purpose, or as the monastic association promoted among the pastoralists, a museum dedicated to the development and conservation of Lumu’s cultures. Despite its traditional role as a significant religious institution, Shar monastery in Lumu has also been a key factor in conservation and development since 2007. There were three officially-registered monastic associations in Golok prior to 2019 (Tsering 2019), and among them, BM Wildlife Conservation (BWC) was founded by Shar monastery in October 2013, making it the county’s first registered conservational organisation. As a pioneering grass-roots association in Gande, BWC collaborates with local monasteries, pastoral communities, external nongovernmental organisations (NGOs), and the local government on implementing a variety of environmental projects in Lumu, including biodiversity conservation, awareness-raising, and capacity-building. The Secretary of BWC summarised the rationale for establishing the association as follows,

⁹⁰ Interview, Tus, Golok, May, 2020.

“A monastic association is desperately needed here. Shar has initiated numerous cultural preservation projects in Lumu over the last three or four decades. However, the monastery’s constant involvement in secular activities, such as wildlife conservation, pastoral culture preservation, and natural resource management would undoubtedly attract outside critics. Thus, an officially-registered monastic association perfectly avoids critics while expanding the monastery’s function.”⁹¹



Figure 5.5: Between *Ma Chu* and the main road is the monastic museum (by Palden).

The monastic association currently has 78 registered members, including the chair and the secretary, who are monks from Shar monastery, and other members who are village laities. On an early winter morning, the Tulku convened all members of the association in the office adjacent to the monastery, where the concept of a monastic museum and its long-term interests were discussed. As one of the association’s members recalled, Tulku highlighted the importance of a museum for preserving the local cultures, which include pastoralism, ecology, and the monastery; and Jab, the BWC’s secretary, discussed the functional distinctions between a museum and tourism centre. Whereas he described the tourism centre as a body without a soul, the museum, on the other hand, has both the soul and body, and thus is critical for cultural preservation and transmission in Lumu.⁹²

Pastoralists in Lumu had varying interpretations and expectations of such a museum, as Uncle Ray stated, “The monastic museum is designed for the promotion of pastoralism, and this is a great thing for the younger generations here.”⁹³ Uncle Ray’s reference to promoting pastoralism was expanded upon by Jab, who stated, “Such a museum is different from an ecotourism centre. They (the government) must spend the state fund, and they are always looking for a quick solution, and this kind of project

⁹¹ Interview, Jab, Golok, Feb, 2021.

⁹² Interview, Aop, Golok, Dec, 2019.

⁹³ Interview, Uncle Ray, Golok, May, 2020.

disregards the suitability and sustainability on the ground. By comparison, our museum is devoted to the development of the pastoralists, which is essentially related to the maintenance of the ecological, pastoralist and monastic cultures found here. These three cultures are inextricably linked and constitute the very soul of pastoralists' daily life. We hope that this museum will provide a platform for the young pastoralists, monks and non-locals to learn and understand the cultures, and then change their perception of pastoralism as backward and undeveloped."⁹⁴

Both monastics and laities expressed their opposition to the eco-tourism centre by criticising the incentive of the project and its abominable construction style. By contrast, the monastic museum had elicited positive responses from pastoralists and association members. These two cases show how the monastery and the Tulku have risen to prominence as the public authority in Lumu as a result of their intensive engagement in secular errands. Moreover, with the monastic association's efforts since 2013, the determination and dedication to preserving and developing the village's culture has garnered increased support from the masses. Unlike the mainstream narrative on development of Lumu, the monastery and the Tulku had their own interpretations that were context-specific, as a result, the majority of the people chose to trust the monastery and the monastic association as their emissaries capable of defining their interests and advocating for them.

5.4 Power Relations, Institutions and Bricolage

The cases presented in this chapter underscore discrete determinations of land utilisation by different actors with distinct cultural and political relations, each underlining different customizations of institutions consisting of the existing roles, relationships, understandings and exercises that are embedded in the everyday life of the monastery and pastoralist. The complexity of these institutional arrangements from the cases point to a monastery-centred hybrid rangeland governance in Lumu, where the monastery and monastic association are intensively engaged in the secular arrangements, in this case, the use and access to rangeland.

In Lumu, the relationships between the monastery, Tulku, local government and the pastoralist community are crucial to understand the bricolage-centred hybrid rangeland governance. The end of the cultural revolution and the blossoming of 'Great West Open Up' in the 1980s had revitalised Tibetan Buddhist monasteries and monastic institutions to become powerful forces in the local government's pursuit of its social-political and economic policies (Hillman 2005a; Yü 2012; Jansen 2018; Heller 2020). Nevertheless, the role of monastery is not confined to macro-level policymaking and implementation,

⁹⁴ Interview, Jab, Golok, Mar, 2020.

but also in the realm of everyday decision-making of pastoralists on rangeland governance and control (Simula *et al.* 2020). Moreover, the role of the monastic elite, such as the incarnate, explains that when local elite are capable and acknowledged by the pastoralist communities and the government, and more importantly, when local religious elite, such as the Tulku expresses willingness to support the benefits of the mass, then there is room for these elite to become bricoleurs; that is, they customise the interrelationship with the pastoral community, the role as intermediary between government and local community to influence arrangements for rangeland utilisation (Tsering 2019). As the cases in this chapter illustrate, pastoralists from Lumu regularly consult the monastery and monastic elite for advice and suggestions toward the utilisation of the rangeland, and this offers room for negotiations from the trust-based relationship between the monastery and the pastoralists. In the case of land expropriations in Lumu for non-pastoral usages, the rejection of the hydropower dam and the mineral water factory is the result of the effort of collaborative decision-making from the monastery and the pastoralists.

Hybrid rangeland governance, in this sense, is about coordination, co-production and co-constitution that is always in the making. It stresses the relational process, such as the recurring negotiations and contestations under different uncertainties and changes. The case in Lumu nicely illustrated the customising of the existing role and relationship, and this customising of the 'materials at hand,' the utilisation of dynamic, interdependent relationship between the community and monastery, became quintessential for the hybrid land governance that is in motion.

Bricolage helps to illustrate the ongoing process of rule-making and interactions between state and the local communities. In Lumu, hybrid rangeland governance can be summarised as being monastery-centred, where the existing bond between monastery and the monastic village, and the role of monastery as the mediator in bridging interactions and conversations between local governments and the pastoralists, are the key for the construction of this type of hybridity. In Lumu, the local monastery has become the central bricoleur on negotiating land utilisation and access through charismatic figures, such as the Tulku, and his influential networks, and through reconceptualizing and promoting Tibetan Buddhism and its cultural aspects of the world, the relationship between humans and nature, secular and non-secular, and human and human. Hybridity appears from practices by different interest groups, such as the monastery, Tulku, pastoral communities and the government, where different groups of people customise existing social arrangements consisting of rules, roles and relationships to achieve their goals over time and space.

Thus, key ingredients for the sort of institutional hybridity now seen include the revitalised roles of monastery, the promotion of the monasteries for the construction of social stability, the Tulku, and the

monastic organisation after the cultural revolution and the 'Open Up' of the State, where these unauthorized actors become mediators and play crucial roles for ongoing negotiations. Consequently, a sense of co-production emerges, and the participation and engagement of the local pastoralists become possible through bricoleurs, such as the monastery and Tulku. Practices of bricolage enable the inclusion of pastoralists in decision-making around infrastructure and other development projects.

In retrospect, rangeland governance and control in Lumu is much more complex than the conventional individual and communal debate would indicate. The development and conservation-oriented fiats from central government have forced the local community to the fringe of losing their rights to access and a potential livelihood shift from livestock herding to a more modernised, fixed and predictable food production system. These resulted in the increase of livelihood vulnerability due to the lack of engagement and experience toward such uncertainties. Nevertheless, even though the chances for participation and engagement of local pastoralists are often considered limited under these policies, programmes and projects, negotiations and contestations toward land governance and control are evolving and in the making in everyday life. In the case of Lumu, practices toward land governance and control are mosaic and polycentric. Local pastoralists and government reach out to the monastery, religious elite, such as Tulku, and monastic organisations, for advice on decision-making, and this inclusion of the non-official authority into negotiation toward land governance and control is substantial for the construction of the local political structure. The politics of land governance and control, decision-making, utilisation, permit-seeking and access to rangeland are determined by an interdependent relationship involving the government, pastoralists, monastery and Tulku. Thus, collective recognitions thrive from the co-existence of the monastic community and the monastery, where decisions toward land use and control-related policies, projects and programmes are negotiated and contested by different bricoleurs, no matter whether it is on the privatised winter pasture of Uncle Tek or the communal village summer pasture (see cases from this chapter).

However, the existence of this hybridity relies on the maintenance of and evolving relationship between monasteries and monastic communities. The evolving relationship between these two depends on the political changes toward religion and religious institutions from the state, and these variabilities would very much reshape the existing interrelation, the social structure and the socio-economic mechanisms that fundamentally derived from this monastery and monastic village interdependent relationship. Thus, the evolving of this monastery-centred hybrid rangeland governance relies on the existence of the monastery, the functioning mechanisms of the monastery and the power of its emissaries, such as the Tulku in the local society. This is to say that, when the monastery and religious elite, such as the Tulku are deficient in such cultural, economic, and political influence, then monastery and monastic elite lose

their power as the guardians of the land and people in the local society. Consequently, the possibilities of engagement and participation in the decision-making and construction of the politics by the local pastoralists and the less powerful are reduced.

5.4.1 The Bricoleurs and Power Relations

As previously explained, bricoleurs are those who combine elements from different institutional settings to influence governance. Institutional bricoleurs in the cases of Lumu involved the Tulku, the monastery, the monastic association, the government, the external investors, and the pastoral village.

Theme/Cases	Hydropower Dam (2017)	Mineral-water factory (2018)	Ecotourism Centre (2019)	Monastic Museum (2019)
Actors	County Government; External Company; Monastery; Pastoral Community	External Company; Pastoral households; Monastic Representative; (Tulku as the consultant)	PAB; Monastery; Pastoral Community	Monastery; Monastic association

Table 5.6: The Bricoleurs from Each Case.

Among the numerous bricoleurs, the monastery and its representatives, such as the Tulku have acted repeatedly as the decision-makers for rangeland use and access. However, different forms of relationships exist between the monastery and other bricoleurs under different social contexts. The forms of relationship can be categorised into three types: firstly, reciprocal cooperation. The monastery, as the religious institution that coexists with the monastic village, and its emissaries, such as the Tulku, remain powerful and influential in secular life. Secondly is the monastery, as the intermediary between local society and the government. The monastery has been an important ally of the state. Thirdly, is the monastery, as the guardian of the land and people. The monastery and monastic association have become the pioneers of the conservation and development of the cultures in Lumu. However, these relationships lack the validity for classification, since they often overlap and interchange under different circumstances.

As is showed from the cases, the Tulku has been playing his multiple and decisive roles in the establishment of the dam, mineral water factory, eco-tourism centre and the monastic museum. As an 'omnificent being' to the pastoralists, the Tulku is considered not only as a living Buddha, but also the local authority that the pastoralists could trust and reach out to for advice. as Also as the 'ally' of the government, the Tulku is incorporated for the implementation of governmental policies and propaganda on the ground, in this case, the establishment of the tourism-based poverty alleviation project in the

village, and as the religious leader, the Tulku has the ultimate power to decide what happens on the land of the monastery and the people. Thus, Shar monastery and its emissaries, such as the Tulku, are the intermediators between different framings of the challenge, between Buddhist conceptions of nature and spirituality, and state ideas of ‘development,’ progress, and modernity.

5.4.2 Roles, Relationships and Rules

Institutional bricolage refers to the practice of actors customising existing social arrangements, such as rules, roles, and relationships to confront changing situations. First and foremost, the written, formal, and regulated rules governing land use and access must be clarified. The rangeland’s use right was contracted in the 1980s as part of the implementation of the household contract responsibility (HCR) policy to individual pastoral households, the monastery, and Lumu, the administrative village. The contract specifies the location, size and land types and the name of the contractor. The contract includes a 50-year of use right guaranteed by the provincial people’s government, and the contractor has the ultimate right to the use, lease and transfer of the land under HCR. However, all cases from Lumu showed that despite the various contractors, the monastery has repeatedly been involved and consulted regarding the use and access to both private and communal land (see table 5.7). For instance, in the case of the eco-tourism centre, the county people’s government and the PAB determined that the village contracted the piece of rangeland for communal use under HCR, establishing the village as a legitimate user of the land. Nevertheless, the village offered that piece of rangeland to the monastery due to the concern of demerit from herding livestock on the religious site, where that piece of land is considered sacred by the local monastery. This shows that land is more than just a grazing ground for the livestock in Lumu; it also serves the monastery’s and pastoralists’ collectively-valued purposes and this socially-constructed reality shapes land use and access decisions, as in the case of offering pastureland to the monastery, a collective behaviour that can only be explained by the monastery’s interdependence with the monastic villages. In another case, even though the contractor for the winter pasture is clear for the mineral water factory building, the local authority - the Tulku from Shar monastery - is consulted on land use and access.

Themes/Cases	Hydropower Dam (2017)	Mineral-water factory (2018)	Ecotourism Centre (2019)	Monastic Museum (2019)
Contracted	Monastery	Pastoral Household	Administrative Village	Monastery

Use Right				
Decision-making and influences on Use Right in Reality	Monastery	Monastery and Pastoralists	Monastery	Monastery

Table 5.7: Contracted use right and use right in reality from each case.

As the cases detailed, rangeland use rights are ambiguous and arranged differently to rangeland Contract Law, and the influx of development - and conservation-prioritised projects has further exacerbated the messiness of the land use right on the ground. As aforementioned, various actors participate in the design of land use through continuous negotiations and contestations, and the process of tailoring diverse rules, roles and relationships is often complex. For a better understanding of the bricolage process, the multi-dimensional institutions are classified into three categories based on the cases and findings (see table 5.8).

Theme/Cases	Hydropower Dam (2017)	Mineral-water factory (2018)	Ecotourism Centre (2019)	Monastic Museum (2019)
Actors	County Gov; External Company; Monastery; Pastoral Community	External Company; Pastoral household; Monastic Representative;(Tulku as the consultant)	PAB; Monastery; Pastoral Community;	Monastery; Monastic association;
Relationships And Interactions	Existing relationship between the monastery and the monastic villages. Study tour Grassland Contract	Individual devotion and trust to the Tulku. Conservational instructions from the Monastic association. Rumours and complaints; Bribery and (verbal) promise.	Rangeland contract. Land as a religious offer. Ecotourism-based Poverty Alleviation Programme.	Monastery as the guardian of the land and the people. Different narratives on development.

Table 5.8: Relationships and Interactions in Lumu.

As illustrated in the above table, various institutional bricoleurs have been engaged in confronting the changing conditions of land use in Lumu since 2017, with each institution composed of distinct rules, roles and relationships that are customised for each case. The above institutions can be classified as formal or informal, and formal institutions often refer to written, officially-appointed rules and roles, and officially-supported relationships, all of which are comparatively weak in Lumu's land use and access

decision-making process. As the hydropower dam case on the monastic land demonstrated, the local community was irritated by the neglect of the local actors - the monastery, and the exclusion of the respected local elite, such as the Tulku and village leaders from decision-making. Even though the investors and the government attempted to make amends for their misstep by offering consolation money and the study tour afterwards, the monastery and village rejected the project, stating that their actions were consistent with the rangeland use right contract and grassland law, as well as the communally-valued relationships, such as the inseparable bond between monastery and monastic villages. This case shows how outsiders, such as the government and external investors failed to comprehend the 'ways of doing things' on the ground, in this case, by failing to approach the local to public authorities for negotiation. By contrast, the investors chose to reach out informally by neglecting the contractor, and through enticing the elite with consolation money and study tour in exchange for the land use permit.

In the case of the mineral water factory on Uncle Tek's land, he has the ultimate right to decide what and how to use his own winter pasture as the land contractor. According to the Land Contract Law, the monastery has no authority over the lands of other tenants. However, the Tulku, as the '*tamcan kyinpa*,' is often consulted by the pastoralists on a variety of issues, including land use and access. Additionally, as a village under the jurisdiction of the Shar monastery, land use and access are always associated with the wider interest of the neighbours, the village and the monastery. This practice of collectivism is conventional and still provides room for consolidating the mutual understanding and reciprocal cooperation between the pastoral households in Lumu. Nevertheless, the rejection of the factory by Uncle Tek had irritated other pastoral families by excluding them from the process of negotiation and decision-making. Thus, it resulted in the suspicion of other pastoralists toward the monastery, and complaints of the Tulku to the County Government. After all, this case shows the importance of the interdependent relationship between the monastery and the monastic villages, and the mutual understandings of the community consisting of the monasteries, the pastoral villages and pastoralists; as well as the perceptions toward the outcomes of a mineral water factory is collectively evaluated by individual pastoralists, monastery and pastoral village.

Local government is also very active in the development and conservation projects in Lumu. In the case of the county PAB-invested ecotourism centre, the bureau spotted the land of the monastery, which according to village leaders, was a tactic to avoid the financial compensation involved with the requisition of land from pastoralists. As one of the county officials explained, "the monastery, as the guardian of the land and people, should prioritise the wellbeing of the masses. This project is to alleviate

the poor, so the monastery should compromise with the government.”⁹⁵ The inclusion of the monastery into the process of negotiation and decision-making on the establishment of the centre is not just the concern of negative outcomes by ignoring the local public authority but also, PAB and county government chose to skip the formal processes of requesting rangeland from the contractor, which consists of a tedious procedure of: getting a permit from the Ministry of Agriculture or the Provincial Forest and Grassland Bureau based on the size of the requesting land; getting a permit from the contractor of the land; estimating compensation to the contractor from land requisition; and submitting the ‘rangeland requisition form’ (MOA 2006) to the up-level government. Consequently, the county government, from using the Tulku and the monastery as the intermediators, successfully ducked all these dreary procedures, and gained the consent after two rounds of negotiations with the monastery. Thus, coalitions emerge for dealing with complex bureaucracy and political obstacles.

Pastoralists’ roles are highly dependent on the existing social relationships in Lumu. For example, what if Uncle Tek agreed to the proposal and a factory was built on his winter pasture? The monastery and its neighbours would have no legitimate right to halt the project, as Uncle Tek holds the ultimate right of use, lease and transfer of the land as the contractor. However, the project’s rejection is motivated by the common sense embedded in the existing social relationships between the monastery and the pastoralists, where land use and access are frequently a collaborative effort. As a result, a synthesis of the three cultures and the bricolage-centred rangeland governance model is visible in Lumu.

The conventional understanding of political control highlights the state’s coercive and formal mechanisms. However, the everyday political control of the state is informal and ambiguous, and powerful civil societies strengthen the control of the state (Mattingly 2019). The nature and the power of the local state is much more tentative than often assumed (as suppressing and having a coercive relationship with local society). The role of the local state is highly mediated by the power of the monastery and the monastic organisation in Lumu, and much of the opportunities for compromise, negotiation and resistance on rangeland utilisation emerge from the ambiguities of land control, and different overlapping claims can be made through competing discourses on development and conservation.

5.4.3 Practices of Assemblage to Hybridity

The ontology of land is distinct among different actors, and what land is for a government official is not the same thing as it is for a pastoralist or a monk. Land in Lumu is a rich resource that includes mixed interpretation from the mindscape and landscape perspectives. As the cases showed, diverse actors

⁹⁵ Interview, Official C1, Golok, May, 2020.

including villagers, the Tulku, investors and government officials are involved in rangeland use and access in Lumu, and different relations, discourses and technologies are assembled to confront the changing situations. Here, assemblage is the practice of bringing together an array of agents (villagers, the Tulku, official governments) and objectives (poverty alleviation, cultural preservation, livelihood, reciprocal relationship) to “intervene in social processes to produce desired outcomes and avert undesired ones” (Li 2007; 2014: 264).

Theme/Cases	Hydropower Dam (2017)	Mineral-water factory (2018)	Ecotourism Centre (2019)	Monastic Museum (2019)
Actors	County Gov; External Company; Monastery; Pastoral Community	External Company; Pastoral household; Monastic Representative;(Tulku as the consultant)	PAB; Monastery; Pastoral Community	Monastery; Monastic association;
Practices of assemblage	-Religious gatherings -Social media -Reciprocal corporation	-Water preservation -Sustainable livelihood -Rumours and complaints	-Poverty alleviation -Livelihood -Local relationship -Influence of Tulku	-Role of monastery -Monastic association -Conservation and development

Table 5.9. Cases and Practices of Assemblage in Lumu.

Different relations, discourses and technologies are brought together for the rejection or approval of different cases. For example, development discourse is defined differently by the government and the monastery, where the monastery stresses the essence of the development should focus on the maintenance of the three cultures, consisting of the ecology, pastoralism and monastery in Lumu. By contrast, many of the development prioritised projects aimed to progress and develop pastoralists by introducing alternative livelihoods, such as eco-tourism, often neglecting the wider connection of different groups of people and their conventional bond with nature. For the dam-building project, Wechat posts on the pro and cons of hydro-power dam-building were circulated among the village Wechat groups; moreover, the Tulku and monastic association emphasised the pro and cons of such a dam during several religious and secular gatherings in 2017.

In the case of the tourism centre, the PAB, instead of handling land expropriation through a formal process, deliberately reached out to the monastery for the permit of use right, which, according to the

law, was contracted to the administrative village under the household contract responsibility policy. The acknowledgement of the monastery and the Tulku, as the public authorities on rangeland use and access on the ground, had motivated the government to utilise the power and influence of the Tulku in the process of negotiation. Among the many tactics, the idea of 'benefiting the poor' was promoted by the government, which aligns with the fundamental practice of 'altruism' in Buddhist teachings. Thus, the promotion of the tourism-based poverty alleviation from the province became the practice of altruism, even though pastoralists and the monastery highly doubted the outcomes of the tourism centre.

As the cases in this chapter show, pastoralists from Lumu regularly consult the monastery and monastic elite for decisive advice and suggestions toward the utilisation of the rangeland, and this offers probability spaces, such as potential chances of negotiation and engagement in decision-making on the external proposals from the trust-based relationship between the monastery and the pastoralists. In the case of land expropriations in Lumu for non-pastoral usage, the rejection of the hydropower dam and the mineral water factory is the result of the effort of collaborative decision-making from the monastery and the pastoralists.

Hybrid rangeland governance, in this sense, is about coordination, co-production and co-constitution that is always 'in-the-making.' It stresses the process of interactions, such as the recurring negotiations and contestations under different uncertainties and changes. The cases from Lumu present the increasing uncertainties that derive from the mainstream discourses and policies toward conserving rangeland and developing pastoralist communities in Golok, no matter whether it is the hydropower dam, the mineral water factory, the tourism centre or the national park that has thrived from the 'Great West Open Up,' 'Building Ecological Civilisation,' and 'Poverty Alleviation' policies and projects. These ongoing economic, social and politically-oriented interventions from above are shaping and reshaping the governance and control of the rangelands; increasing variabilities that derived from these policies, programmes and projects are further accelerating the vulnerabilities of the local pastoralists.

The approval and rejection of these state and externally-invested large projects, such as the hydropower dam and mineral water factory in Lumu, were the collaborative decisions of the pastoralists after consulting and negotiating with the monastery, Tulku and the monastic organisation. The case from Lumu nicely illustrates the customizing of the existing role and relationship, and this bricolage of the 'materials at hand,' the utilisation of the dynamic, interdependent relationship between the community and monastery became quintessential for hybrid land governance.



Figure 5.10: Seeing the tourism centre from the window of the monastic museum (by Palden).

Bricolage helps to illustrate the ongoing process of rulemaking and interactions between the state and the local communities. In Lumu, hybrid rangeland governance can be summarised as monastery-centred, where the existing bond between the monastery and the monastic village, and the role of the monastery as the mediator in bridging interactions and conversations between local governments and the pastoralists, are the key for the construction of this type of hybridity. In Lumu, the local monastery has become the central bricoleur on negotiating land utilisation and access through charismatic figures, such as the Tulku and his influential networks, and through reconceptualising and promoting Tibetan Buddhism and its cultural aspects of the world, i.e. the relationship between human and nature, secular and non-secular, and human and human.

After the Cultural Revolution and the "opening up" of the state, the roles of the monastery, the Tulku, and the monastic organisation have been revitalised. These unauthorised actors become mediators and play important roles in ongoing negotiations. Consequentially, a sense of co-production emerges and the participation and engagement of the local pastoralists become possible through bricoleurs, such as the monastery and the Tulku, and the process of the inclusion of the pastoralists in the execution of public policy, consisting of infrastructure-building and development projects in the local community becomes feasible.

Conclusion

In Lumu, the monastery is very present in people's social, cultural and religious lives. Despite the power of the central state, there is a necessity to combine diverse forms of authority in a form of bricolage, whereby negotiations around (often highly contentious) state plans emerge. It's not that the state, with

its interests of capital and conservation, have the ultimate say: bricolage is about negotiating among the powerful, with multiple actors deploying diverse narratives about development, often derived from different standpoints – religious, state modernisation and so on. Pastoralists sit within this and make use of the ambiguities, spaces and uncertainties in their assemblage practices.

Rangeland governance and control in Lumu is, therefore, much more complex than the conventional individual, state and communal debate. These resulted in the increase of livelihood vulnerability due to the lack of engagement and experience toward such uncertainties. Nevertheless, even though the chances for participation and engagement of local pastoralists are often considered limited under these policies, programmes and projects, negotiations and contestations toward land governance and control are evolving and in the making in everyday life. In the case of Lumu, practices toward land governance and control are mosaic and polycentric. Local pastoralists and government reach out to the monastery, the religious elite such as the Tulku and monastic organisations for advice on decision-making, and this inclusion of the non-official authority into negotiations toward land governance and control is substantial for the construction of the local political structure where the politics of land governance and control, decision-making, utilisation, permit-seeking, and access to rangeland is determined by the interdependent relationship of the government, pastoralist, monastery and the Tulku. Thus, decisions toward land use and control-related policies, projects and programmes are continuously negotiated and contested by different bricoleurs, no matter whether it is on the privatised winter pasture of Uncle Tek or the communal village summer pasture.

After all, the essence of this type of hybrid rangeland governance flourishes from the concrete and interdependent relationship between the monastery and the monastic village. This hybridity highlights the co-production mechanism, where informal institutions, such as monastery, monastic elite and monastic organisations are included in the making and execution of policies in local society. This co-production, through the roles of the monastery and monastic elite, creates ‘possibility spaces’ (directly or indirectly) for participation and engagement of local pastoralists into policy implementation and the claim to their rights and the de facto gain.

Chapter 6

Converting the Rules of the Range

Introduction

Rules are socially embedded in society and are constantly negotiated in a variety of social, cultural and political contexts. Additionally, the rules governing rangeland use and access appear to be far more complicated and dynamic than the unitary recognition of the property right⁹⁶ as defined by statutory law. A large amount of studies have shown the co-existence, hybridity and interaction between multiple rules, such as state, religious, customary and local practices, all of which serve as the basis for claiming property rights (Berry 1989; Lund 2008; Bagayoko, Hutchful, and Luckham 2016; Moritz 2017; Berry 2018; Robinson 2019).

To have a better understanding of the ongoing rule-making process regarding rangeland governance in Saga Kokonor, this chapter will employ the legal pluralist framework, which Van der Linden defines as “a condition, a way of being, and of existing” (1989:13). Pluralism is the coexistence of many legal orders or laws (Merry 2013, 2014; Goodale 2021). People employ rules to rationalise and legitimise resource management decisions (Meinzen-Dick and Pradhan 2002). According to K. von Benda-Beckmann (2002), people use multiple contexts or forums depending on the law or interpretation of law they believe will best support their assertions, and this plurality of rules and institutions is a necessary component of adaptive governance, in which more recent rules are filtered through existing layers of rules and institutions, and through this they are reinterpreted in ways that respond to local needs.

Yet, the legal pluralist framework frequently lacks engagement with underlying social, cultural and emotional dimensions of rule-making. Thus, in contrast to a focus on legal orders comprised of statutory laws and official rules, customary rules are unwritten (Zhang 1989), and collectively agreed upon concepts and practices; their construction is influenced by the ongoing history of experiences and collective values shared by individuals in particular decision-making situations (Ostrom 2005b). Legal pluralism asserts that, in practice, state laws, regulations, policies and projects coexist and overlap with other forms of rules, whether customary or unauthorised. Thus, it helps to understand the complexities of different rules on the ground, and how resource users and steward association tends to be integrated with management practices and evolve with institutional and organisational aspects of management.

⁹⁶ Property right here includes two broad categories of rights, the use rights, and decision-making rights to regulate and control resource use (Schalger and Ostrom 1992). Ownership reflects a tripartite structure of title, the right to immediate, exclusive, possession, and the power to license what would otherwise be a trespass, and to transfer ownership (Penner 2020).

This also provides a lens through which to view the “dynamism in property rights, as different legal frameworks do not exist in isolation, but influence each other and can change over time” (Ho 2022; Meinzen-Dick and Pradhan 2002).

This chapter examines the multiplicity of rangeland use and access rules in Saga Kokonor through the lens of legal pluralism, as well as the ways in which Saga pastoralists develop rules in multiple contexts to manoeuvre in their struggle for the inclusion in wealth building and the right to use of rangeland and natural resources. This chapter will look at the case of rangeland grazing ban, to see how pastoralists interpret and customise this conservation-oriented nation-wide programme to meet their expectations and de facto gain, and thus, a plural context-based hybrid rangeland governance is seen in Saga, where rules are deeply rooted in the social, cultural and even emotional dimensions of making; they are never fixed and are always evolving in a plural context.

6.1 The Grazing-Banned Summer Pasture and the Balanced Winter Pasture

In the case of the rangeland in Kokonor, Qinghai, a study comparing satellite images from 1987 and 2000 revealed a total degradation of 6,984.09 ha of rangeland, with an average decrease of 0.14% over the 13-year period (Qi and Guo 2006). With such studies and an increasing number of natural disasters, such as sandstorms and floods, China launched a nationwide rangeland protection programme in 2003 known as ‘retire livestock, restore rangeland’ (*tuimu huancao*). This programme aimed to moderate rangeland degradation by restricting the use of, and access to the contracted rangeland (MOARA 2005). In 2011, with a total fund of 77.36 billion yuan in eight provinces, including Qinghai, the ‘retire livestock, restore rangeland’ programme was followed by another nationwide rangeland protection programme, known as the Rangeland Ecological Protection Subsidy and Reward Mechanism (REPSRM), (*Caoyuan shengtai baohu buzhu jianglijizi*). The primary objective was to compensate pastoralists who contracted their rangeland as grazing bans (*jinmu buzhu*) and to reward those who kept their livestock population balanced⁹⁷ within predetermined rangeland carrying capacities (*caochu pingheng jiangli*), with both compensation for the grazing ban and a reward for balanced rangeland being paid on a household basis by the government (MOF 2016).

The REPSRM programme is intended to provide a long-term, pro-pastoralist solution to China’s rangeland degradation (Nyima 2021b). At the central government level, the Ministry of Agriculture and Rural Affairs is responsible for implementation, while funding is channelled from the Ministry of Finance

⁹⁷ Under the REPSRM mechanism, the core of the programme is to compensate the pastoralists for rangeland where livestock grazing is banned (grazing ban zone), and to reward them for maintaining livestock population within determined rangeland carrying capacity (balanced zone).

down to county finance bureaux, via provincial finance departments and prefectural finance bureaux. The programme is implemented at these three levels of local government through the agriculture and animal husbandry agency at each level, with township governments interacting directly with pastoralists (Nyima 2021:6).

The programme recommends that livestock grazing should be banned in areas with harsh natural conditions and rangeland that is considered unsuitable for grazing (MOF 2011). In the case of Hainan TAP, the prefecture had established a total of 27.78 million mu of rangeland for the grazing ban zone and another 23.14 million mu of rangeland for the livestock and rangeland balanced zone following the implementation of the programme (Hainan Daily 2019). The subsidy and reward scales have also changed since the programme's first round (2011-2015), increasing from 10 yuan/mu for the subsidy and 1.5 for the reward to 12.3 and 2.5 respectively for the second round (2016-2020).

In 2020, the Justice Bureau launched the Rangeland Management Regulations (RMR), where prohibition of livestock herding on the grazing ban zone and the control of livestock population for the determined carrying capacity on the balanced zone is listed in Articles 30, 31, and 32 (Hainan TAP Government 2020). In addition, RMR asserted that management arrangements and contracts between the government and the pastoralist households are required. However, the pastoralists' approach to designing the grazing ban and balanced zones appears to be markedly different from that of the REPSRM programme, and even the RMR by the justice bureau. The village of Saga had a total of 412,900 mu of rangeland in 2020, including 198,900 mu of winter pasture and 214,000 mu of summer pasture. According to the village leader, the summer pasture is established as the grazing ban zone and the winter pasture as the balanced zone. The process of establishing the rangeland into these two zones was recalled by Uncle Bam, the retired former village party secretary,

“The government claimed that our rangeland must be divided into these two zones under the compensation and reward policy. We did not understand the policy at the beginning; people worried that the government was planning to take away the land from the pastoralists gradually. Therefore, it is collectively decided that the summer pasture should be established as the grazing ban zone and the winter pasture as the balanced zone in Saga.”⁹⁸

According to Uncle Bam, the ban and balanced zones in Saga were established in response to collective concerns about rangeland loss to the government and the desire to maximise rangeland use on the ground. The rationale for this decision is based on the duration of grazing and the level of pasture utilisation in Saga. As the former village secretary stated, pastoralists graze their summer pasture for only one to two months, and over 100 pastoral households in Saga choose to remain on

⁹⁸ Interview, Uncle Bam, Kokonor, Feb, 2021

their winter pasture. These households are often the ones with less livestock, and the vegetation on the winter pasture is sufficient for the livestock. By contrast, pastoralists, such as Apa Libo, who sold all his livestock and moved to the township centre in 2015, told me, “I am happy the village and the government (township level) designed the summer pasture as the grazing ban zone, because I don’t have any livestock, thus, summer pasture is useless to me, and now there is money (the grazing ban subsidy), which is great for those who don’t graze on the summer pasture.”⁹⁹ Since 1992, the winter pasture in Saga was contracted and fenced with clear territorial boundaries between pastoralist households under the rangeland use right contract policy. By contrast, summer pasture remained communal and unfenced, and mountains, valleys and streams are used as reference points for territorial boundaries between pastoral villages. Under this communal practice, all members of Saga have the right to access and use the summer pasture, but the village retains ultimate control over the timing and duration of use and access. Moreover, as Apa Libo further expressed, designating the communally-used summer pasture as a grazing ban zone benefited the majority of pastoralist households, especially those with less livestock in the village. This is also confirmed by a pastoralist family from the township, “It doesn’t matter how many sheep and yaks you have, you can always lease your winter pasture with a good price here but you cannot lease the summer pasture (it is under collective use), so the money (from the grazing ban) benefits all pastoralists in the village.”¹⁰⁰

As aforementioned, the REPSRM programme stipulates that the core standard for defining the zones is the ecological conditions of the rangeland, where places with harsh natural conditions, and those otherwise deemed to be unsuitable for grazing, are prioritised for the grazing ban and balanced zones (MOF 2011). However, the design of the zones on the ground is improvised and flexible, with pastoralists’ concerns about future rangeland loss, the location and distance of the summer pasture, and the relatively short use duration of the summer pasture being the primary drivers, rather than the instructed conditions of the vegetation and biomass from the programme. Besides this, RMR has specified a prohibition on livestock herding in the grazing ban zone and a cap on the number of livestock in the balanced zone. Nevertheless, these regulations lack credibility (Ho 2005; 2016) in everyday life and pastoralists continue to move and rotate their flock from winter to summer pastures, as they have been practising for centuries.

“We have to go and pick up the yak dungs before every inspection, to make sure that the government inspectors don’t see anything and the compensation arrives on time.”¹⁰¹

⁹⁹ Interview, Apa Libo, Kokonor, Jul, 2020

¹⁰⁰ Interview, Pastoral Family 1, Jul, 2020

¹⁰¹ Interview, Apa Geb, Kokonor, Sep, 2019

From the government's level, the inspection of the utilisation and access to grazing ban zone appeared to be a difficult task. As the quote from above revealed, pastoralists and the village came up with improvised tactics to deal with the inspection. Among the many, the location of the pasture matters, the distance of the grazing banned summer pasture to the township centre is often very far, and the dreadful road condition becomes the natural barrier for distancing the government inspectors. As Uncle Bam emphasised, "Officials at provincial and prefectural levels only visit the township centre, they don't have time to visit the summer pasture because their cars cannot get through, and they don't like riding horses and motorbikes. That's why they always finish their inspections at the township level, and the township government is on our side on this one, because we are all in the same boat. If the provincial government discovers a violation of the ban (rules and regulations), the township government will be held accountable first, and they are well aware of this."¹⁰²

Thus, different rules governing the use of, and access to rangeland should not be treated in isolation from one another, but rather as 'mutually constitutive' (Guillet 1998), interacting and influencing each other. It also matters how pastoralists make use of these 'materials at hand'. In the case of Saga village, the government inspection team never visited the summer pasture, so nobody knows the exact location of the grazing ban zone. As one of the township government's secretaries replied when asked about the grazing ban zone, "You should ask the village leaders, they established the zones, and we only have the numbers of the rangeland; we pay according to the numbers that the village leaders gave."¹⁰³ Meanwhile, livestock numbers on balanced winter pasture is controlled due to local understanding and experiences toward the capacity of the rangeland and the livestock, rather than the regulations of RMR, which allow for a maximum of 11 sheep per mu of rangeland (one yak is equivalent to five sheep and one horse is equivalent for eight sheep). Even so, pastoralists have their own ways of dealing with numbers in everyday life. As Dako, a young pastoralist who owns a hotpot restaurant in the township centre, explained, "When they come to verify the numbers, we always give them the fabricated ones. Usually there are two types of numbers here. The first one is the numbers for the government, which should be kept to a minimum. Then there is the number for the bank, which should be as large as possible. The reasons are that if you have a large flock, you will be ineligible for government subsidies under the 'Rangeland Management Regulations,' and you will be unable to get a loan from the bank if you claim to have only a few sheep, as this reduces loan repayment capacity"¹⁰⁴. However, pastoralists have a better understanding on the precise number of livestock that should be kept on their pasture

¹⁰² Interview, Uncle Bam, Kokonor, July, 2020

¹⁰³ Interview, Township Government Official 1, Kokonor, July, 2020

¹⁰⁴ Interview, Dako, Kokonor, July, 2020

because more livestock requires more pastureland, and more land requires additional investment in livestock entrustment and pasture renting from other pastoralists.

The state often derives its rules and regulations from science and mathematics. Nevertheless, pastoralists choose flexibly from competing rules to suit their purposes. Regulations governing rangeland use, whether banned or balanced, are understood differently by the pastoralists, who have their own perceptions that are based on a thorough understanding of the social-ecological system. After all, each pastoral household in Saga receives an annual subsidy for grazing ban zones and a reward for balanced zones based on the contract's shared number of lands. The government calculates the money and then distributes it according to the heads of people who live on rangeland and use the contract; and livestock control has not yet been implemented in accordance with RMR regulations. Thus, even though the REPSRM programme and the RMR regulations were designed to constrain rangeland use and access through banning grazing and controlling livestock numbers in rural pastoralist regions, the regulations and official arrangements governing land use and access are largely improvised, with local residents manoeuvring around rangeland conservation policies, finding ways to accommodate their need for access to grazing. In this case, two (or more) legal systems consisting of the formal state programme, the RMR regulations, establishment of grazing ban zone, and customary arrangements coexist in the same social field, demonstrating how different actors use the rule of law to achieve their *de facto* gain (Suhardiman *et al.* 2021).

Among the many local arrangements for rangeland use and access, the conventional practice of *rsta srun* has been altered by these state programmes. However, *rsta srun* practice persists with the changing rules and regulations from the top, where this collective pasture patrol arrangement is practised according to the changing regulations. Pastoralists use different contexts depending on which rule or interpretation of rule they believe is most likely to support their claims and defend rangeland use and access on the ground.

6.2 Patrolling the Summer Pasture: *rsta srun*, Ecological Guard and the Rangeland Guard

“The written rules are for the government, because they enjoy seeing something on paper, and they will be convinced that we are capable of resolving intra-village issues on our own.”¹⁰⁵

The state had implemented a variety of rules and regulations pertaining to rangeland management in rural China as part of the mainstream discourses on development and conservation. Often, these sanctioned, top-down, written rules are reinvented and merged with existing practices on the ground by various actors, such as the local township government, villages and pastoralist organisations. For

¹⁰⁵ Interview from CR, Kokonor, Sep, 2019

example, consider the conventional practice of appointing '*rtsa srun*¹⁰⁶ or grazing guards. Under this system, the village members appoint 5-10 male pastoralists as the 'guardians of the communal land' for a period of 1-3 years, after which, the role rotates to other young pastoralists from the village. *rtsa srun* is responsible for patrolling the collectively-used summer pasture and preventing disturbances and illegal grazing. There was no compensation for guarding the rangeland of the village, as Uncle Yuga detailed when he was one of the *rtsa sruns* in the late 2000s,

"There were seven of us, all in our twenties. The busiest time of year was during the move from winter pasture to summer pasture. As you are aware, all summer pastures in this region are under collective use by the pastoralist villages, and there are no clear boundaries between summer pastures of each village. Therefore, we had to go to the summer pasture and make sure other villagers don't graze on our pasture."¹⁰⁷

rtsa sruns are in charge of guarding the collectively-used summer pasture, which is often unfenced and lacks clear boundaries between different administrative villages. The conventional practice of pastureland guarding is aimed at deterring livestock and herders from other villages through mutual help and cooperation within the village. However, under the REPSRM programme, the responsibilities of *rtsa sruns* have changed. Now, as a *rtsa srun*, you are also responsible for inspecting the intrusion of intra-village herders who graze on the grazing-banned zone. Moreover, the composition of *rtsa srun* has shifted from collectively-selected young herders to village leaders, appointed by the government, and *rtsa sruns* are employed and compensated by the government as part of the poverty alleviation programme. Therefore, the rules of the REPSRM programme alter the roles and accountability patterns of the *rtsa sruns* in Saga. Furthermore, *rtsa sruns* are appointed by the township government from documented poor households (*jiandang lika hu*) under the poverty alleviation programme. According to Zen, (the party secretary of the county government),

"We pay a total of 21,600 yuan/year to the *rtsa sruns* in the village. These are the people we choose from the documented poor household(s) under the poverty alleviation programme, and since they are receiving a huge amount of money from the government, we decided that they should do some work to gain the money, thus, we decided to let them patrol summer pasture."¹⁰⁸

However, the newly-arranged *rtsa sruns* encountered several practical difficulties on the ground. Firstly, under the REPSRM programme and RMR regulations, *rtsa sruns* are not responsible for inspecting the intrusion of the grazing ban zone. Thus, they remain as the guardians of the collectively-used summer pasture. Secondly, many of the documented poor pastoralists are either seniors, disabled or people with mental health issues, rendering them incapable of patrolling and protecting the summer pasture.

¹⁰⁶ རྩ་སྤྱོད། Tibetan, literally means the protector of the rangeland.

¹⁰⁷ Interview, Uncle Yuga, Kokonor, Sep, 2019

¹⁰⁸ Interview, Zen, Kokonor, Sep, 2020

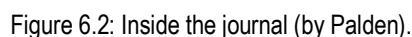
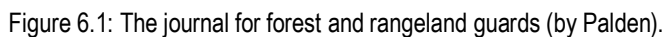
Thirdly, because the pay is good, these *rsta sruns* are also assigned to other random governmental tasks, such as part-time street cleaning during top-level government inspections or acting as the township government's spokesperson during press interviews. However, *rsta sruns* under PAEC also dance around with the arrangements, as the 65-year-old Uncle Gonbo explained in his resettlement near the township government,

“I am too old for the rangeland patrol, and my leg won't let me. But I need the money from the government. So, I employ a young pastoralist from our village to replace me, and I pay him 100 yuan per day (for the patrol).”¹⁰⁹

The quote underlines how pastoralists in Saga employ multiple rules to rationalise and legitimise their resource and revenue decisions in plural contexts. In Uncle Gonbo's case, he is unable to patrol the summer pasture due to his physical condition, and the township government appoints patrollers from the poverty-stricken households in the village, disregarding the ultimate purpose of the *rsta srun* arrangement on the ground. This top-down arrangement places state aid recipients, such as Uncle Gonbo, in a difficult position: on the one hand, he needs compensation from the government, and on the other hand, summer pasture has to be patrolled as a mission, dictated from above, and he must use the money to hire others to cover his own responsibilities to patrol the summer pasture.

The fuzzy boundaries between summer pasturelands underscore the necessity of the *rsta srun* arrangement, which is the best tactic for preventing intrusions and violations from other villages as well as excessive use of summer pastures by those from Saga. However, what had been a cooperative mechanism that relied on villagers (often young) volunteering their time to patrol pastures has been reshaped by the REPSRM programme. The promotion of the Poverty Alleviation and Eradication Campaign (PAEC) has increased the number of *rsta srun* guards from only a handful in 2017 to over 167 in 2018 in Saga, with each *rsta srun* receiving an annual payment of 21,600 yuan under the programme.

¹⁰⁹ Interview, Uncle Gonbo, Kokonor, Sep, 2020



According to PAEC, as mentioned above, the village's documented poor are often limited to senior citizens, disabled residents, and those with other specific mental and physical disabilities. Therefore, these are the individuals who are usually relocated during resettlement and whose livelihood is reliant on the government's monthly subsidy. Hiring *rsta sruns* among these people drew widespread criticism from local pastoralists. As Dajee, the son of the former village party secretary put it, "The government is only concerned with how to spend the state money and brag about their contribution toward conservation and overcoming poverty. They don't care about (the impact of their decisions) destroying the conventional practices here."¹¹⁰ This example highlights the tensions and contradictions that emerge

when state planning usurps local institutions, ostensibly for the same purpose (in this case, of regulating use of rangelands) but mixed with other objectives set from the top-down. The experience in Saga shows that local government prioritises an upwardly-accountable governance system (Zhao 2021) to achieve the outcomes of the state-funded projects, whether it is the publicity for poverty alleviation or prosperity, while destructing the conventional rules regarding rangeland patrol in the village.

According to Haller (2020), institution shopping is the process of strategic selection of laws, rules and regulations in a context of legal pluralism and plural institutions. In the case of Saga, *rsta srun*, the conventional summer pasture patrol arrangement, evolves under different laws from the government with designed projects. For example, to accomplish the REPSRM and poverty alleviation outcomes, including the implementation of rangeland protection and assigning vulnerable pastoralists as rangeland guards, township government uses state-funds as the monthly payment for rangeland guards in Saga. However, while contributing to local priorities of regulating rangeland use, rangeland practices, such as grazing ban and rangeland guards under REPSRM and poverty alleviation can also undermine local institutions if these practices are not well-attuned to local needs and circumstances. Thus, understanding the socio-ecosystem dynamics and local ecological knowledge systems are critical for adaptive co-management. Although the emergence of rangeland guards in Saga could mitigate rangeland misuse on the summer pasture, this government payment-based design has frustrated the essence of collectivism and reciprocity in practice where rangeland guards that were assigned by the township government became less considerate for the collective interest, in this case, the guarding of the summer pasture.



Figure 6.3: Pasture that was established as grazing ban zone in Kokonor (by Palden).

In contrast to the conventional practice of *rsta srün*, official rules are introduced through specific political mechanisms such as journals, recording videos on smartphones and uploading to Wechat for the purposes of inspections and evaluations. For pastoralists in Saga, the annual payment of 21,600 yuan includes the obligation to maintain a journal as rangeland guards. As one of the pastoralists showed, the journal is a 400-page, thick, leather-bound notebook with bilingual translations (see figs 6.1 and 6.2). The rangeland guards are called ‘*shengtai guanhuayan*¹¹¹,’ which means the ‘ecological guards’ in Chinese. The County Forest and Grassland Bureau, in collaboration with the township government, prepared this journal for the ecological guards, and the bureau requires an average of two patrols per month. Ecological guards are responsible for inspecting rangeland utilisation, illegal herding in grazing ban zones and rangeland pollution, on each patrol, and the guards need to document each patrol in the journal, which will be collected by the township government at the end of each year. Local pastoralists refer to it as the ‘homework,’ and Yunda, a father of two, explained why, “Like our children at school, we have homework as well. If you want to receive payment, you must complete it. I don’t have to go and patrol the rangeland, but I have to fill it in, otherwise I will be removed (as an ecological guard) by the government, and they will take my subsidy away.”¹¹² A monk from the local monastery who is also hired as an ecological guard, expressed his thoughts on the journal,

“This is another formalistic way of doing things here, like a lot of other things they do. I just want to say that, why the government wastes such money on designing such a journal, and they need a lot of labour forces to collect and check these journals. Moreover, these journals will just be a pile of wastes, and I hope they will recycle the papers.”¹¹³(Sic)

The patrols are recorded in a variety of ways; some villages use phones to record patrols by rangeland guards. In Saga, a government official creates a Wechat group and all rangeland guards are required to send their patrolling videos to the group twice a week. As a female member of a village cadre (Chin, *Zhucun Ganbu*¹¹⁴) stated, “They have to patrol the rangeland for payment, but many of them cheat on the journal filling, this method (sending videos) is better than the journal writing, because you can see them performing their duties.”¹¹⁵

¹¹¹ 生态管护员, ecological guards in Chinese.

¹¹² Interview, Yunda, Kokonor, Jun, 2020

¹¹³ Interview, Monk. Golok, Jun, 2020

¹¹⁴ 驻村干部, Zhucun ganbu, village-based township cadres are often regular township officials from a variety of governmental departments. “They do not necessarily live in villages, but in principle they are required to go to villages on a regular and frequent basis to manage, coordinate and supervise village affairs. For those cadres, social stability control is often regarded as one of the many responsibilities assigned to them” (Wang 2015:5).

¹¹⁵ Interview, Village-based Cadre 驻村干部, Jul, 2020



Figure 6.4: Village *rsta sruns* on the summer pasture, 2020 (by Palden).

Empirical data from Saga village revealed that the government appointed rangeland guards that lack the capability and willingness to patrol rangeland, as the 'ecological guard' is tasked with enforcing the state's upward policies. Moreover, a lot of the guards are incapable of patrolling and preventing intrusion and violation due to their mental and physical conditions. Thus, in the spring of 2019, pastoralists in Saga decided to return to the conventional *rsta srün* arrangement in order to achieve the collectively-desired outcomes. The village recruited ten young pastoralists, and the patrol of summer pasture has returned to the mutual, reciprocal, collective effort-based rangeland governance, rather than the government appointed, salary-based model. The *rsta srün* system was not only effective but also efficient; however, when it was usurped into wider poverty alleviation programmes as part of top-down planning, its very effectiveness and efficiency were undermined by state control and the need to regulate local practices. Not only were local actors able to easily subvert regulatory controls, but the controls themselves are costly to enforce. Supporting flexible institutions and social network in multi-level governance systems is key for adaptive management (Folke 2006:262).

The case of *rsta srün* in Saga showed that local pastoralists and township government select rules flexibly in order to accomplish top-down projects. Policies, and fiats from above, are not fixed, and the ways to deal with the policies are also flexible and mosaic according to the local conditions. Pluralism exists and the chances for negotiations increase when there is the involvement of multiple actors and power-sharing in the management of resources. Local pastoralists, as the contractor of the rangeland, navigate their strategies through 'forum shopping (Haller 2020a)' to make the best out of competing state policies, such as the grazing ban and rangeland guard. However, the rights of shopping vary in different contexts, and are often derived from pastoralists' constant negotiations and contestations with the state and local authorities.

Pastoralists from Saga not only have complete understanding of the rules and regulations from the government on rangeland utilisation, but also dynamically convert and amend these fiats on the ground to fit the de facto gains, for example, the establishment of the grazing ban zone by the state and the practice of *rsta srün* in the local community. The township government confirmed the village grazing ban zone according to the areas that the pastoralists demarcated, while the question of whether the proposed pasture meets the requirements of the REPSRM programme (see Nyima 2021) or not, was deliberately neglected. In other words, rules are subject to negotiation, reinterpretation and change (Meinzen-Dick and Pradhan 2002), and rules toward rangeland governance in Saga are conflicting in a plural setting.

6.3 Equalising the Summer Pasture

“Fencing up the summer pasture is like you are using a truck to pick up the yak dung.”

“The privatization of the summer pasture here will damage the land for sure, it is going to be like separating your fingers, see how close your fingers stay with each other, the parcel is too small to be separated.”

“We have not had a bite on the summer pasture for the last three decades.”

Apa Dab, Sanglo, and Kundro, Kokonor, 2019

The idea of equalising access to use summer pasture, as explained by the village leader, is to privatise and re-allocate the summer pasture according to the current population of villagers and livestock in each household. This issue has risen to prominence for four reasons. The nationwide agricultural tax was started in June 1958, and following the introduction of direct subsidies to farmers and the elimination of its agricultural tax¹¹⁶ in 2004 (Gale, Lohmar, and Tuan 2005), Qinghai eliminated herding tax in 2005. The tax exemption was secured through the implementation of the ‘Sannon Policy,’ which derived from the 3rd Plenary Session of the 16th Central Committee of the CPC. The ‘Sannon policy’ was aimed at promoting overall economic, social and human development and stability, with an emphasis on agricultural, rural and farmer development and stability. Following the central Committee’s guidance, Qinghai province implemented the ‘take less, give more, and promote flexibility (Chin, *duo gei, shao qu, fang huo*¹¹⁷)’ policy throughout the province’s agricultural and pastoralist regions, resulting in the exemption of livestock and rangeland taxes and momentous provincial investment in the agricultural and pastoralist production sectors.

¹¹⁶ China’s agricultural tax law dates back to 1958. Agricultural taxes were assessed differently in each locality. “The typical arrangement was to collect 7% of the normal value of production from a household’s land, based on each family’s allotted land area and an historical average price and yield. An additional surcharge of 20% was assessed to fund village administrative expenses, bringing the total tax to 8.4 per cent. Some additional taxes were allowed, notably a tax on non-grain specialty crops and a “herding tax” on grazed livestock in grassland areas.” (Gale, Lohmar, and Tuan 2005:6).

¹¹⁷ “多给，少取，放活”

1944 * 8 月 15 日											
30000	20000	10000	5000	2000	1000	500	200	100	50	20	10
1887.8	4143.1	3367.2	4011.5	3407.9	2224.5	1106.1	1144.2	222.5	384.2	222.0	
X	2051.6	2051.6	2051.6	2051.6	2051.6	2051.6	2051.6	2051.6	2051.6	2051.6	2051.6
1000	3362.7	281.7	278.8	246.5	144.2	121.2	6.3	6.5	14.64	24.18	18.14

Figure 6.5: A total of 528 yuan paid as tax for livestock, pelts and wool by Gab in 1995 (by Palden).



Figure 6.6: The hand-drawn map for the winter pasture allocation in Saga (by Palden).

Secondly, the request to equalise the summer pasture is also associated with the remaining historical issue from the 1993-1994 rangeland use right contract¹¹⁸ in Saga. Village leaders measured, numbered and mapped rangeland (see figs 6.5 and 6.6) with the assistance of the provincial forest and grassland bureau. Representatives from pastoralist households were sent to supervise the land measurement process. Even though the government and the village made a concerted effort to allocate rangelands (both winter and summer pastures) equally to pastoralists, the process of land use right contracting was heavily influenced by the herding tax, with households that were capable of paying the tax contracting more land and pastoralists incapable of paying the tax opting not to contract land. In 2005, the state eliminated agricultural tax, along with an emphasis on pastoral development in rural regions. With this change of agricultural policy, pastoralists who contracted more land became the wealthy ones in the

¹¹⁸ Or the Household Responsibility of Grassland that was initiated in 1982. The HRG is designed to “facilitate full use of rangeland resources by devolving use rights of grassland to individual households, based on a contract between government and pastoralists” (Dong *et al.* 2007:247).

village, while those who did not contract land to avoid the heavy tax burden were forced to rent land from the wealthy pastoralists.

While the rangeland use right contract policy sought to allocate livestock and rangeland equally to the masses, it had actually widened the wealth gap in Saga. As the current village party secretary, a young man in his late thirties said, “The use right of winter pasture is contracted to each household and it is impossible to equalise, because no one forced them to give up land. And that’s why many want to equalise summer pasture, because it is still under collective use.”¹¹⁹ When I asked Apa Dab, the former village accountant why the village decided to leave summer pasture for communal use, the 79-year-old grandfather, who always carries a miniature prayer wheel in his left hand, told me,

“Winter pasture is where we spend most of the time as a pastoralist. The land is bigger, the weather is warmer, the pasture is fenced, and it is near the township and the government. In contrast, the highland summer pasture is too small in size. It is a waste of money to set up fences on summer pasture, because the fence won’t stand long due to the rains, wildlife intrusion, and sometimes the yaks.”¹²⁰

As Grandpa Dab explained, summer pasture was left open for collective use for ecological and socioeconomic reasons. Dan, the current village leader, a short, young, and energising man, backed up his interpretation, explaining,

“Our summer pasture is primarily alpine meadows, which contains relatively little vegetation. And herding a large flock on such a small parcel is impractical. It would degrade the vegetation and result in rangeland degradation. Moreover, the privatization of such a small pasture would jeopardise social stability and exacerbate rangeland disputes in the village.”¹²¹

Summer pasture remained for communal use for ecological, social and financial reasons, as village leaders in Saga claimed; however, pastoralists with less livestock complain that summer pasture usage is inequitable. As Achee Gonbee, a female pastoralist who gave up her herd and moved to the township to care for her grandchildren, explained to me, “They (those with more livestock and who use summer pasture) must compensate those who do not use summer pasture. It is not fair, because many pastoralist households don’t graze on the summer pasture (due to herd size), and livestock entrustment (from other villages) is not allowed in Saga. So, it is fair for them to subsidise those who do not use it.”¹²² As Achee’s quote indicated, the advocacy of leaving the summer pasture under communal use is also determined by the rich, male pastoralists from the village, where communal use of the summer pasture maximises their access to resources and revenue. The village’s customary rule prohibits the leasing of summer pasture and the entrustment of livestock from other villages, and the payment of a subsidy from

¹¹⁹ Interview, Village Party Secretary, Kokonor, Sept, 2019

¹²⁰ Interview, Apa Dab, Kokonor, Sept, 2019

¹²¹ Interview, Dan, Kokonor, Sept, 2019

¹²² Interview, Gonbee, Sep, 2019

the rich families is required in the village. The village decided that those who own more livestock in the village should pay a total of 3 yuan/m, based on the average number of the village livestock, and those who do not pay or who delay the payment will be fined and excluded from external projects and bank loans.

Thirdly, the booming land price in the market becomes a crucial factor. As Apa Dab noted, “The cost of renting has doubled, from 35 yuan/mu in 2017 to 70 yuan/mu this year and it is due to the livestock price change in the market. For instance, a lamb cost between 300 and 400 yuan in 2017, but now costs around 1,000 yuan.”¹²³ Thus, people started to keep more livestock, and rangeland rent became one of the most lucrative investments in Saga. Meanwhile, to balance the gap between the pastoralists with more livestock (PML) and the pastoralists with less livestock (PLL), Saga leaders, comprised of acknowledged elders, retired village cadre members and village accountant decided to raise the subsidy from 3 yuan/mu to 10 yuan/mu in 2019. However, this collective agreement did not work out well because the distinction between the well-off PML and the impoverished PLL is problematic on the ground. As evidenced by the distribution of a household survey in Saga (see table 6.7), the majority of pastoralists are in the middle and well-to-do social-economic classes, where among the 84 households, a total of 72 households control 89% of the rangeland and 86% of the livestock in Saga. Therefore, the remaining 12 households are either poor or wealthy social-economic classes, with the poor owning 6% of the rangeland and 8.5% of the total livestock. Thus, despite the village’s early 2000s announcement that the rich should subsidise the poor, the rule has never been executed on the ground. As Uncle Bam said, “It is hard to enforce such a regulation in the village because summer pasture is used collectively, and the wealthy families often entrust their livestock to other villages, and sometimes they rent pasture from other villages, so, they, too, are not really using or overusing the summer pasture as some have complained.”¹²⁴

Type of Household	Households	Winter pasture (ha)	Livestock
Poor < 10,000 yuan/year	8	215 (6%)	2,364 (8.5%)
Middle 10,001-50,000 yuan/year	49	2,182.5 (56%)	14,838 (50%)
Well-to-do			

¹²³ Interview, Apa Dab, Kokonor, Sep, 2019

¹²⁴ Interview, Uncle Bam, Kokonor, Sept, 2019

50,001-100,000 yuan/year	23	1,282.2 (33%)	10,747 (36%)
Rich >100,000 yuan/year	4	211 (6 %)	1,718 (6%)
Total	84	3,890 ha	29,667

Table 6.7: Distribution of households according to socio-economic class, land, and livestock in Saga: data compiled from focused group discussion in Saga.

Lastly, the subsidy for grazing ban has also exacerbated the appeal of equalising summer pasture in Saga. As aforementioned, pastoralists designated the summer pasture as a grazing ban zone in Saga for socioeconomic reasons. The subsidy amount increased from 9.8 yuan/mu during the first round (2011-2015) of the REPSRM to 12.05 yuan/mu during the second round (2016-2020) in Qinghai (Hainan TAP 2016). In addition to that, the state has pushed for the establishment of ecological civilisation in China (Chin, *shengtai wenming jianshe*) since 2018, with Qinghai promoting the establishment of an 'Ecological Conservation-based Province' (*shengtai jiansheng*). Then, in 2019, the national Forestry and Grassland Administration announced that China would promote the establishment of Grassland National Park (*caoyuan guojia gongyuan*) to improve the grassland protection and governance system consisting of clear property rights, diverse participation and equal emphasis on incentives and constraints (FGB 2019). The emphasis on grassland conservation has not only raised concerns amongst pastoralists about their future whereabouts, but has also fuelled the expectations of benefiting from government interventions. Thus, although pastoralists are concerned about being displaced by the creation of new conservation areas, they also hope that they will receive state subsidies for not accessing rangeland, but to get subsidies, they need to have access and legitimised property rights - in this case, equally privatized summer pasture. There have been constant attempts to equalise access rights to summer pasture by pastoralists with less livestock in Saga. However, the township government rejected the proposal of equalising summer pasture in the village, stating that this would violate the RMR regulations, creating uncertainties regarding the grazing ban subsidy. As the township governor stated,

"It (equalising summer pasture) is no good for all: with the current population here in Saga, each person would only get a total of 173 mu, which is a total of 2,084 yuan/year, and only those with a large size of family members would benefit from the equalization. Moreover, villagers are expecting more (subsidy, compensation, aid) with the conservation effort from the state, in which they believe that there will be more subsidy on land from the government with the national park building and so on."¹²⁵

¹²⁵ Interview, Township Governor, Kokonor, Mar, 2020

Summer pasture is left under communal use due to socio-ecological reasons in Saga, and the ability to use and access summer pasture varies due to the possession of livestock and village customary rules. Converting summer pasture into the grazing ban zone was a case of two birds being killed with one stone. Pastoralists from Saga, with their flexibilities, continue to graze their herds on the grazing banned summer pasture while receiving state subsidy. Unfortunately, this communal use of rangeland is being challenged by the recent booming livestock and rangeland prices, as well as by the state's intensified conservation plans in pastoralist Kokonor. To pastoralists, increased promotion and effort on conservation equates to increased government subsidies and compensation. Thus, as previous experiences have demonstrated, the security of private property becomes critical in the face of increased uncertainties and changes in Kokonor. In this case, equalising summer pasture according to the population and number of livestock would create property security and additional revenue under the conservation-oriented projects anticipated. However, summer pasture in Saga is unlikely to be equalised, as pastoralists and local government have already designated it as the grazing ban zone under RMR regulations. According to the township government, equalising summer pasture would create unnecessary complications for the government, state projects currently underway, and pastoralists.

In retrospect, these cases show that legal pluralism and hybrid governance are inextricably linked. Each emphasises the interaction of state and non-state actors, the existence of multiple, competing rules in distinct contexts within local social setting, and the mixing and shopping of statutory and non-statutory rules by actors to address changing contexts. This 'institutional shopping' (Haller 2020a) creates space for marginalised groups to negotiate and stake claims regarding rangeland use and access.

6.4 Converting Rules of the Range

The above three cases are closely related to each other. First was the REPSRM mechanism aimed at protecting and improving the rangeland governance in rural China; the original design and the on-ground implementation diverged, from a mechanism centred on ecological conservation to a social-economic-focused arrangement. The second case was the transformation of rangeland patrols in Saga, whereby the longstanding *rsta srün* practice was subsumed as a reformulated ecological guard under the RPRP programme and linked with the poverty alleviation and eradication campaign. This reform disrupted the reciprocal, cooperative and mutual help-centred collective arrangement in favour of a government-appointed, salaried and inherently untrustworthy arrangement. The final case, which focuses on the equalisation of the summer pasture in Saga as a result of diverse intensions from

various groups of people, is also highly related to the grazing ban subsidy and heating conservation-dominated discourses in Saga.

Rules are deeply rooted with the social, cultural and even emotional dimensions of making them; they are never fixed and are always evolving in a plural context. The cases from Saga showed that multiple rules and regulations exist from different power actors toward rangeland control and governance. This multiplicity provides room for flexibility and improvisation on the ground. The notion of legal pluralism highlights the flexibility of adopting rules according to different issues and contexts to meet the gains and claims; and which rules to obey and which regulations to follow is very much the choice of the pastoralist communities. The term 'legality' is fuzzy since the actors and institutions that generate order are always overlapping and in the process of making it, and the boundaries between legal and non-legal are often blurred. Pluralism, in this sense, underlines how individuals employ multiple rules to justify and legitimise their claims to resource control and access (Meinzen-Dick and Pradhan 2002). As explained in Chapter 2, this is akin to 'forum shopping' (von Benda-Beckmann 2002), when individuals seek out different forums to support their claims, based on which law or interpretation of the law they believe is most likely to support their interests. Thus, while state policies and legal orders generate platforms for powerful actors to engage in resource management, they also expand the room to manoeuvre for less powerful actors that compete for authority under multiple political contexts and institutional landscapes (Sikor and Lund 2009; Suhardiman, Bright, and Palmano 2021).

In the case of Saga, pastoralists often improvise, reinterpreting rules and regulations that are imposed by local government and the state. For example, the rangeland use regulations were developed in response to state-led scientific ecological research and rangeland conservation concerns, and include the grazing ban and are balanced by the REPSRM¹²⁶. Rather than following the state-regulated vegetation and biomass conditions, pastoralists from Saga designed the grazing ban zone based on the location and distance of the pasture from the government headquarters, as well as the relatively short usage of the summer pasture. Furthermore, the control of livestock numbers, according to the RMR, has not yet been executed as required by the Justice Bureau.

In contrast to alleged authoritative and scientific assumptions about biomass, carrying capacity¹²⁷ and rangeland degradation, decisions about rangeland utilisation and livestock number control are volatile in response to changing livestock prices in the market and the rise in rangeland price, which are

¹²⁶ '草原生态保护补助奖励机制', *Caoyuan shengtai baohu buzhu jianglijizhi*, or Rangeland Ecological Protection Subsidy and Reward Mechanism (REPSRM).

¹²⁷ In range ecology, carrying capacity is defined as the "maximal number of herbivores that the vegetation can support within a given time without degradation (McCabe 2004).

comparatively much more relevant to the everyday life of the pastoralists. Thus, even though the REPSRM programme and the RMR regulations determined to restrict the use and access to rangeland through banning grazing and controlling livestock numbers in rural pastoralist regions, the rights to access rangeland and the livestock limit are still determined by the customary village rules and practices, such as *rsta srin*, which Saga pastoralists have coordinated to protect the collective summer pasture and monitor its use and livestock number during the summertime.

Rangeland governance is always in motion in Saga – meaning it is continuously evolving, not only in respect to new top-down interventions and rules introduced by the state but also through emerging bottom-up practices. Pastoralists from Saga not only have a complete understanding of the rules and regulations from the government on rangeland utilisation, but also convert and amend these fiats to suit their needs. The state's establishment of the grazing ban zone and the local community's practice of *rsta srin* illustrate this point. As the township government confirmed the village grazing ban zone in accordance with the grazing areas proposed by pastoralists, the question of whether the proposed pasture complies with the requirements of the REPSRM programme was deliberately neglected. In other words, rules are not fixed or settled; they are challenged and reinterpreted to suit local realities and needs. As one of the village leaders explained when I asked him about the contradiction of herding livestock within the grazing ban zone while receiving the subsidy from the state,

“The life of the pastoralists depends on the livestock and rangeland. We always do what we can to make the pastoralists benefit from the pasture. The state wants to solve the problem of rangeland degradation by compensating us and making us reduce grazing and livestock numbers but we know how many and how long we can graze on the summer pasture, and the local government knows that too. However, when there are investigations from the state, we just try to pretend that we don't use the grazing ban zone. We have to implement the rules; no local government dares to reject the policy, because there is no room for that. We say that ‘*Gon Nas Ckav Yod, Vog Nas Bkod Pa Yod*’,¹²⁸ meaning that there are policies from above, and there are solutions from the bottom.”¹²⁹

As his quote reveals, policies, and fiats from above, are not fixed; rather, there is space to negotiate rules, aspects of which are subverted in accordance with local needs, and sometimes in ways that are accepted by local government. When multiple actors are involved in the governance and control of land and natural resources, the likelihood of negotiations increases. After all, the state-local relationship is also in the process of being made and transformation. As pastoralists improvise orders from the state, the relations with the state and local authorities are also repeatedly tested for the de fact gain of the pastoralists.

¹²⁸ “*གོང་ནས་བཀའ་ཡོང་། འོག་ནས་བསྐོང་བ་ཡོང་།*”

¹²⁹ Interview, Kokonor, Village Leader, Mar, 2021

6.4.1 Negotiating the Use of Rangeland: They Never Come to the Summer Pasture

The examples above show that the government, whether at the provincial, county or township level, lacks authority in decision-making regarding land use and access. The REPSRM programme, as a priority rangeland state policy for rangeland conservation, is implemented by the provincial government downwards through the county and township governments. Local public authorities, such as village leaders had ultimate authority over grazing ban sites within the village. While rangeland degradation and the need for conservation were prominent in state narratives in Saga, pastoralists established the zones to maintain the collectively-valued utilisation of the pasturelands. The REPSRM programme aims to protect rangeland in rural pastoral regions by probing grazing and limiting livestock numbers. However, this programme's design is not grounded in research and is not founded on an understanding of the established roles, rules and relationships in pastoralist settings, such as Saga. Summer pasture is used collectively because pastoralists understand the ecological conditions of the pasture. Many interlocutors concluded that summer pasture is comparatively smaller in size, unsuitable for lengthy grazing due to weather conditions and the scarce vegetation; thus, leaving summer pasture under communal use is intended to improve its utilisation and sustainability.

In the case of the grazing ban and balanced zones in Saga, the state and the justice bureau's directives and regulations were reinvented through local practices. Due to the length of utilisation, distance from the township centre, and size of the land, pastoralists established the summer pasture as the grazing ban zone, and the privatised winter pasture as the balanced zone. In addition, while the REPSRM programme and the RMR regulations aim to constrain rangeland use and access in rural pastoralist regions by prohibiting grazing and limiting livestock numbers, the institutional arrangements governing land use and access are constructed through social and political negotiations. As a result, new rules incorporating elements of the state and local society emerge, but these rules remain contested depending on the context, and as circumstances change. As the cases revealed, summer pasture is chosen as the grazing ban zone to evade government inspection, whereas pastoralists benefited from the location, distance and road condition between the township and the alpine meadow that dominated the summer pasture. Thus, the summer pasture's location facilitated pastoralists' ability to maintain land use. Meanwhile, despite the fact that the township government is aware of the uninterrupted use of the summer pasture, they choose to remain silent about it.

6.4.2 Playing with the Rules: From Trust to Money

The conventional practice of *rsta srün* has also been altered by the grassland conservation-oriented programmes. The effort of the government to connect grazing regulations with poverty alleviation efforts

inadvertently undermined effective monitoring efforts. As a result, older and disabled people were unable to keep up with their patrolling responsibilities. As the cases in this chapter showed, upper-level government policies in rural pastoralists' regions often lack fundamental understandings of the ongoing dynamics of targeted groups' roles, rules and relationships. Ultimately, the government-imposed arrangements failed, and the pre-existing *rsta srin* system was re-established.

6.4.3 Mending the Rules: Equalising the Summer Pasture

Summer pasture equalisation in Saga is a response to the 'unequal' allocation of land, as many pastoralists chose not to contract land in order to avoid taxes in the early 1990s. The cause of the inequitable distribution of rangeland traces back to pre-2005 land and livestock taxation. Consequently, many pastoralists, particularly those with less rangeland and livestock in the village, express dissatisfaction with access to rangelands following the elimination of the agricultural tax in 2005. The cause of the inequitable distribution of rangeland in Saga traces back to pre-2005 land and livestock taxation. Then, as livestock prices increased and land rents increased, the preference for equalising summer pasture intensified. This is yet another failure of the widely-lauded rangeland household contract policy, which ended up diverging significantly from the goal of equalising resources for pastoralists on the ground. By contrast, the HCR policy further widened the gap between the rich and the poor in Saga. The proposal to equalise the summer pasture is an attempt to mend and correct the village's unequal share of rangelands. However, three decades after pastoralists signed the rangeland household contract for use right, equalisation of the summer pasture is unlikely to occur in Saga due to concerns about violating state policies, such as the grazing ban and balanced projects.

Since the 1970s, China's rangeland has been recorded as increasingly degraded with inconsistent figures from scientists and the government studies (The Ministry of Finance 2016; Nyima 2021). According to official figures, approximately 70% (220 million hectares) of China's usable rangeland has been contracted to individual herders and livestock farmers (Ministry of Agriculture 2011; Song 2006). Over 16 million herders live in China's remote, sparsely-populated and resource-poor pastoral regions (Han 2009). In China, 264 counties were classified as pastoral and semi-pastoral (Ho 2005), accounting for roughly 60% of all grassland areas. Since the 1980s, the state has initiated the 'grassland contract policy' (Li and Huntsinger 2011) or the 'rangeland use right contract policy' (Yundannima 2017) in the pastoral regions. Although the use right contract policy was intended to optimise resource allocation by claiming property rights for private use, it has resulted in a series of social, economic and ecological issues on the ground, where numerous scholars have stressed the importance of local pastoralist

arrangements, herder participation in policy implementation, and herders' use of collective action techniques in numerous empirical studies in remote pastoralist regions (Banks *et al.* 2003; Chen and Zhu 2015; Gongbuzeren, Huntsinger, and Li 2018; Li *et al.* 2020). Furthermore, the debate on property rights goes beyond the communal, state and private uses, with a focus on mixed, negotiated and hybrid resource governance (Lund 2009).

Conclusion

The Kokonor region has received tremendous attention from the state and the province over the last two decades, ranging from various scales of efforts and investment on infrastructure, resource management, ecological conservation and rural development. These continuous external interventions sought, not only to reshape the conventional arrangements toward land use and access, but also fundamentally to alter the relationship between the pastoralists and the rangeland. Three related cases in Saga, presented above, highlight how local pastoralists leverage legal pluralism to increase their bargaining power and advance their own interests to access and use rangelands. Pastoralists and the township government pick whatever institutional arrangements of which they are knowledgeable, to manoeuvre around restrictions imposed under fiats that originate from above. The diverse institutional arrangements on the ground showed the flexibility of adapting top-down policies to context-based, collective-valued purposes by the pastoralists. Legal pluralism provides the space for improvisation and flexibilities, and these are crucial to confront uncertainties that arise from environmental, livelihood, social and political upheavals (Meinzen-Dick and Pradhan 2002). With flexible rules and rights embedded in social, political and economic relationships, pastoralists have greater scope to confront increasing uncertainties in the changing contexts.

Thus, pastoralists 'shop' for institutions across state and non-state, formal and informal spaces, welding elements from different forums to support their claims. Negotiations and contestations around rangeland utilisation in Saga show this: pastoralists deploy various strategies including petitions, archiving documents, and everyday resistance to secure control of, and access to rangeland resources. Thus, rather than aspire to a clearly-defined set of rules that is regulated by a single, coherent authority, it is more beneficial to acknowledge the dynamism of rangeland governance and the multiplicity of stakeholders and positionalities involved. Clearly, disregarding the importance of local, community or religious-based systems of law and resource management rules is untenable. "Development actors may not like plural orders, but engineering that doesn't take into account different governance processes and norms will keep failing to achieve its goals" (Reyntjens 2016:362).

In conclusion, the relationship between the state and the local society is fluid. The state and its emissaries, apart from enforcing formal controls through sanctioned rules and regulations, also maintain political control through informal channels, such as pursuing and co-opting the local elite to accomplish goals, such as rangeland expropriation and redistribution. The basis for this interaction between the formal and informal arrangements is the overall politics of the state with the peripheral regions. Even though some assert that the state provides 'spaces' for policy experimentation from below, the scale and space to manoeuvre varies in China's rural regions.

Decades of state intervention in the area have resulted in a layering of different rules, and these sit alongside other locally-generated rules and arrangements. Although locally-generated rules may be 'informal' and hence, not codified in policy and law, they are respected, and they are inseparable from the strategies various local stakeholders use to govern rangelands and secure access rights. Thus, a plurality of rules and institutions around these (to enforce rules) is part and parcel of adaptive governance, in which more recent rules are filtered through existing layers of rules and institutions, and in this way they are reinterpreted in ways that respond to local needs.

The relationship between the state and the local society is dynamic and changing through negotiations and contestations on rangeland use and access in Saga Kokonor, where rangeland market is rocketing due to tourism, conservation investment, and land lost to climate change. The standard perception of the state controlling, and local actors resisting, is continuously contested from empirical studies in rural China. In practice, the control of the state is always limited, and hybrid rules, practices, arrangements are seen from the ground. Rules and arrangements are improvised, reformulated and remade from below, not always necessarily challenging state power; rather it is about finding ways for negotiating and to work in local contexts. This is to say that politics is not restricted to activities within the hands of authorities, whether it is the government or other organisations. How do pastoralists, as the legal citizens and with authorised rangeland use rights, adopt everyday rules, roles and relationships to demand incorporation or better terms of incorporation into rangeland deals? How do pastoralists negotiate with the powerful state-capital alliance in Kokonor? What forms of everyday politics are there for resistance, compromise, and accommodation? What room for manoeuvre exists in the face of powerful forces? These become the key questions to explore the negotiations, compromise, and accommodations of the pastoralists to confront the increasing uncertainties and changes that are taking place.

Chapter 7

Expanding Lake and Landless Pastoralists

Introduction

“The most important currency of the nomad isn’t money but the capacity to build bridges and hook up with others, to make acquaintances and friends: so-called networking skills.” (Marquardt 2021:151)

Conservation and development-oriented interventions aimed at altering land access and utilisation are not an exceptional case in Golok. 687 kilometres straight up to the north-eastern part of the Tibetan Plateau, 144 kms away from Xining City, the provincial headquarter, state-led projects on tourism and infrastructure development, environmental protection, resource and revenue harvesting over the last two decades have changed the arrangements for land use and access in pastoral Kokonor (Qinghai Gov 2017; Dhongdue, Lafitte, and Bradshaw 2019). Unlike Golok, Kokonor region has been in the spotlight for its promotion of tourism since the early 2000s. According to the Lake Management Bureau (LMB)’s annual report in 2019, Kokonor welcomed 3.2 million tourists in 2019 (LMB 2019). As China’s largest lake, Kokonor is situated in the eastern part of Qinghai province. It covers an area of 4,583 km² and has a circumference of 360 km. Both the Tibetan and Mongolian pastoralists in Kokonor region define the lake as a sacred site based on their cultural and belief systems. To Tibetan pastoralists, Kokonor is sacred because it is the home of aquatic deities in the indigenous Tibetan Bon religion.

Being one of the major pastoralist regions in Amdo Tibet, Kokonor is home to a diverse range of ethnic groups, including Tibetan and Mongolian pastoralists, Hui Muslim business people and Chinese farmers. In 2008, Qinghai province decided to safeguard the lake’s resources and revenue by establishing the LMB and appointing the vice provincial party secretary as the head of the bureau. Until now, LMB has had jurisdiction over all issues relating to Kokonor, including the use of land surrounding the lake for non-pastoral purposes and the development of infrastructure in the area. These external development and conservation missions have not just reconfigured the landscape for commons-grabbing (Haller 2020b), but also the process of negotiations and contestations on rangeland use and access, and the relationship and politics between the state and local society.

This chapter, from presenting the cases of lake conservation, tourism development and lake expansion, will focus on how pastoralists perceive and respond to the increasing changes and uncertainties through everyday politics, as well as how pastoralists organise existing relationships in daily life to oppose state policies and defend their rights to benefit in the process of marketization and other concerned interests on the ground.

7.1 Conserving the Lake: The Kokonor National Park

In 2018, the Chinese Academy of Social Science (2018), the country's official think tank, estimated that the net value of state-owned assets in 2016 was 118 trillion yuan (or US\$16.5 trillion). China's rapid economic development and environmental protection over four decades have become the two pillars for the publicity and influence of China on the international stage. Development and conservation are the twin pillars of the new millennia's agenda for state and local governments. The TRR (Chin, *Sanjiangyuan*) National Park in Qinghai had established itself as China's first, largest and most successful national park model (Song *et al.* 2020). The TRR National Park encompasses an area of 12,310,000 hectares in the Three Rivers region, with a total of 8,690,000 hectares of grassland (Sanjiangyuan 2019). On July 19th, 2020, the establishment of the Kokonor National Park was top news in China. Qinghai Province officially announced the second round of national park construction and included the Kokonor National Park into the three-year plan of the grand 'Qinghai the National Park-based Model Province Campaign.' As reported by the news,

"...the province has already initiated the natural resource and social economy baseline study around the lake area, and it is to investigate the Kokonor natural resource and social economy database. This is all aimed for the upcoming establishment of the Kokonor National Park, and to secure the design, research, and education that evolved from the park" (extracted and translated from CN People News 2020).

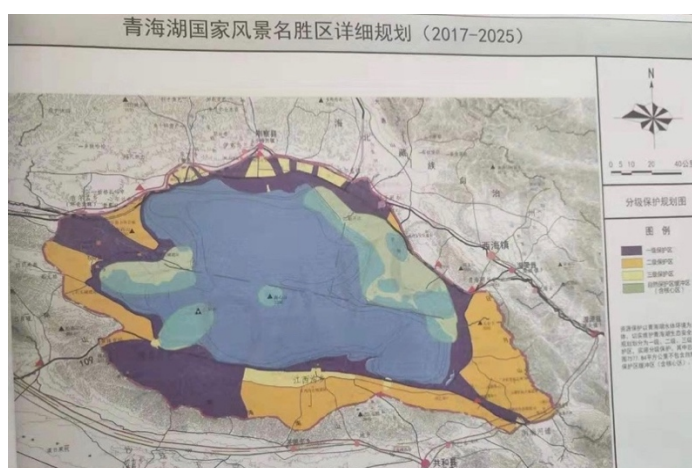


Figure 7.1: LMB Designed Conservational Areas in Kokonor 2017-2025 (by Palden).

According to the LMB's soon-to-retire head, the survey was conducted by the Forest and Rangeland Bureau (Chin, *lin cao ju*), the Lake Management Bureau (Chin, *hu guan ju*), and Qinghai University (Chin, *Qinghai daxue*) as consultant department. As Uncle Tsejar, a grandfather who lives near the

township government, recalls, on a summer afternoon in 2020, a group of four representatives from forest and rangeland bureau arrived in Saga with a map of the soon-to-be-established national park. The group had lunch with the township officials at the government cafeteria and then requested an interpreter to accompany and assist them during the survey. According to the interpreter, the survey group visited 50 families from the township's five administrative villages (out of the six), enquiring about the quality and quantity of livelihoods, landmass, livestock, annual income and attitudes toward resettlement with the upcoming national park project.

As the interpreter, a recently-graduated college student who works as an intern for the township government recalled, "The majority of the families expressed their willingness to relocate with the national park establishment, and only a few families expressed reservations about the project."¹³⁰ Moreover, as the intern remembered, the map the team was holding was from the 2019 'General Design of the Kokonor National Park' (draft).



Figure 7.2: The Plan B (the yellow zone) map for the lake national park (extracted from the park-building draft paper, LMB, 2020)

The draft indicates that the yellow zone covers a total of 2,926,535 hectares of land and 323,445 hectares of grassland (LMB Draft 2019). There are, however, multiple versions of the survey, which was brought by Uncle Bam. Uncle Bam suspected whether it was possible to visit 50 families in one afternoon. The reason is straightforward, as he stated, "First of all, the survey group would be unable to interview 50 households in one afternoon due to the muddy and bumpy road. Secondly, many of the families are still on their summer pasture, which makes the survey unreliable."¹³¹

¹³⁰ Interview from Kokonor, Employee 1, Sept, 2020

¹³¹ Interview from Kokonor, Uncle Bam, Sept, 2020

Uncle Bam's suspicions were confirmed when another version of the story was told by his friend, the former village accountant, Uncle Wad. According to Uncle Wad, the survey team and the interpreter from the township government stayed in the township, while village leaders summoned ten family representatives from each village for the survey but who are the village leaders' summoned representatives? When I asked Uncle Wad, with a smirk, the former village accountant responded,

“They are the households that are documented as the poor, under the poverty alleviation and eradication campaign (Chin, *jiandang lika hu*). These groups of people are the most proactive ones, and at the same time, the most vulnerable ones. That's why people call them the ‘*ro lang*’ (resurrected corpses) here. They would give up everything for the sake of the subsidy and the benefits from the government.”¹³²

That afternoon, the survey team summoned 50 ‘*ro langs*’ from five administrative villages to the township, as family representatives. After all, the survey became a process of collecting pre-designed responses, where the upper-level government, despite publicising that the state welcomes mass engagements, in this case, in the design and implementation of the National Park project. However, these types of governmental surveys often devolve into ‘*dad mo*¹³³.’ This quote also elucidated the vertical structure of political power in rural China, which some scholars have termed as the ‘upwardly system (Zhao 2021),’ or the ‘only looking up¹³⁴ (Chin, *weishang zhuyi*)’ that was a “psychology and practise deeply ingrained in local politics” (Heilmann and Perry 2011).’ While China's inheritance of the adaptive, experimental policy-making strategies provides room for manoeuvre, and is undoubtedly critical for responding to variability and uncertainty, more complicated and variegated images emerge from the ground. In this case, it is the National Park building, which is unavoidably linked to the state's intervention. Local, or lower-level cadres, are genuinely accountable for ‘higher-up’ level governments and their purposes under the vertical and ‘upwardly’ structures. Local officials become the safeguard to ensure that the process of the state intervention proceeds as smoothly as possible in order to accomplish goals of the ‘higher-ups.’ Thus, the adaptability and improvisation of the policies on the ground are highly dependent on the willingness and determination of local officials, as well as the scale of the project. Room for participation, manoeuvre, and negotiation, in the case of National Park building, is limited and contested due to the central plan and dominant authoritative powers that are determined to serve the higher-up government.

The practice of statecraft, often with the accompanying maps, figures, surveys and exclusion of the participation of pastoralists, is common on the ground. The technocratic-centred approaches from the

¹³² Interview from Kokonor, accountant, Sept, 2020

¹³³ ལྟན་ལྟན་ Tibetan expression, literally means shows, performances and demonstrations; here refers to non-credible actions, projects and policies.

¹³⁴ 唯上主义, look up to or obey those who have more power than you (often from the bottom), you get a better network, access to resources, and more power.

state, for example - the often non-local, urban background, upper-level government-assigned survey team; the designed survey questions; and the map for the conservation and development of the lake (see fig 7.1 and 7.2) have shown to the pastoralists the support for the top-down interventions from the government. The name given to the recruited 50 family representatives indicated that most villagers are sceptical of the government's survey. The type of 'finding what we want to find' involves the absence and exclusion of the majority. On the one hand, the recruitment of the '*ro langs*' shows how local governments manipulate the targeted population to increase the likelihood that the state can advance its plans, in this case, conducting a survey of the most vulnerable individuals and seeking to win their favour by suspending the grazing ban and extending the poverty alleviation subsidy. On the other hand, *ro Langs* express support for the state project to secure their access to resources and revenue, including the rangeland compensation, the poverty subsidy and other potential future resource allocations from the government, whether it be a job from the national park or monetary compensation from the park building.

7.2 Controlling the Lake: Land Requisition and Grabbing

“The Lake Management Bureau is the administrative organisation for the unified protection, planning, management and utilisation of Kokonor by the provincial people's government. The bureau is responsible for the planning and construction of the scenic spot, ecological protection, tourism development and other activities in Kokonor.”¹³⁵

Since the early 2000s, Qinghai Province has promoted the lake as a tourism hotspot in order to boost provincial economy. Qinghai established the LMB in 2008 to manage Kokonor and its surroundings. The LMB is divided into three sub-departments: the Natural Conservation Department (NCD); the Lake Affairs Department (LAD); and the Tourism and Development Company (TDC). The TDC, as the LMB's central unit, established four tourist centres in Kokonor in 2009, including Bird Island, Fairy Island, Desert Island and Ivory Island; two of the four were permanently closed in 2018 due to ecological conservation concerns.

TDC claims jurisdiction over a total area of 10,500 mu¹³⁶ in Kokonor but the company has acquired and rented a much larger area since 2008. TDC, for instance, chose to build a five-star hotel behind the company building in 2015. The piece of pastureland that they spotted for the hotel was collectively-used land, a summer pasture that belonged to one of the sub-villages near the Ivory Island. To acquire that

¹³⁵ Extracted and translated from the LMB official website, <http://qhh.qinghai.gov.cn>

¹³⁶ One mu is equivalent to 0.07 hectare.

piece of land, TDC and the village leaders agreed on a price of 1,300 yuan¹³⁷ per mu. Moreover, to support local pastoralists' livelihoods, the company guaranteed a 14,000-yuan annual subsidy for each family in the village. Thus, a five-star hotel began to rise at the bottom of the mountain, 3 kms away from the tourist spot, and two kilometres from the TDC office building (See fig 7.3). The promised subsidy, however, has yet to be paid because the hotel is still under construction. As one of the employees from TDC, a non-local from the eastern part of Qinghai proudly stated during a casual conversation in his office,

“Everything inside (the hotel) is built according to the five-star hotel standards. Our company almost went bankrupt because of it, the construction started in 2015, and is still ongoing. As you know, there are only four five-star hotels in Qinghai, and this is one of them.”¹³⁸

TDC invested a total of 600 million yuan in the construction of the hotel, according to the employee. When I asked where they obtained the funds from, the employee flatly refused to answer. TDC, as a provincial department that is responsible for the management of the lake, generates an average of 260 million yuan from tourism, mainly through ticket sales. A large portion of revenue is used to cover the bureau's administrative costs, which include the salaries of the company's 500+ contracted employees. Another 70% of the revenue, according to another company employee, goes to the provincial finance department, which in this case, an average of 182 million yuan per year.



Figure 7.3: The 600 million yuan five-star Hotel by TDC in Kokonor (by Palden).

¹³⁷ One yuan is equivalent to 0.15 dollar.

¹³⁸ Interview, Contact No.1, Kokonor, Apr, 2020.



Figure 7.4: Inside of the TDC Office Building - the 'Map' of Lake on the Ground Floor (by Palden).

While TDC has been a significant financial contributor to the provincial economy, the uptick in profits has also brought about bureaucratic corruption. As the bureau's current Vice Party Secretary, a man in his early 40s stated,

"The funny thing is that we don't have a head manager right now. Three of our managers were arrested on corruption and bribery charges, as well as gang-related acts and abuse of power; and as a result, the province intends to abolish the bureau, leaving us with an uncertain future."¹³⁹

As mentioned, Qinghai province designated the Kokonor as a paramount asset for the provincial economic development in the early 2000s, and the bureau is authorised to plan and construct the scenic spot. The bureau's authority, however, extends to the rangeland and the mountains that surround the lake. Therefore, even if policies are developed at a high level, their effects are contingent on how they are implemented on the ground.

Apart from enforcing formal controls through state-sanctioned rules and regulations, local governments and resource bureaux maintain political and resource control through informal channels, such as pursuing and co-opting the local elite to achieve rangeland requisition and redistribution goals. Even though the government and the resource bureau have developed maps and enclosed land for development and conservation in Kokonor, negotiations regarding the use and control of the lake and its surroundings are dynamic. Numerous land deals for the TDC around the lake did not happen in government meeting rooms or through legal paperwork, but rather in everyday spaces and through informal relationships. Thus, it is important to treat the government and its emissaries as stakeholders in relationships with various other local stakeholders rather than discrete institutions separate from local politics. The state is situated in specific places and times and it is shaped by its interactions with society

¹³⁹ Interview, Worker from TDC, July, 2020

(Hall *et al.* 2015:477). TDC, as the lake's authoritative agent, exercises control over resources through informal processes, where the statutory legal regulations of land requisition and rangeland transfer are always abandoned in favour of negotiations, over dinner with township officials and village leaders. Moreover, authoritative agents at the table guarantee access rights through shareholdings, subsidies and permits for conducting tourist activities, among other things.

Many scholars concur that China has exhibited notable adaptability during the reform era (Heilmann and Perry 2011; Ang 2016b; Dutta 2019), and a few attempt to trace that back to the very rooted structure of the 'guerrilla-style policy-making' during China's revolutionary period (Heilmann 2017a; Heilmann and Perry 2011).¹ Others conclude that the mixture of 'top-down direction and bottom-up improvisation has helped laying the foundation for China's historic economic growth and development since 1978 (Dutta 2019).² (Sic) Therefore, the development of China is defined as a co-evolutionary process that the state government and local governments mutually adapt through directed improvisation, and local governments are not only remote from the national power centre, but also have the "most immediate interaction with rural residents" (Wang 2017:5). After all, local governments engage in directed and undirected improvisations; the critical question is whether these improvisations result in development or not, and if so, in whose interest.

7.3 Consuming the Lake: They Eat the Meat and We Drink the Soup

Rangelands around the lake are contracted as winter pasture, and local pastoralists spend most of the months in their settled winter houses. Often, starting in May, Kokonor pastoralists relocate vertically to the collectively-used summer pasture, before returning to the lowland winter pasture in late July or August. However, the booming tourist industry around the lake and its surroundings have reconfigured the mobility of the pastoralists and the herd. Nowadays, herders prefer to spend the summer on their lowland winter pastures, not for grazing, but to engage in peri-tourist activities to supplement their income. As Tsega, a young herder from Saga, who offers horseback riding, explained,

"Life depends on livestock herding here, we don't have caterpillar fungus resource like Golok does. With the increasing number of tourists these years, we believe it is worthwhile to invest some time and effort in summer tourism. That is why my family entrusts my uncle with their livestock and stays on the winter pasture to engage in peri-tourist activities, such as selfie-taking, horseback-riding and selling dairy products."¹⁴⁰

¹⁴⁰ Interview, Tsega, Kokonor, Apr, 2020.



Figure 7.5 Pastoralists offering yak-riding during the peak tourist season (July – September). (by Palden)

Unfortunately, pastoralists confront difficulties when they engage in tourism as a result of LMB regulations. Prior to 2014, pastoralists were able to benefit from various tourist activities on their land, including setting up tents as homestays during the peak tourist season, selling dairy products, and offering horseback-riding in the scenic sites. However, as the LMB asserted, they have received numerous complaints from tourists about overcharging, poor service and harassment by local pastoralists, and thus implemented the tourism ban in Kokonor. Contrary to what the bureau stated, the tourism ban was imposed in response to a 2017 visit by a central government inspection team.

In 2017, the Central Party and Governmental Inspection Team visited Qinghai, and the inspection resulted in the publication of a report on illegal tourist development in Kokonor (The Paper 2017). According to the report, illegal exploitation of land totalled 106,400 mu in Kokonor, including unauthorised mining, illegal plantation on pastureland, and illegal infrastructure-building. The report from the team accused LMB of failing to govern in Kokonor. Thus, in its capacity as the lake's ultimate manager, the LMB issued an announcement prohibiting additional tourist activities in 2018. The announcement, however, is directed only at pastoralists, not the LMB or the TDC. Among the restrictions listed in the announcement, tourism-related activities by local pastoralists on their winter pasture were highlighted, including the following:

- 1) No tents for tourists;
- 2) No tourist activities without permission from the LMB and TDC;
- 3) In the case of using the tents for pastoralism, a permit from the township government and the LMB is required.

Two points should be underlined in light of the inspection by the central government and the announcement by LMB. As an authoritative department established by the province, LMB had failed in

its governance of the lake. The illegal utilisation of the 106,400 mu of pastureland exemplified Kokonor's poor land-and-resource management. Moreover, rather than formalising and resolving issues of illegal land utilisation in Kokonor, the LMB chose to further constrain pastoralists' engagement in tourism, which the bureau views as a major competition to land and other sources of revenue. However, pastoralists with stronger ties to the government and LMB are not excluded from tourism. Pastoralists with a better *guanxi* (Chi, connection, or relationship) network were frequently granted permission to conduct tourism-related business.

Guanxi plays a significant role in negotiations over the use of, and access to rangeland in Saga. Li and others defined the term *guanxi*¹⁴¹ as "an informal norm of interpersonal exchange that regulates and facilitates privileged access to sentimental or instrumental resources" (Li *et al.* 2019: 646; Horak *et al.* 2020). *Guanxi*, as a holistic and dynamic social construct, integrates its diversity and adaptability to changing contexts filled with uncertainties and opportunities. Thus, the *guanxi* network is of central importance in hybrid governance in Saga.

As Tibetan pastoralists are marginalised in state-driven development, their ability to benefit from land and resources is constrained without this type of connection. For instance, one of the interlocutors, a young man who works for TDC on a contract basis, invited me to one of his family hostels near the lake, which is located approximately two kms from the body of water and adjacent to one of the tourism centres. As he boasted along the way, his hostel is the only place in the world where one can see the sunrise from the bedroom window. Permission and management of the hostels on the winter pasture are guaranteed through his network and connections within the company and government. By contrast, obtaining a permit to engage in tourism-related activities in Saga is challenging for herders who lack such a social network. Often, pastoralists must follow the formal procedures required by the government and LMB in order to obtain the permit. To begin with, they must contact the township government, handing over the written proposal and awaiting their review, and finally, their decision; and this is only the first step: if the township government accepts and rubber-stamps the proposal, the applicant then submits the proposal to the LMB for another round of review. However, the majority of the herders fail at the first step, during which they receive no response from the township government, and the fortunate few who advance to the second step are usually rejected by the LMB. As Uncle Bam recalled,

"We decided to open up a tent shop in 2018, to sell yoghurt and cheese during the summer. I submitted a proposal in Tibetan and handed it to the township government in early March. However, they returned it and told me to write it in Chinese. Then I found a college student and translated it to Chinese. It took two months for them to stamp the proposal, and then they told me to go find the Lake Management

¹⁴¹ 关系, *guanxi*, the Chinese term for network, Tibetan pastoralists use the term འབྲེག་པ། '*brel pa*,' which refers to the ties and connections in a social context.

Bureau. It was mid-May, and the bureau office was in Xining. I went to find their office but got lost the first two times, and then, with the help of an employee of the tourist company, I handed the proposal to the bureau. They told me to go back and wait for their reply, I did so. It is 2020 now, I am still waiting.”¹⁴²

This is not the only case in Saga. Yet, pastoralists have never stopped conducting tourist activities on their contracted winter pasture, with or without the permission from township government and the LMB. The game of hide-and-seek is notable, whereby pastoralists seek to evade LMB inspections. Some have bribed LMB employees in exchange for information and early warning of upcoming inspections. Pastoralists often engage in peri-tourist activities, such as selfie-taking, horse- and yak-riding, homestays and guest reception. Together with the bureau, the township government devises counter-strategies to deal with the pastoralists. As Yab, the owner of a Tibetan restaurant in Saga, recalled in a case from the summer of 2019,

“Last Summer, Kobo brought few foreigners to his winter pasture near the lake. Because the car could not get through the pasture, Kobo decided to let the guests ride horses to the shoreline. He called his family and told them to bring a few horses for the ride, and they went to the shoreline on horses that day. The next day, he was informed that he could no longer receive his rangeland compensation (the grazing ban subsidy). Someone had reported that he had offered horse-riding on the winter pasture, which was not allowed here in the village according to the LMB regulations, and the township government suspended his subsidy as the punishment and a lesson to others.”¹⁴³

Constraining pastoralists from tourist activities sparked conflict between pastoralist communities and the resource bureau. The latter, as the authorised agent of the lake, is not authorised to govern the land of the pastoralists; therefore, pastoralists’ participation in tourism on the contracted winter pastures is a legitimate activity. However, the LMB, particularly the TDC, has effectively monopolised tourism in Kokonor, and their authority extends beyond the lake, from land control to complicating the process of granting permission and enforcing countermeasures against those who practise tourism. Thus, formal arrangements are used to prevent competition and, in this case, the pastoralists from benefiting. The government and resource management bureaux also rely on *guanxi* networks, bribes and oral promises to obtain access to land and natural resources.

The role of the LMB shows that the room for improvisation in Kokonor is missing from the essence of development, which is to ‘improve people’s lives (Sumner 2006).’ As the above cases show, LMB, as the authoritative management body in Kokonor, possesses better access to information, funds and support from higher levels of government. It often prioritises access to resources and revenue rather than improving local pastoralists’ livelihoods from tourism. To the pastoralists, the *guanxi* network plays a significant role in simplifying the process of permit-seeking. Individuals with better *guanxi* network,

¹⁴² Interview, Uncle Bam, Kokonor, Apr, 2020

¹⁴³ Interview from Kokonor, Yab, Mar, 2020

having connections with the right authorities, obtain the right to use and access the constrained property and activities. Other informal tactics, such as bribing the employees or relatives of the employee from LMB, also became significant to claim and defend use and access to rangeland. Therefore, room for improvisation is very much in the hands of the resource management bureau and local governments. To the pastoralists, informal, hidden, everyday practices become important to demand incorporation or better terms of incorporation into 'development' projects.

7.4 A Letter to the Government

"As a pastoralist, you can lose your livestock to the wolves, snowfall, and animal disease, but you can never lose the land, once you lose your land, then you are not a pastoralist."¹⁴⁴

7.4.1 The Expanding Sacred Lake

For the previous 50 years, Kokonor had experienced a gradual shift from retreat to expansion. Between 1974 and 2004, the primary cause of the lake retreat was a prolonged period of decreased precipitation and the increased evaporation rate (Luo *et al.* 2017). According to Feng *et al.* (2006), a dynamic change, where a recorded general fall of the water level and a short-term (maximum of two years) water level recovery was shown from 1986 to 2005. They concluded that the major cause of the retreat was due to the temperature change, as their data revealed that the average temperature in the lake area increased by 3 degrees Celsius from 1984 to 2004 (see fig 7.6). Other scholars (Li *et al.* 2004; Shi *et al.*, 2005; Wang *et al.*, 2003; Zhu *et al.*, 2003) also concluded that the increase in temperature is the main reason for the fall in the water level. Feng and colleagues also proposed that the irrigation system surrounding the lake area resulted in an excessive extraction of the inflow of water for agricultural use, and this resulted in the fall of the water level.

Kokonor started to expand in 2004. Luo and others' (Luo *et al.* 2017) recent study illustrated that the water surface of Kokonor increased by 128.27 square kms between 2009 and 2016, with a peak of 65.12 square kms in 2012. According to Luo *et al.* (2017), the annual precipitation in Kokonor had increased by 44.1mm since 2005, when it was 395.9mm between 2000-2009 and increased to an average of 423.2mm during 2010-2015.

¹⁴⁴ Interview from Kokonor, Uncle Vad, Oct, 2019

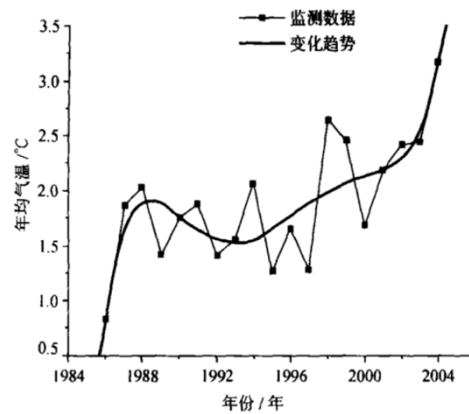


Figure 7.6: The change of annual average temperature from 1984-2004 (extracted from Feng *et al.* 2006).

While many scholars have argued that human intervention was not the primary cause of lake expansion, a variety of environmental management projects were undertaken between 2008 and 2018 under the auspices of the Ecological Environmental Management Programme (EEMP) (Chin, *shinian shengtai huanjing zhili*). The EEMP was initiated on 26th May 2008, with a total investment of 1.6 billion yuan (RMB), and a 10-year target for ecosystem recovery. Numerous projects were implemented, including livestock reduction, wetland protection, desertification and land degradation management, forestry reserve, vegetation recovery, returning farmland to grassland and forest, artificial rainfall enhancement, eco-resettlement, and river management. In Kokonor, 200 kms of river channels were cleaned, and nearby power stations and dams were decommissioned to allow for vegetation recovery. Together with rising temperatures, these ecological conservation-focused projects enlarged the average volume of the run-off, particularly in the two major inflows - the *Buha* and *Shaliu*¹⁴⁵ rivers, where the average volume of run-off increased by 54.1% and 39% respectively, from 2005 to 2015 (WAB 2009; Luo *et al.* 2017).



Figure 7.7: Uncle Tashi and his submerged winter pasture in 2019 (by Palden).

¹⁴⁵ 布哈河、沙柳河, the *Buha* and *Shaliu* rivers in Qinghai.

Not long before the end of the EEMP, Qinghai province launched its 'Eco-Conservation Based Provincial Development Plan (Chin, *Shengtai Jiansheng*)' in 2015. Following the establishment of the Three Rivers Region National Park (Chin, *sanjiang yuan guojia gongyuan*) and Qilian Mountain National Park (Chin, *qilian shan guojia gongyuan*), Qinghai province initiated the 'National Park Modelled Provincial Development Plan' (Chin, *Guojia Gongyuan Jiansheng*) in 2019, with the goal of becoming the pioneering national park-based conservation and development province within a half-decade. President Xi Jing Ping lauded this determination in a short video message sent to Qinghai during the first national park forum held in Xining in 2019. Soon afterwards, in the three-year national park modelled provincial Conservation and Development Plan, Qinghai proposed the establishment of another national park, namely the Kokonor National Park. On the 4th September 2019, during a state press conference, the Qinghai provincial government commented on the development of the lake area,

"Kokonor is the largest, cleanest, and most well-known lake on the Tibetan plateau. It is big, so we have to protect it away from shrinking; it is clean, so we have to keep it away from pollution; it is well-known, so we have to keep it away from bad reputations."¹⁴⁶

The LMB was established with the sole purpose of evaluating, inspecting, developing, managing and securing the lake's resource and revenue, since then, LMB has served as the authorised agent for conservation and development of Kokonor for the last 14 years. Despite the fact that a huge number of scientists have clarified that the lake expansion is a result of climate change, the government and LMB prefer to define the expansion as a result of the government's conservation efforts, thus re-orienting the mainstream discourse toward a conservation-centric narrative in order to glorify the government's investment and hard work in establishing an 'ecological civilisation.'

By contrast, the voices of the pastoralists and their concerns about the damages and potential harms of the lake expansion have been silenced. Local pastoralists perceive the cause of the lake expansion differently. From in-depth interviews in Saga, only a handful linked the expansion to climate change and increased precipitation. Others offered different assessments:

"During the late 1950s and 1970s, fishing was excessively practised around the lake area during the great leap forward, the three-year famine, the commune period and the cultural revolution. Therefore, the fish population here went down dramatically during that period. With the efforts on conservation these years, the fish population has increased, and the lake has become larger (because of the increased fish population) now."¹⁴⁷

¹⁴⁶ Extracted and translated from Gonghe News, 2019.

¹⁴⁷ Interview from Kokonor, Uncle Bam, Sept, 2019.

Many lives were saved from starvation in Qinghai by the fish¹⁴⁸ from Kokonor during the great leap forward (1958-1960), and particularly during the three-year famine (1958-1961). Qinghai province also sent many farmers from the eastern part of Qinghai to Kokonor for reclaiming rangeland for plantation, and fishing was permitted as an alternative for these immigrants during the 1960s and 1970s. The descendants of these farmers are still scattered throughout the Kokonor region, and unlike their parents, many have abandoned farming for animal herding now. In 1994, Qinghai province imposed a fishing ban in Kokonor, kicking off the fish conservation effort. As Tsemo, a 79-year-old grandmother from Saga highlighted,

“This (the cause of lake expansion) is so easy to understand. It is, of course, the increased population of the fish. For example, if there is a pot, when it is stuffed with a lot of meat and vegetables, the soup will spill out for sure.”¹⁴⁹

The state and its emissaries promote development ideologies based on market-oriented economic development discourse. Two things are worth noting regarding the disparate perceptions toward the cause of lake expansion from the officials and pastoralists. Firstly, both the officials and the majority of pastoralists advocate the expansion as a positive outcome, with officials promoting the view that the expansion is the outcome of their decade-long ecological conservation efforts in Kokonor, whereas pastoralists view the expansion as the result of the increased fish population. Secondly, both officials and pastoralists actively or passively ignore the underlying causes of the expansion and its potential consequences. This is because of the upper-level government’s promotion of a conservation-oriented discourse since 2015, in which ecological civilisation (Chin, *Shengtai wenming*) has become the prefix for narrating all policies and operations. As a result, the expansion is officially guided and advertised as a blessing, and potential uncertainties and complexities are deliberately avoided. Nevertheless, the expanding lake has become a curse in recent years, as it has resulted in massive rangeland loss in Saga since 2016.

7.4.2 The Shrinking Winter Pasture and Landless Pastoralists

“... the lake expansion will benefit the (work of) ecological conservation in the Kokonor region, but it will damage the tourism infrastructures around the lake.”¹⁵⁰

The quote above is from one of the leading meteorological experts at the provincial level, where the expert explained the causes and potential consequences of the lake expansion in a 2020 interview (SJY 2020). Not surprisingly, the expert highlighted the advantages of the expansion for conservation and the

¹⁴⁸ གཞི་ལྷ་གྲོ་ *gser nya*, 青海湖湟鱼, *gymnocypris przewalskii*, is a species of cyprinid that is endemic to the Lake Qinghai basin in China, where it is the dominant fish species (the other natives are four *Triplophysa* loaches), extracted from Wikipedia.

¹⁴⁹ Interview from Kokonor, Tsemo, Sept, 2019

¹⁵⁰ Quote extracted from interview, Shi Ming Ming, 2020

disadvantages for tourism in Kokonor; however, the negative aspects of the lake expansion, such as the rangeland loss, were not discussed in the interview. What the news and mainstream media did not report is that, until December 2020, one third of Saga's families (a total of 97 families) had lost their winter pasture due to the lake expansion. After receiving the first round of compensation from the government in March 2019, pastoralists are unsure what they can do, or who they can trust or rely on, to prevent further deterioration of the situation. It is unclear whether there will be another round of compensation and what the scales will be. During a focus group discussion, one of the pastoralists stated,

"We simply remain silent, the larger (the lake) the merrier. We just treat it as a blessing from the sacred lake, even if we write letters and report it to the village and above (local and county governments), they will not give much consideration, because it is always like that. We would rather just face the reality and treat it as a blessing."¹⁵¹

According to pastoralists in Saga, they had already received the first round of compensation from the government. As Uncle Bam recalled, the township government began collecting numbers on the land loss in the winter of 2018 after the inspection by the county government, which was conducted through mobile phones. The sub-village leaders were directed to collect numbers of the land loss via Wechat¹⁵². The numbers, as many complained, were inexplicit because no officials came to measure. Pastoralists calculated the numbers roughly and sent them via Wechat to the village leaders, as uncle Bam stated,

"The only accurate number you have in mind is the size of the land you have on the 'sa yig' (the rangeland use-right contract). Since the local authorities did not come and measure the loss, people started to report more to get greater compensation."¹⁵³

How pastoralists manipulate numbers is crucial. The number of the rangeland and livestock varies according to the pastoralists' social-economic status. Since there is no organised measurement on the land loss, many pastoralists decided to report them as greater in order to receive more compensation from the government. When I asked why there were false numbers on the land loss, Tashi, a young village accountant, smiled and replied, "We don't believe they (the government) will compensate us much because they are happy that the lake is expanding, thus, we gave more than we actually lost to secure a bit more money for increased investment in pasture-renting and livestock-entrusting."¹⁵⁴

¹⁵¹ Group discussion from Kokonor, Dec, 2020.

¹⁵² *Wexin* 微信, ཁཱ་ཤེན་ *kad pren*, Wechat, a free calling and messaging application that was developed by the Chinese Tenxun Company.

¹⁵³ Interview from Kokonor, Uncle Bam, Dec, 2020

¹⁵⁴ Interview from Kokonor, Tashi, Dec, 2020



Figure 7.8: Uncle Bam's Fenced Winter Pasture in April 2020 (by Palden).

In March 2019, Saga pastoralist households received the first round of compensation for their loss, 80 yuan for each mu of land. According to what the township leader expressed, the six villages lost a total of 60,000 mu of land in 2018, with the province compensating them with a total of 4.8 million yuan. Compensation was provided by the provincial forest and grassland bureau, and according to the rural township governor, a middle-aged man from Chapcha,

“Local pastoralists were delighted because of the compensation; they know there won't be more this year. They can do nothing even if they receive nothing (from the state). This (lake expansion) is not a natural disaster; it is hard to define this and put it into any categories (of the compensation scheme).”¹⁵⁵

As he explained further, the lake expansion is the most positive outcome of the province's ten-year ecological environmental management project. It adds credibility to Qinghai's promoted 'Ecological Constructed Province' discourse. It had been nearly a year and a half since the pastoralists received the first round of compensation. Another round of compensation is unlikely to come, and yet the lake is still expanding. Among the 97 families in Saga, a total of 25 families had lost their entire winter pasture to the lake up to November 2020. This loss of entire winter pasture has ultimately triggered concerns among pastoralist households. Winter pasture loss has aggravated pastoralist livelihoods in many aspects, and the focus group discussion revealed three primary concerns:

- 1) Rising land and livestock prices, which resulted in increased investment in land renting and animal entrusting.
- 2) Increased daily life expenditure, such as renting houses in the township.
- 3) Increased investment in forage.

¹⁵⁵ Interview, Governor, Kokonor, Dec, 2020

“The compensation money from 2019 was insufficient to cover another year’s expenses; it is even insufficient to cover a one-year pasture renting fee.” Ama Yee, a female pastoralist, who recently moved to the resettlement, told me, “Landless pastoralists need more than monetary support.” “What other options are there?” I asked Ama. “I don’t know, to be honest. Some of us requested the use of the summer pasture for the landless during this hard time but that got rejected because even though the summer pasture is under collective use, it was contracted on paper, and it is established as a grazing ban zone here.” Ama seemed disappointed after finishing her sentence, and then she continued to explain, “The only solution is to write to the county level government. Pastoralists would rather write to county governments than meet with township officials. The reason is that the township government prefers to bury every request deep in the earth.”¹⁵⁶



Figure 7.9: Uncle Lha had to pull down his winter house due to the expansion (by Lha Ba).

The loss of winter pasture did not just increase investment in land-renting and animal-entrusting for the landless pastoralists, but also further accelerated the land price in Kokonor. As Ama explained, landless pastoralists searched for alternatives, such as entrusting livestock to relatives at a low price, and some started to get loans from the bank to rent pastures. Nevertheless, officials are pleased because the expansion demonstrates the state’s conservation efforts in Kokonor, despite the fact that experts previously claimed that the expansion was caused by increased precipitation and the temperature in the region. In contrast, pastoralists, who are the direct victims of expansion, are desperate and their anxiety about the future has increased as they have been excluded from the mainstream conservation narratives.

¹⁵⁶ Interview, Ama, Kokonor, Sept, 2020

7.4.3 Resistance or Subsidy?

I arrived Saga on a freezing winter afternoon in 2020 after receiving an emergency call from Uncle Wad, the former village accountant. “They (the township government) told us to wait and see, again,” uncle Wad explained as he guided me and another 12 villagers to a Tibetan restaurant. In November 2020, 25 pastoralist households signed a petition addressed to the County Forest and Grassland Bureau expressing their concern about the loss of winter pasture due to the lake expansion. The letter urged the government to investigate widespread loss and to propose a solution, not just a one-time monetary compensation, but a solution for the families who had lost their winter pasture and homes, as well as a plan for the future of the landless pastoralists in Saga.

However, as soon as the pastoralists handed the letter to a County Forest and Grassland Bureau official in Chapcha, they received a phone call from the rural township governor, accusing them and ordering them to either withdraw the letter or else the township government would suspend the 25 pastoralist households from receiving all governmental subsidies, including the annual grazing ban subsidy, balanced reward and monthly aid from the poverty alleviation and eradication campaign to some of the households. In the end, the petitioners withdrew the letter from the County Forest and Grassland Bureau and were summoned to the township governor’s office upon their arrival.

When I enquired about their motivation, one of the pastoralists, the 50-year-old Uncle Ramba, clarified, “drafting such a letter was mainly motivated by concerns about the future of our livelihood.” Since 2018, the ongoing loss of winter pasture has become an unavoidable problem for Saga pastoralists. The increased temperature and precipitation rate in the Kokonor region over the last three decades have influenced the lake’s gradual expansion since 2016, and the expansion has created anxiety among many pastoralists. As Uncle Tuso, the former village secretary expressed,

“We are desperate now; we have lost a total of 20,000 mu of winter pasture to the lake (the total number of the 25 pastoralist households), and most of us have become landless now. We have to let them know that the lake expansion is bringing unpredictable change to our life, and they should come to see what is happening and help us to resolve the issue. We don’t have time for waiting, because we need to rent pastures for the livestock, we need to find new places to live, and we need to triple the forage purchase this year for the coming winter.”¹⁵⁷

Uncle Tashi, who served as village leader from the early 1990s to the early 2000s, continuously lamented the ignorance of the governments regarding the issue of the winter pasture loss in the village. As Tashi said, the four representatives of the 25 pastoralist households went to the governor’s office on that afternoon after withdrawing the petition letter. The rural township government was enraged that

¹⁵⁷ Interview, Uncle Tuso, Kokonor, Nov, 2020

pastoralists ignored them or the formal, legitimate process of handing in a letter, which starts with the village leader and party secretary, then goes to the rural township government, and finally to the county government.



Figure 7.10: Administrative structures of the Rural Township Government in Saga.

Township-level officials and village cadres are important agents for the state, being placed at the bottom of China's official administrative hierarchy and tasked with implementing party government policies and muddling through with demanding counties and wavering villages. The role of village cadres in state-society relations is critical for both the development of civil society and the repressive capacity of the state (Heilmann and Perry 2011:34; Ding and Thompson-Brusstar 2021; Wang and Mou 2021). When cadres join forces with the villagers, which is the case in Saga, it only occurs after their retirement from the government.

Retired elite and former village cadres are co-opted as resistance allies. These individuals are generally regarded as credible and capable, and they often possess a greater familiarity with the procedures of the political system. Retired elite become the key actors in claiming and defending the village's resources and revenue. For instance, the former party secretary and the village accountant are critical in the drafting of the petition to the county government. Not only do they have a long history of service in

local government, but they also have extensive experience in dealing rangeland and social affairs in the local context.

Ultimately, nothing has been heard about resolving the lake expansion since March 2019. Each time pastoralists raise concerns about the lake expansion, the government responds with the magical sentence, 'Wait for it.' Pastoralists waited and waited till November 2020, when the 25 households lost their entire winter pasture, and nothing came. In other words, the conflictual relationship between pastoralists and the rural government over lake expansion demonstrated that, in comparison to organised protests and movements, in this case, petitioning the rural township government had little effect and provided no opportunity for compromise or negotiation on defending the interests of the landless pastoralists.

The township government, as the direct implementer of state policies, often overlooks the outcomes of these policies; by contrast, completing state projects becomes the primary responsibility of local government. This is referred to as the 'upwardly accountable' system, in which local officials prioritise funding-related task fulfilment (Heilmann and Perry 2011; Nyima 2021b) over rangeland protection and landless pastoralists. Under this top-down pressure to complete targets, "local cadres are not responsible to local citizens but to higher-ups" (Heilmann and Perry 2011:270), and "bureaucrats have neither the incentive nor the authority to address the mismatch between policy implementation and local demands" (Nyima 2021:3). When open, organised or semi-organised political activities become dangerous, in the case of lake expansion, the government threatens petitioners with suspension of subsidies and compensation. To avoid direct confrontations, pastoralists choose other forms of resistance, which are comparatively less dangerous, and symbolic confrontation with the authority to defend their immediate, *de facto* gains. This is to say, local officials are able to compromise, negotiate and engage in downward relations in the day-to-day life; but when something comes into play that is a major threat and is on the radar of the central state, then accountabilities move upwards. Thus, the form of negotiation with authority by pastoralists must change, and new forms of relationship formed. It means that the assemblage practices (and so, the forms of hybridity) are affected by the political significance of the issue, and so must alter. It's not just one negotiation with authority, but authority shifts and so do practices.

7.5 Negotiating with State and Local Authorities

Rangeland in Kokonor is increasingly magnetizing external interests with its great potentials as the natural assets for tourism, infrastructure development, renewable energy and conservation. These rapid changes generate increasing uncertainties and leave local pastoralists with fewer capabilities to adapt. Even though local pastoralists are benefiting from engaging in tourist activities, and receiving compensation from the windmills on their pasture, nevertheless the scale of non-pastoral alternatives consisting of tourist activities and monetary compensations are often described as minimal and ‘soup drinking’ by pastoralists in Saga. State and local society relations are complicated on the ground, where tactics, such as colluding with the resource management bureau officials for sources of information or getting a permit for practising tourism through their *guanxi* network are often seen as gaining accesses and opportunities to get engaged in negotiations and the bigger market.



Figure 7.11: Converted rangeland to windmill farm in the Kokonor pastoralist region (by Palden).

In other words, these *guanxi* networks are continuously transforming in their adaptation to new social institutions and structures under different fiats from above (Yang 2002), and the construction of the *guanxi* network with external agencies is key for Saga pastoralists to getting access and benefitting from the tourism market and rangeland utilisation. These external authorities include the provincial government, the LMB, the TDC and local governments. How pastoralists coordinate with local and state authorities to either promote or deteriorate the relationship with these agencies determines the ability to benefit in Saga (Ribot and Peluso 2009; Peluso and Ribot 2020). For instance, as the petition from the landless pastoralist demonstrates in this chapter, petitioning is not simply about reporting land loss and requesting compensation; it is also about the tense relationship between the pastoralist community and the local government, where pastoralists lack trust in the local government as authorities tasked with prioritizing the herders’ fundamental interests. Opportunities for ‘forum shopping’ and benefitting from the bigger market and external investment in local society depend on the performance and network of

the pastoralists in the eyes of the government. Moreover, the multi-layered resource management entities in Saga further complicate the relationships and the processes of land utilisation through different interests and ambitions. As the case of the petition from the landless pastoralists illustrated, petitioning is aimed to secure the basic livelihood of the landless. However, the local government officials warned the petitioners from suspending their grazing ban subsidy, thus leaving these petitioners in a dilemma, where they have to stay quiet to secure the government subsidy, and at the same time, exposing themselves to vulnerabilities after the loss of winter pasture and winter houses to the lake expansion.

This type of hybrid rangeland governance, where continuous negotiations with the state, the state emissaries and local authorities are central; as well as the relationship between the local government and communities; determines the sustainable development of pastoralism. In the case of Saga, mistrust is the word commonly used to describe the relationship between local pastoralists and the township government. Local government often adopts 'quick-fix solutions' rather than careful planning that will generate sustainable and economic benefits in the long run (Zeng 2020). The state and its emissaries, such as the LMB and TDC, continuously promote ideologies of development based on discourses of market-oriented economic development and ecological conservation, and these mainstream discourses often exclude the interests and willingness of the pastoralists (Kyzon, Gabriel, and Simmon 2019).

The ability to negotiate with the authorities depends on existing social networking and capabilities to build new networks. However, spaces for negotiations are sometimes constrained and limited, thus leaving no possibility for negotiation. Some scholars have described these types of non-negotiable policy implementations as the 'upwardly accountable system' (Chien 2010; Zhao 2021); under such policy types, the local governments exercise their authoritative powers to proceed with the policies, projects and programmes from the central government, often neglecting the voices and needs of the residents, and thus offering no room for manoeuvre, but still, room for negotiation exists among the actors that hold better connections with the local authorities, such as the retired village leaders in Saga. In general, *guanxi* is a necessary but insufficient condition, given that in the upwardly-accountable political system, officials prioritize tasks assigned from above over the actual needs of the public when the two conflict.

Capabilities to negotiate with existing and newly-built networks are significant for gaining access to resources. In Saga, the negotiations with the emissaries of the authorities become important. Since LMB was established in 2008, it became the only authoritative power in Kokonor that possesses better access to information, funds and investment from the up-level government. The LMB often prioritizes

access to resources and revenue rather than improving the livelihoods of local pastoralists. To the pastoralists in Kokonor, the *guanxi* networks with officials from the bureau and government play significant roles in simplifying the process of permit-seeking, and pastoralists with better *guanxi* networks are often likely to obtain a better chance to access the constrained rights and revenue. Other informal tactics, such as colluding with the employees or relatives of the employees from LMB, also became substantial to claim and defend the use of, and access to rangeland. Therefore, room for improvisation is very much in the hands of the resource management bureau and local governments, and this in turn constrains the access right to the very few pastoralists who obtain the necessary *guanxi* network.

The government is seen as “an external agent whose behaviour is exogenous to the situation being modelled in the contemporary conceptions of social order” (Ostrom 1999:215). The rapidly evolving uncertainties also change the formations and functions of the government, so changing the relationship between the pastoralists and the government. In the case of Saga, the establishment of the central government-led Qinghai Lake National Park will shift the power of the existing authorities on the management of the lake. The establishment of the National Park Management Bureau (Chin, *guojia gongyuan guanli ju*¹⁵⁸) will undermine the power of existing external authorities, such as LMB, TDC and the township government. Ultimately, this shift of power will also change the pattern of negotiations and thus the relationship between local pastoralists and the government in the foreseeable future.

The roles of pastoralists from Saga, as the authorised users of the rangeland, are continuously challenged with massively rising land values due to tourism, investment in infrastructure and conservational projects, as well as land loss to climate change. To confront the increasing uncertainties and complexities that derived from these external interventions, the nature of local state relations matter, i.e. how pastoralists, as the legal citizens and with the authorised rangeland use right negotiate rules, roles and relationships to demand incorporation or better terms of incorporation into land deals. From the empirical studies, pastoralists in Saga negotiate policies and regulations from above with their connections with the government, and use their source of information, sometimes bought from contacts, to avoid inspections from the bureau. Informal social networking is dynamic and intertwined in the development and conservation of the rangelands in Saga, and incorporating informality into accounts of citizenship is crucial.

¹⁵⁸ 国家公园管理局, *Guojia Gongyuan Guanli Ju*.

Conclusion

The case of the consumption and conservation of the sacred lake, again, presents the intensive involvement of the state and resource management organisation in the governance of the land, and the constraints from state investment and policies toward development and conservation. Pastoralists in Saga confront the policies and regulations from above with their connections with the government, and use their source of information, sometimes bought from contacts to avoid inspections from the bureau. Informal networks are dynamic and intertwined in the development and conservation of the rangelands in Saga, and incorporating informality into accounts of citizenship is crucial. As the core strategy of benefitting from land and resources, pastoralists with better *guanxi* with the government, LMB and TDC are often guaranteed the permit to access the land and conduct tourism. By contrast, those who do not have *guanxi* with the authorities are often constrained from accessing.

However, this chapter shows that, even though everyday resistance may not make headlines, everyday politics and indirect claims matter, and it is central to defend the use and access of land on the ground under the upwardly autocratic system. Moreover, everyday politics intersect with official politics through direct and indirect resistance for including pastoralists in the negotiations and decision-making. Thus, everyday politics matter for the incorporation of the majority into the arena of policy-making and creating a 'space' for hybridity. Local arrangements arising from everyday politics can also 'feed higher level(s) of official politics, becoming policy alternatives for authorities to consider or at least confront' (Kerkvliet 2005:235). The politics of the state also waver between coercive, direct control to non-coercive, indirect and informal control due to changing contexts. These shifts create space for negotiations and hybridity through compromise and cooperation with the local society.

Hybrid land governance is constructed through the push-and-pull of the fluid relations between the local society and the state. Pastoralists claim and defend their interests due to the changing contexts, no matter if it is the policy, regulations or relationships with the state. However, when the relationship with the state appears to be top-down and one-way directed, and when many of the political activities are constrained and pressures are confronted, then everyday forms of resistance are necessary for creating the space for manoeuvre. As this chapter highlights, when the direct and organised petition came to nothing in the case of the lake expansion, then everyday politics and weapons of the weak became significant to defend the interests of the majority. Consequently, these everyday forms of resistance create space for hybridity in land governance, and the claim and defence of the presence and resource use in Saga. Authority is always negotiated in the day-to-day life. This is constrained by the state, but

not completely prevented. Pastoralists, in alliance with local state actors, find a way through, assembling new ways of doing things, often in the face of top-down imposition. This is the hidden resistance, the weapons of the weak. The result is hybridity, compromise and flexibility that allow things to happen on the ground.

Chapter 8

Hybridity in Motion

Introduction

Globally there has been much debate on appropriate forms of land governance and tenure in pastoral rangelands. Various models have been proposed, ranging from private to state to common property systems but what does land control and rangeland use look like on the ground? Through multiple cases across two sites in Amdo Tibet, this thesis looks at how rangeland governance is assembled in practice, and explores what a 'hybrid land governance regime' implies for the way pastoralists make use of land and confront uncertainty.

Empirical cases from Saga and Lumu examined the different practices that exist, determining the control and governance of rangeland and natural resources, as well as the power relations involved and who benefits and who loses out. By carefully probing the details of rangeland governance in particular settings, and at particular moments of contestation, the research contributes to a wider literature on land control and land governance as institutions that are always emerging through continuous negotiations and coproduction. Hybridity provides a different lens for thinking about land governance, and has implications for management, policy and politics of land in the Tibetan-Chinese context.

Based on this understanding, this thesis asks how does hybrid land governance emerge in practice in the pastoral rangelands of Amdo? What institutional forms are important and how are they assembled? How does the actual practice of pastoral land governance compare to standard private, state and common property approaches, with what implications? Thus, through a series of case studies, this thesis centres on understanding how institutions operate on an everyday basis around control and access to land and natural resources, and why the outcomes benefit some and exclude others. Pastoralists must make use of diverse rangelands in highly variable, uncertain settings. Hence, standardised, fixed models of rangeland management that are imposed from the top down – whether focused on private or collective management – may not work as planned. This study has examined what happens in practice in two pastoral rangeland settings in Amdo, exploring how pastoralists must combine different tenure types in a complex, hybrid governance regime. However, describing the complex patterns of rangeland use and governance is only one step; the thesis goes further by looking at how 'hybridity' is assembled. Through the cases profiled in the preceding chapters, three interacting practices of assemblage are identified: bricolage, pluralism and negotiation-centred practices on the ground. Land governance in the pastoral areas of Amdo is more complex and less fixed than official

policy might suggest. The different cases from contrasting contexts show that rangeland governance in reality is highly dynamic, always emerging through different practices and relational processes. In contrast to the fixity and stability assumed by standardised systems of land governance and tenure, whether state, private or common, a more fluid notion of land governance is seen in Amdo Tibet. As the thesis argues, this has implications for pastoralism, land management, policies and politics.

8.1 Archetypes of Property Systems in China

Like many other natural resource-dependent populations in the world, pastoralists in Qinghai are also facing tremendous socio-economic uncertainties. China's conservation and development-oriented policies and programmes aim to improve the environment and the wellbeing of the rural population (FGB 2019; Zeng 2020). With the recent 'One Belt One Road' foreign policy and economic Initiatives (also known as BRI), property rights reform (also known as 'separating the three property rights') and rural revitalisation, China has accelerated the pace of development from integrating and connecting these less-developed provinces into regional economies and neighbouring countries (Gongbuzeren, Zhuang, and Li 2016b; Clarke 2017; Chen 2019). In this setting, the governance of rangeland access and use in Amdo Tibet is fuzzy and complex.

Many have claimed that the state-led Household Contract Policy is the dividing line of the common and private property rights systems in China, a modification of the rangeland use-rights from the state and common tenure systems to contracted private property. Others claim that the post-1970s property rights in China as the semi-private system (Li et al 2007). The State has always played a significant role in the land politics of China, however, the State itself is not fixed, it is always in the making, where it is being produced and transformed by conflicts and changing social relations. State transformation processes can be understood as the creations of "new political space and institutional emergence that are continuously shaped by ongoing power struggles and contestation between and within political actors across scales" (Patterson *et al.* 2017:2). This is to say, state transformation is not limited to formal, authoritative or legal actors but also includes other actors. As Lund and Rachman stated, "the mutual constitution of rights and authority takes place in many institutional settings...Government institutions are not the only source of state effects" (2016:1201).

Conventional perspectives on rangelands and their governance in China, whether focused on private, state or common property regimes, centre stability, standardised and regularised approaches to property rights. These property right systems assume that effective resource management needs secure and enforceable tenures, such as clearly defined rights of exclusion and management for clearly defined boundaries, whether enforced by private individuals, the state or communities governing the

commons. In China, the Household Contract Policy has changed the roles of herders from rangeland owners to users, dividing the land into separate parcels, and assigning long-term use and transfer rights to the household level. This arrangement is considered necessary to avoid the inefficiency of overgrazing and “give herders the incentive to both stock rangeland within carrying capacity and invest in improvements” (Welch 1983; Banks *et al.* 2003:2310; Chen and Zhu 2015). Rangeland property rights in the Tibetan-Chinese context refer to the rights, restrictions and privileges with regard to its use. Governance or the *de facto* use of the land, however, is a different matter. In other words, property rights and property practices are different, where the power to control and govern land is more significant than legal ownership on the ground. As the cases in Amdo Tibet showed, the state prioritizes land tenure security through administrative and legal approaches consisting of a regularized contract system, however, practices of land tenure regimes and property rights in China are still a heated debate and remain ambiguous (Ho 2005; Yongjun 2011; Yundannima 2017).



Figure 8.1: A Portrait of President Xi in a Living Room of the New Resettlement in Saga (by Palden).

In China, the standardised archetypes of property rights systems and land tenure regimes are often described as common, private or state property. Debate on the governance of land has switched back and forth among these property systems over time and space. China has had a long history of rangeland governance reforms, with different approaches to property rights regimes and land tenure systems. Prior to the establishment of the PRC in 1949, land was managed by family, tribal and monastic organisations (Hillman 2005; Wang *et al.* 2010). With the establishment of the PRC, the state conducted the nationwide ‘Land Reform’ (Chin, *tudi gaige*¹⁵⁹) to clarify what were deemed as unclear

¹⁵⁹ 土地改革, or *tugai*, land reform in China, which began in the north during the Civil War (circa. 1946-49), a period when political legitimacy was of key concern to the Communist Party, the need to satisfy the demands of the poor for more land allegedly led the Communists to sacrifice the material interest of those who had wealth well above the village mean - the middle peasants included (Kung, Wu, and Wu 2012:483).

and uncertain property rights from 1950 to 1953 (Banks 2003; Ho 2005; Chen and Zhu 2015). This was followed by the practice of state-led collectivisation from the mid-1950s to the late 1970s, where the state and its emissaries, such as communes, production teams, and state cooperatives had controlled and managed land and labour, based on collective institutions and decision-making. Starting from the late 1970s, the implementation of the HCP¹⁶⁰ prioritized privatization, both livestock and rangeland being contracted to herders, even though it took various forms due to the different means of defining the contractors (Goldstein and Cynthia 1990; Banks 2003; Ho 2005; NPC 2019; Qi and Li 2021). Henceforth, the use right of rangelands in the six main pastoralist provinces (Inner Mongolia, Xinjiang, Tibet Autonomous Region, Qinghai, Sichuan, and Gansu) in China was contracted either to individual households within the community for private use, or to the administrative village for common use; and according to the mainstream view of economists and policy-makers in China, this contract-based private property tenure became the most efficient type of land tenure system “because it embodies the efficiency-enhancing characteristics of completeness, exclusivity, transferability, and enforceability” (quoted from Banks *et al* 2003: 2130).

Before 1949 land was managed by encampment, tribal or monastic regimes. Then the ownership and use rights of land in China were transferred in the mid-1950 from the hands of the farmers and herders to the state-led collectivisation, where individuals had no opportunity for negotiations and decision-making, rather the state-administered cooperation and communes were in charge of governing the lands, means of production, and labour (Hillman 2005b; Ho 2005; Goldstein 2012). Then with the dismantling of the commune system in the late 1970s, the state guided its property rights to the HCP, and contracted long-term use rights of land under the rural collective land ownership. In 2003, the state promulgated the ‘Grassland Law of the People’s Republic of China’ after its amendments in 2002, and the ownership of grassland, as the law writes in its Article 9 of Chapter Two, “...are owned by the state, with the exception of the grasslands owned by collectives as provided for by law...” (Gov 2018:3). Thus, the Chinese socialist property rights system here refers to the contract rights, use rights, ownership, and transfer rights (Ho 2005; Yundannima 2017; Qi and Li 2021). To strengthen the rights of land users for the emerging land market and to clarify these rights, the central government launched the ‘Separating Three Property Rights’ (Chi, *sanquan fen zhi*)¹⁶¹ reform to specify the ownership rights, which refers to

¹⁶⁰ Some also called this contract system the Household Production Responsibility System, and Double Contracts System by Li (Li *et al.* 2007), as Rangeland Use Right Contract by (Yundannima 2017), and as Household Responsibility System by Banks (2003).

¹⁶¹ 三权分置, *sanquan fen zhi*, the policy toward the separation of the three property rights, including the ownership rights, contract rights and land use rights in China.

the non-tradable ownership by the state, the non-tradeable contracted rights, and tradable land-use rights for the contracted rural land in 2016 (Gongbuzeren *et al.* 2021).

Nevertheless, the question is not about the archetypes of property rights but rather what constructs the ongoing practices of property rights in reality? Land governance in the pastoral areas of Amdo is more complex and less fixed than the official regimes suggest. Practices toward rangeland governance are not associated exclusively with one of the archetypes - private, state or common property: rather, practices reflect a blending of influences from different property regimes. This hybridity helps pastoralists to negotiate uncertainty, where fixed, regular institutional arrangements and forms of property are usually ineffective.

8.2 Practices of Assemblage: How Hybridity is Constructed

To understand the actual institutional operation and property practices in Amdo better, I draw on the notion of assemblage to explore the practices of land control and governance that are in motion. Assemblage, as discussed in Chapter 2, refers to the work of pulling disparate elements together and forging connections between these. Assemblage shifts the focus from there being a settled or complete set of governance practices and institutions to ongoing processes through which different stakeholders draw together materials at hand to state and strengthen their claims (Li 2021).

In the Amdo case, an array of institutional forms is identified. These include stakeholders (consisting of pastoralists, investors, monastic elite, workers from resource bureaux and government officials); rules (such as the laws, regulations, beliefs and customary practices); relationships (consisting of the interdependent relationship between the monastery and monastic village; and the continuously negotiated relationship between the pastoralists and the authorities); and lastly, the fluid connections and interactions among these institutions (compliance, resistance, collusion and co-production). Across the three empirical chapters (Chapters 5, 6 and 7), three contexts of governance are explored in relation to different practices of assemblage, namely, the monastery-centred hybrid rangeland governance in Lumu; the pluralism-centred hybrid rangeland governance in Saga, and the negotiation-centred hybrid rangeland governance also in Saga (see table 8.2).

Site	Cases	Practices of Assemblage
Lumu	Hydropower dam; Mineral	Monastery, as the mediator between government and local community; Tulku, as the consultant for the making of decisions

(Chapter 5)	water factory; Tourism centre	and responding to uncertainties.
Saga (Chapter 6)	REPSRM (Grazing ban policy); Rangeland Management Regulation; Poverty Alleviation; Livestock and rangeland market	Improvisation of the rules in plural contexts e.g. design of the grazing ban zone based on the location, distance of the pasture.
Saga (Chapter 7)	Climate change; tourism development; national park building	Petition to the government, <i>guanxi</i> networks, bribery, and the role of the retired elite as the consultant for decision-making.

Table 8.2: Practices of assemblage in Amdo.

Institutions, encompassing roles, rules, and relationships are important since they influence practices of assemblage regarding land control and governance. As the cases show (see table 8.2), different practices of assemblage mean that governance is always in the making and always generating hybrid forms. Ideas of hybrid governance are, therefore, more appropriate than the standard models of land tenure institution in understanding how pastoralists negotiate uncertainty, whether living with it or living from it.

8.3 Institutions and governance are always in the making

How do pastoralists borrow or adapt institutions to control and govern rangeland, with particular uncertainties emerging in Lumu and Saga? To answer this question, firstly, we need to differentiate the hybrid institutions from the conventional private, state and common properties. The table below (see table 8.3) presents the different elements that exist for the construction of institutions on the ground, from focusing on roles, rules and relations. This table illustrates that different assemblages under hybrid rangeland governance are not just about multiplicity and polycentric arrangements, but also the making of rules under fluid, changing situations; thus, a shift from formality to functions that are always evolving under different contexts and issues, and a focus on the flexibility to respond to variability and to embrace uncertainty.

	Private	Common	State	Hybrid
Actors	Individual rights holders	Community members	The State and Resource Management Bureau	Diverse associations, individual and collective
		Ownership by the state; Use right by the community (the administrative village,	Urban Lands by the state, and rural lands by the rural collectives.	Flexible, negotiated and evolving ownership, use

Property Rights	Tradable use right; Contract right by the contractor.	the village co-operative, or state companies).	Non-tradable ownership (by the state); non-tradeable contracted rights, and tradable land-use rights.	rights and contract rights.
Boundaries	Individualised	Bounded	Bounded	Open, negotiated, mosaic.
Institutions/ property relations	Private property, legalistic	Community institutions and rules/regulations of exclusion/membership etc.	Grassland Law Conservation Law Property Law	Plurality, legal pluralism, forum shopping negotiated, assembled, in motion
Construction of institutions	Specified in law, legal instruments, ownership (deeds, lease)	Community processes, 'tradition,' community leaders	Centralised	Bricolage, assemblage, practice of negotiations between actors/state
Relationship to state	Law, property rights, individualised citizens, liberalism	Collective, recognised community, community representation	One party System	Negotiated authority, local and central etc.
Uncertainty	Fixed, controlled, specified	Fixed, collective, organised	Planned, calculated, measured, compensated.	Flexible, open responses to variability/uncertainty. Embracing and living with/from uncertainty

Table 8.3: Construction of Hybridity in Amdo.

As the above table illustrates, standard ways of thinking about institutions (legalistic, economic, institutionalist) are no longer sufficient for understanding rangeland governance in Amdo Tibet. Rather, it is a case of hybrid arrangements that characterise how various local stakeholders seek to ensure sound custodianship of the rangelands, as well as how to support their claims to access resources. Institutions are no longer the fixed 'rules of the game'¹⁶², but instead, a set of norms, values, beliefs and dynamic arrangements that are always in the making. This fluidity is evident in both settings. In the case of Saga, for example, the state's implementation of the REPSRM (Grazing ban policy), where these fixed, top-down regulations toward rangeland use and livestock numbers are improvised, is based on the local knowledge of socio-ecological systems. Saga pastoralists have designed the grazing ban zone

¹⁶² Institutions are the 'rules of the game,' consisting of both state and non-state norms that govern individual behaviour and structure social interactions (North 1987).

according to the geographic distance between their summer pasture and the township headquarters, consequently skirting from the authoritative inspection. Meanwhile, pastoralists revive practices, such as *rsta srun* - the summer pasture patrolling after the failure of the government's directed ecological guard policy. In Saga, *rsta sruns* are sent to prevent overgrazing and intrusion of the collectively-used summer pasture. After all, institutions are context-determined, where regulations, norms and practices are continuously patched, and re-patched due to the changing social, economic, ecological and political contexts.

Secondly, actors in hybrid rangeland governance are diverse. Multiple actors, no matter whether individual or collective, are present in the governance of land. In the case of the monastery-centred hybrid rangeland governance in Lumu, non-authoritative actors, such as the monastery and the monastic elite, are quintessential in the decision-making, management and appropriation of the pastoralists' rangelands. For example, multiple cases in Lumu showed that both local authorities and pastoralists seek advice and approval from the monastery and monastic elite on rangeland use and access, often deserting the regulated use rights of rangelands by the authorities. Assemblage, in this case, is constructed through the instigation of the roles of the monastery as authoritative actors in the making of rangeland governance, and this involvement requires social and cultural foundations, such as mutual respect and interdependent relations between the monastery and the monastic communities. The inclusion of non-authoritative actors, such as the monastery and monastic elite into the governance of rangeland in Lumu provides space for negotiations, and expands the scale of governance from authorities to non-authorities. This inclusion has also created more chances for the participation of marginalised pastoralists through the interdependent relationship between the monastery and the monastic pastoralist community.



Figure 8.4: The County Headquarters in the winter of 2020 (by Palden).

Thirdly, unlike the individualised and bounded approaches, hybrid rangeland governance highlights that boundaries are negotiated and shifting. In Saga, the boundaries of winter pasture change due to uncertainties, such as rangeland scarcity caused by land appropriation, the influx of state projects, and the lake expansion due to climate change. This is also seen in Lumu, where the boundaries of summer pasture are under pressure due to the booming caterpillar fungus market. This has given rise to new, collaborative ways of working between pastoralists, the monastery and monastic elite, seeking a collective resolution to land and resource governance (Simula *et al.* 2020). Networking skills, such as building bridges and connecting with others, are the most important currency for the pastoralists. Hybrid rangeland governance involves constant negotiations between state and non-state authorities. These play a significant role for pastoralists' representation, participation, and the claim of rights to land. In Lumu, the monastery and monastic elite play crucial roles as the broker for rangeland control and governance. In Saga, pastoralists reach out to higher-level government (for instance, the county-level government), employees from the resource management bureau, and retired village officials for the possibilities of benefiting from rangeland and natural resources. Compared to the fixed, highly moderated, and controlled mode of the archetype forms of property systems, these fluid practices of assemblage create flexible, open responses to variability, no matter if living with or from uncertainties. This is important for the making and operation of institutions on the ground, especially under rapidly changing uncertainties and complexities.



Figure 8.5: AP and Ama WM are waiting for the herd (by Palden).

Hybridity, in this sense, is not simply the merger of the state and private sectors, or bureaucracy and tradition. Rather, as Albrecht and Moe (2015: 10) state, “it is a matter of sources of authority operating simultaneously and becoming co-constitutive through practices of order-making.” Land governance is characterised by different practices of assemblage in the two rangeland-related settings. These are

presented in the previous three chapters as bricolage, plurality and negotiations with state and local authorities. Following others, I see institutions are not only “indicated to the move and information structure and the physical consequences of all decisions, but also the socially constructed symbolic and preference systems of all the players” (Shubik 1982:8; Ostrom 1986:6). As the cases in Amdo demonstrate, hybrid institutions are not simply about the ‘rules of the game,’ as new institutional economics assert (Hall and Taylor 1996; North 1991; Janssen and Nonnenmann 2017), but rather about the process of customising, contextualising and reshaping the existing materials and relations at hand, whether formal or informal (Berry 1989; Lund 1996; Sikor and Lund 2009; Lund 2011; Peluso and Ribot 2020). In this sense, hybridity is not about diversity or multiplicity; rather, it is about focusing on the process of relations, and on the repetition of negotiations and contestations in the face of uncertainty (Cleaver *et al.* 2013; Goodfellow and Lindemann 2013b; Bagayoko, Hutchful, and Luckham 2016).

Bricolage, pluralism and the continuous negotiation with state and local authorities offer insights into hybridity and add up to a nuanced and sophisticated elaboration of hybrid land governance. The analysis offered here chimes with more recent discussions of open property regimes (Moritz 2013; 2016), sovereign land governance (Behnke 2018), mosaic land uses (Robinson 2019), and nested property rights system (Qi and Li 2021). Even though hybridity in the selected settings is constructed and assembled in different ways, hybrid arrangements and practices respond to the challenges of rangeland governance and land control in the uncertain settings of Amdo, with implications for how rangeland management, land tenure and pastoral policy is conceived, as explored below.

8.4 Beyond the Private, State and Common Property Debate

How do the different practices of assemblage, identified through the empirical chapters, relate to the wider academic critique of simplistic and archetypal forms of land tenure systems, from across the world? Across the literature, a few studies are worth linking with the hybrid rangeland governance argument. Many of the researched land governance models are from pastoral settings in Africa, including Cameroon, Ethiopia and Kenya (See Chapter 2), where different land tenure regimes form, based on diverse social, political, ecological and institutional dynamics. These studies, even though focussing on different contexts, all point to more open, mosaic and flexible types of land governance and control, and therefore, turn from the conventional private and common debate to hybrid governance on the ground. Many claims criticise the dominant control and plan of the state on natural resources and rangeland governance under the market economy; rather, the rules, regulations and practices of land control and management appear to be complex and fuzzy from empirical studies (Gongbuzeren, Zhuang, and Li

2016a; Nori and Scoones 2019; Simula *et al.* 2020; Qi and Li 2021; Gongbuzeren *et al.* 2021). In the case of rangeland governance in Amdo Tibet, various actors, including local governments, national and local investors, non-governmental organisations (NGOs), monasteries, pastoral community leaders and retired cadres are involved in the process of decision-making around land control. Negotiations and contestations around rangeland, in reality, constitute an act of co-production and co-constitution, where different institutional arrangements, emanating from plural legal orders, arise.

This also resonates with the ideas of complex mosaic regime and nested property rights, but definitely not with the ideas of open and sovereign property, because boundaries and claims of rangeland are quite specific (although they vary across space and time) and rangeland does not have open access, as it is highly-contested and relatively scarce, particularly for specific key resources under infrastructure investments and conservation projects. The study of ‘Open Property Regime (open access regime)’ in the Far North Region of Cameroon, by Moritz, illustrates that the essence of this tenure regime is that “the rules (for control, access and governance of the land) are clear, and herders of any age, status or social group have the right to access pasture for their livestock and may move into and out of pasture areas with no need to seek permission from anyone” (Moritz *et al.* 2013). In retrospect, Open Property Regime does not mean the absence of rules, but rather, open access is the rule (Moritz *et al.* 2015; Moritz 2016). Although the Amdo cases do resonate with some of the characteristics from the Open Property Regime (particularly the first one on seasonality¹⁶³), nevertheless, the ongoing practices do not fully apply with the open property regime for pastoralist systems in Saga and Lumu.

Pastoralists and livestock, in Saga and Lumu cannot go anywhere they want to, both inside and outside of the village, and there are territorial boundaries between different households and villages. Access to grazing areas is restricted, although diverse measurements exist on different seasonal pastures. For instance, there are different restrictions on the collectively-used summer pasture. The reason for this is that under China’s Household Contract Policy, the winter pasture, usually the low-land pastures, are fenced and contracted to individual households, which allows room for flexibility and negotiations on the use of, and access to land. By contrast, due to its size and scarcity (both quality and quantity) of forage, villages often collectively use their summer pasture. Consequentially, village committees implement communal arrangements, such as patrol teams to prevent intrusions of other non-local herders, and customary laws to maintain the sustainable utilisation of the collectively-used summer pasture. Pastoralists from both sites spend an average of 7-9 months on their winter pasture, and a maximum of 2-3 months on the summer pasture. Unless, herders rent or lease additional pastures from or to local or non-local pastoralists, Saga and Lumu pastoralists only move vertically between their summer and

¹⁶³ Refers to the spatiotemporal distribution of grazing resources.

winter pasture. Rules are not just designed for supporting pastoralists' flexibility and mobility, but rather, they are always in the making and they can be unsupportive, and in most of the cases, constraining pastoralists from beneficially accessing the land.

In the case of summer pastures in Lumu, rules toward accessing pastures are changing due to both internal and external variables, such as soil conditions, caterpillar fungus market, discrete perceptions toward grazing, and the Covid-19 pandemic. For example, the right to benefit from leasing pasture in Lumu has been redesigned by the outbreak of the Covid-19 pandemic in 2019, where local monasteries and governments banned pasture-leasing and non-local harvesters from access due to the formal lockdown restriction and concerns toward the spread of the Covid-19 pandemic (Simula *et al.* 2020). The independence, efficiency of decision-making and distributions on common-pool grazing resources are key to avoiding the tragedy of the commons being under the open property regime. Restricting open access results in a tragedy of commons because it limits pastoralists' mobility and flexibility. However, the practise of open access (the roles, rules and relations) is continuously challenged by the rapidly changing socio-political uncertainties and complexities. As in China, the right to access is limited under land policies, such as the HCP, the grazing ban and balanced policies, and the recent grand strategies for grassland conservation. Thus, compared to the notion of 'Open Property Regime,' rules and arrangements toward the control and use of grazing resources are quite contested and regulated under hybrid rangeland governance in Amdo. It is unlike an open property regime as there are quite defined rules for access, but these rules vary between sites, and there are different authorities and individuals enforcing them: so, it is not open, but not just communal or private either.

Roy Behnke writes about Sovereign Tenure System from his studies in eastern Africa (2018), "the defining feature of (the) sovereign tenure system is..... these are the collective property systems that exist or try to exist outside the ambit of state power" (709). In order to exist outside of the state power and rule-based internal regulations, boundaries are vague; negotiations, coercion and competition toward access to common grazing resources exist (Behnke 2018b). Characteristics of such a sovereign pastoral commons model are seen in the Amdo context. For example, the local monastery in Lumu acts as the conventional guardian of the land and people through their cultural and social influences in the local society (Tsering 2019), and these determine the practices of property rights on the ground, where the control and access to village rangeland are continuously negotiated and contested by the engagement of the monastery. However, the space for negotiations is limited with the strong involvement of the state in land use and control, so not the sovereign tenure system in Benke's sense of the term. With the influx of development and conservation-oriented, alternative livelihood-promoted land use policies, room for negotiations is partial and top-down; direct, regulated administrative governance

of land is also challenging the conventional rangeland practices. However, boundaries are clear in the case of Amdo: the size of the parcel and locations are measured and recorded in the contract. This especially becomes clear for the privatized winter pasture, where pastoralists establish fences to demarcate private pasture from others.

The 'Complex Mosaic Regime' by Robinson highlights that "different types of property rights can be unbundled and allocated to different actors and governance mechanisms, and in which a prominent role is played by social processes and governance mechanisms other than property rights institutions" (Robinson 2019:804). This notion of unbundling and complex mosaic practices does apply to pastoralist property rights system in Amdo, and it also highlights the differences between property rights and property practices on the ground. As already said, although the use rights of rangelands have been clearly contracted to individual households and villages since the 1980s, nevertheless institutional arrangements toward control and governance of rangeland are beyond the legalized property rights. A hybrid form of institutions for property practices emerges as an important mechanism for rangeland governance. For example, in Lumu, land is not just grazing pasture, but it also comprises sacred sites, preserved areas, religious sites and, sometimes, the land of the monastery. All of these existing perceptions and intersected relationships between human and non-human (in this case, the relationship between pastoralist and different perceptions of lands) are important for forming hybrid rangeland practices, and are always beyond the private, state and common property rights. The governance of these lands is continuously evolving over time and space where ongoing practices are always dynamic and in the making.

Following the notion of the 'complex mosaic regime,' Chinese scholars, Qi and Li, proposed the idea of a 'nested property rights system.' The authors investigated the mixed practices on common pool resource management in two pastoral settings in China (2021). They define this system as a novel property right arrangement, which is the mixture of two common pool resource management types in China, the GHC system (Li and Huntsinger 2011) and the Grazing Quota (GQ) system (Gongbuzeren, Zhuang, and Li 2016a; Gongbuzeren *et al.* 2021). Two pastoral settings in Amdo were selected for the study, and the authors argued that the private GHC system and the communal GQ system co-exist in rangeland governance, thus adding contribution to new thinking for the common pool resource theory (Ostrom 1999). The mix of two management types on common pool resources appeared to be two hybrid institutional operations on rangeland governance. However, there are omissions and limitations to their proposed findings. First of all, common pool resource governance in Amdo is dynamic, flexible, and always in the making; in this case, arrangement toward rangeland governance develops with the co-existence and interchange of private, state and communal utilisation of the land, therefore, the

proposed 'nested property system' is probably not a novel finding since the 'hybridity' has existed through the history, although different in forms across time and space. Secondly, according to Gongbuzeren and others' study in two pastoral settings in Sichuan (Gongbuzeren *et al.* 2016), the GQ system refers to the management of maintaining rangeland under common use while allocating the number of livestock that are allowed to be raised to each household. However, empirical cases from other pastoral regions in Amdo show the implementation of GQ is still very much a top-down practice and is often influenced by the fluctuating market of the livestock, conditions of the rangeland, and state policies toward balancing the rangeland and livestock in pastoral regions (Ho 2016; Nyima 2021b). The scales of intervention of the state cannot be ignored from the discussion; for example, the National People's Congress of Qinghai initiated the 'enhancement of the grassland law' in 2008, where the 'rangeland and livestock balance responsibility agreement' was required between the county level government, township government, and the contracted rangeland owners (NPC 2008). According to the agreement, the number of livestock, had to be allocated according to the biomass and the landmass from each calculation, and punitive measures are listed for the violation of the agreement from overgrazing. Therefore, both GQC the GQ arrangements on the ground are beyond the private, state and common property rights, where property practices on the ground are always mixed and improvised to adapt better to the changes and uncertainties.

In contrast to Qi and Li's nested model, hybrid rangeland governance is more of an extension of the mosaic regime. The complex mosaic regime, on the other hand, emphasises spatial distribution of property rights but not the practices of constructing property relations. After all, property practices are different from property rights, and practices on the ground are beyond the archetype forms of property systems; institutional operations on land control and governance are always in the making and are always in the process of assemblages. As the cases showed, different socio-political elements, such as roles, rules and relationships are assembled through bricolage, pluralism and negotiations by the pastoralists to meet their *de facto* gain. The conventional private, common and state property rights are no longer the single take on the property rights systems in China, and recent critiques on the mainstream property rights and commons do not fully apply and reflect the ongoing property practices in Amdo, where, as the empirical materials showed, property rights and property practices are different on the ground, and this understanding has to be regarded since this will bring new thinking on land management, policy-making and politics of land in rural China.

Conclusion

Hybrid governance in the Tibetan context is not about individual versus state versus communal, but elements of all three. Such forms of land governance are not amenable to top-down control but have to be more malleable. Multiple, overlapping institutions are in play, not simply a singular institutional design. Perspectives on hybrid land governance share much in common with more recent ideas of a mosaic tenure regime. Pastoralists have clear understandings of the rules (often unwritten), roles and relationships to control and access the grazing pasture (Moritz 2016; Moritz *et al.* 2018), and the willingness of good governance under changing contexts (Robinson 2019; Turner and Moumouni 2019). More broadly, hybrid rangeland governance provides a different lens of thinking about property practices, which offers major implications to rangeland management, policy and politics. Rangeland governance in Amdo is beyond the nested property rights system; it is more akin to Lance Robinson's complex mosaic regime, which is negotiated in ways that involve different assemblages, and thus hybridity.

All these existing approaches may change with the notion of hybrid rangeland governance. It also gives opportunities to examining the exertion of power through overlapping institutional forms and overlapping sets of actors, and thus the power analysis becomes important, where the practice of power through knowledge, through what people do, becomes interesting. An in-depth analysis of the empirical data from two pastoral settings has shown that rangeland governance is beyond the archetypes of state, private and common property rights in China. By contrast, practices from the ground have shown hybrid rangeland governance with different practices of assemblage. Multiple actors customise different institutional forms, especially the roles, relationships and contexts for their *de facto* gain and the claim of the rights to use rangeland. Moreover, the continuous interactions between these institutional forms are important to governance rangeland under rapid uncertainties and changes.

Three practices of hybrid rangeland governance are identified from the two settings, and these modalities provide rich empirical cases to test the standard state, private and common property approaches. Nevertheless, disconnections between property rights and property practices exist, and the question of how to bridge these two becomes important. Simply proposing a social scientific model will not help policy-makers and rangeland governance planners to design projects and policies, or to fix politics, in ways that are more suited to real world social-ecological characteristics; on the contrary, analysis of the practices of assemblage and hybridity are crucial. Only with such a grounded exploration

and scrutiny of different institutions for a better governance of the resource can a better understanding of ongoing rangeland governances in different real-world situations be achieved, and only with such a grounded work, and with the aim to connect the rights and practices from different situations can models for a better, sustainable way of governing rangeland be provided.

Chapter 9

Rangeland Politics: Connecting Policies with Practices

Introduction

Rangeland property rights focus on the rights, restrictions and privileges associated with its use, however, land governance is a different matter. Governance, according to Fukuyama, “is the government’s ability to make and enforce rules, and to deliver services, regardless of whether that government is democratic or not” (2013:350). Thus, governance is not about the goals that governments set, but more the performance of agents in implementing the principles. Through multiple cases across two pastoral settings in Amdo, Tibet, China, this thesis looks at how rangeland governance is assembled in practice and explores what a ‘hybrid rangeland governance’ implies for the way pastoralists use land and confront uncertainty. From investigating different practices of assemblage in two pastoral settings, this thesis concludes that hybrid rangeland governance exists through different practices of assemblage, and this challenges rangeland and natural resource governance policies and the power relations that underpin them, as well as who benefits and who loses out. By exploring these practices of assemblage through various empirical cases, this research contributes to a larger literature on land governance as institutions in the making through bricolage, pluralism and negotiations. The question arises: What does this mean for policy and practice for the rangelands of China? If the idea of hybrid rangeland governance is to be taken seriously as the *de facto* practice on the ground, then what implications would this have for the framing of policies and their implementation?

As the case studies in this thesis show, the Chinese state focuses on a particular style of top-down Chinese capitalist intervention, projecting a particular type of modernity; the key question is what happens when these interventions and policies hit the ground? What type of rangeland governance can emerge? If governance is the enactment and negotiation of policies by multiple agents, then what are the outcomes? This thesis highlights the fact that hybrid governance emerges through various practices of assemblage, but what are the limits to this negotiated compromise in response to local uncertainties, but also to those generated through the imposition of state policies. Can practices of assemblage and the construction of hybridity help to filter policies introduced from the top down in ways that allow pastoralism to continue as a successful livelihood, or will pastoralism be ‘modernised’ and changed in the ways that the state demands?

This chapter aims to recap the research question of rangeland governance and focus on the implications of hybrid rangeland governance for land politics in the Tibetan–Chinese context.

9.1 Rangeland Policies and Hybrid Practices

Disconnections between rangeland property rights and practices are the status quo. On the one hand, the state prioritises land tenure security through genuine administrative and legal frameworks consisting of a regularised contract system and property rights, and what they mean by ‘land tenure security’ is often decoded within the dominant non-redistributive framework. State policies seek to integrate rural pastoral regions into the larger picture of the ‘Great Rejuvenation of the Chinese Nation’ (Chin, *zhonghua minzu weida fuxing*¹⁶⁴), and negotiations must emerge around authority and practice to secure natural resource rights. On the other hand, as many previous studies have shown, China’s land tenure practices and property rights remain contentious and ambiguous (Ho 2005, 2017; Yundannima 2017; Marinelli 2018; Ho 2000; Nyima 2021b), and mosaic property practices often go unnoticed by mainstream land policies. It is this tension between imposed, centralised policy and local negotiation on the ground that this thesis has explored, taking the case of rangeland governance in Amdo Tibet.

As the cases explored in this thesis show, pastoralists have developed a range of practices of assemblage, including bricolage, pluralism and local negotiation that result in hybrid arrangements (see Chapters 5, 6 and 7), thus hybridity is always in motion and always being negotiated (Chapter 8). This is essential as the state always changes its policies. There are limits to this negotiation, as discussed, but hybrid governance has always existed (see Chapter 4). Thus, examining practices through the lens of assemblage, as introduced in Chapter 2, helps in reconciling rangeland policies and practices. This involves not just creating room for negotiations, but also forging allegiances, bringing various parties together as part of assemblage practices, including those who design policies to govern rangeland and those whose rangeland is to be governed. Such alignment is never fixed and regulated; rather, as the notion of assemblage indicates, “it is always a process of assembling and reassembling, where new elements are crafted and old ones are reworked; existing discourses are repurposed; and key terms’ meanings are transported” (Li 2019:33).

¹⁶⁴ ‘中华民族伟大复兴,’ *zhonghua minzu weida fuxing*, seen against China’s official historical narrative, the rejuvenation means ridding China of any remnants of past humiliation, brought about by colonial powers and wars, and further cementing China’s territorial integrity and sovereignty, thus, with strong patriotic ethos (Kallio 2015).



Figure 9.1: “Clear waters and green mountains are as valuable as mountains of gold and silver,” official slogan in Dawu, Golok (by Palden).

For more than two decades, Chinese policies on rangeland governance have taken a market-oriented stance, whether around rural vitalisation, ecological civilisation, or reinforcing private property rights, and through these, the role of the state in providing incentives for changing land uses. This assumes a stable, regulated form of property, with clear patterns of tenure. As Chapters 5, 6 and 7 have shown, this is not the situation on the ground: instead, more flexible, negotiated, hybrid arrangements exist in practice. This disconnection between what the state assumes to be the case within its policies and what exists on the ground is the basis for contention and conflict; however, the state’s ability to impose, as the case studies have shown, is always limited, compromises emerge, and a hybrid constellation of roles, rules and relationships are observed.

From my empirical studies in Amdo, the perception of the state controlling, and local actors resisting, is continuously challenged. In other words, control by the state is always limited, and a hybridity of rules, relations and roles are seen. Various arrangements are improvised, reformulated and remade from beneath, not necessarily directly challenging state power (Hall *et al.* 2015; Ptackova 2019a). Rather it is about finding ways for negotiations and to work in local contexts through practices of assemblage (Ho 2005; Heilmann and Perry 2011; Yeh, O’Brien, and Ye 2013; Ho 2017; Scoones 2018). This is to say that land politics is not restricted to activities within the hands of authorities, whether it is the government or other organisations, but is centred on the fluid practices of negotiations and contestations involving multiple resource user groups.

9.2 What Can we Learn from the Margins?

The question is then, what can we learn from Amdo pastoralists to help link rangeland policies with hybrid practices, and avoid the challenges of the disconnections noted above? What might a policy framework for land governance that takes the actual practices on the ground seriously look like? As the three practices of assemblage showed in Saga and Lumu (Chapters 5, 6 and 7), hybridity is always emerging with new elements, whether it is the changing relationship between monastery and monastic villages under development policies, or the national park plan that may relocate pastoralists and the LMB. The roles of the monastery, local government and resource management bureaux are changing too, thereby determining the rules and space for negotiation. Thus, the connection between policies and practices arises only as a result of the recognition of hybridity generated by different practices of assemblage.

This means, first of all, that land investment and trade-centred market policy need to consider the existing hybrid rangeland governance in pastoral settings. Moreover, the inclusion and participation of multiple resource user groups in the process of trade and investment is critical. As the case from Lumu showed, the joint participation of the different resource users and their practices toward property rights are key for adaptive co-management. For example, under the property rights reform, rural land is now available for external investors to acquire and accumulate as commercial and residential development land, and, for the large-scale transfer of rural land, state expropriation must first convert rural land from collective ownership to state ownership. Therefore, the *de facto* resource users must be included, not just represented, when determining what they are allowed to do with their land.

Secondly, the inclusion of all resource users is necessary for the implementation of investment on rangeland: for example, the establishment of the national park in Kokonor. The inclusion of pastoralists and the community at local scales, connected across governance levels, is crucial. The hybrid rangeland governance in Saga showed that empowering resource users and managers in the process of policy experimentation, monitoring, deliberation and responsive management of local scale resources, supported by, and working with, various organisations and different levels, matter for sustainable resource governance. Investment in land is not just monetary but also involves investment in understanding ecosystem dynamics, and so, to supporting flexible institutions and social networks in multi-level governance systems (Folke 2006). This not only suggests implications for processes of policy-making and implementation, but also highlights the need for greater investment in appraisal before design, allowing for a contribution to a much more adaptive co-management of local resources.

Adaptive co-management - the emphasis on participation of resource users, only emerges successfully through a negotiated arrangement that involves political contests around the practices of assemblage.

For local government, hybrid governance has revealed a highly adaptable and dynamic interaction between itself and resource use communities, allowing for great flexibility and improvisation in negotiations. Local governments are an intermediary between the central state and local communities. They may be asked to implement top-down policies, but they must also negotiate with local communities. This means that compromises are sought and local governments act as an important broker in practices of assemblage. So, for example, the township government in Saga may legitimise the local *rtsa srün* practice while also using state funds to pay for village-based patrols of rangelands, as part of a negotiated compromise.

Finally, hybrid rangeland governance enables a rethinking of conflict resolution and negotiation methods. The hybrid rangeland governance is distinguished by its involvement of multiple actors, regardless of whether they are monasteries, local governments, resource management bureaux or external investors. The constant negotiation and contestation among these resource user groups becomes significant for the construction of hybrid governance. Different resource users employ different approaches, and a centralised resolution process often excludes the multiplicity, and exacerbates resource management conflict. For example, the tourism ban on the winter pasture in Kokonor has continuously amassed a steady stream of complaints, petitions and mistrust from the local communities toward the government and resource management bureau. Punitive measures as responses to presumed infringements of imposed rules create tension and may ultimately be counter-productive by diminishing the legitimacy of governance arrangements. Hybridity helps to overcome this by acknowledging the necessity of negotiations; this may involve respecting the need for space for contesting visions and interests to be brought into the conversation and reconciled in some way. Furthermore, understanding local power dynamics will help policy-makers in utilising specific power relations to mitigate disputes related to resource governance, and especially access to resources under state policies, such as national park building.

As discussed in the previous chapters, state-led policies, such as infrastructural development and the poverty alleviation and eradication campaign have transformed rangeland practices over time. In practice, policies emerge through constant rule-making, shifting relationships and power negotiations amongst multiple actors. In this process, diverse and divergent narratives have to be accommodated, coming from different angles, whether influenced by religion or visions of state-led modernisation. In

Lumu, the role of the monastery is pervasive in everyday social, cultural and religious lives; despite the central state's power, there is a need to combine diverse forms of authority in a process known as 'bricolage', which results in the emergence of negotiations around highly contentious state policies. The case from Saga, in another sense, presents how local pastoralists leverage institutional pluralism to increase their bargaining power and advance their own interests in order to facilitate rangeland use. Pastoralists in Saga also challenge government policies through informal networks, and informal networks serve as a primary strategy for benefiting from land and resources. Pastoralists with stronger ties to government, LMB and TDC are often guaranteed access and the right to conduct tourism. By contrast, those who lack *guanxi* with the authorities face access restrictions, and everyday practices intersect with official politics via direct and indirect opposition to pastoralist inclusion in negotiation and decision-making.

In this way, various top-down policies are digested, positioned and converted to meet pastoralists' collectively-valued purposes. This pluralistic, often informal, and networked approach, therefore, constructs hybridity, which in turn creates room for improvisation and adaptability and it is this hybridity in institutional arrangements and practices that is critical when pastoralists are confronted with the uncertainties associated with environmental, livelihood, social and political upheavals.



Figure 9.2: The Process of Revitalisation, which included demolishing existing structures and erecting new ones (by Palden).

These practices of assemblage are fluid, with new elements, such as roles, rules and relationships, constantly emerging. State policies change as do practices of assemblage. This implies that collaborative assemblage provides more participation of resource users, greater investment in appraisal before design, and better resolution on conflict negotiation mechanisms. Each of these hybrid practices has implications for rangeland governance, from the notion of customising flexible roles, institutional forum shopping in different contexts, and creating room for negotiation around policy options.

Rangeland policy design, therefore, must consider such hybrid practices in real-world situations. This is to say, policy-makers must devote additional time and effort to becoming 'informed' during the process of policy design, formulation and implementation. Informed policy-making stresses a thorough understanding of local politics, power relationships and ongoing practices. It is multilateral and multi-layered in the sense that actors, such as the sub-level governments (the prefectural, county and township level governments), local actors (monastery, nunnery, monastic associations, grassroots organisations) and pastoralists all need comprehensive understandings of policy formulation, reformulation and processes of policy implementation.

Thus, a shift away from a centralised, fixed, and dominant style of policy-making toward an inclusive, co-produced policy-making process that stimulates inclusion and innovation, is required. For example, a critical component of the national park development strategy in Saga would be to consider pastoralists as central to an awareness of interdependent relationships between nature, wildlife and the mobile pastoralist as part of the national park ecosystem, rather than simply rehousing the pastoralists or offering jobs as park guards or ticket sellers. This would mean including pastoralists in the process of park designing and construction rather than investing vast sums in resettling them and causing misery (Cernea 1997; Bauer 2015; Fan, Li, and Li 2015; Bum 2018). Why not revitalise rural pastoral regions with the pastoralists' involvement, through understanding their knowledge, perceptions and practices? Thus, not through resistance, but through collaboration with the state, adaptive co-management, where the local community becomes vital for the management of the resources, might emerge.

I remembered Apa Tashi, a 58-year-old pastoralist who lost half of his winter pasture to the lake, complaining, "They (the government) always prefer quick-fix solutions. They moved my family to the township centre right after the lake expansion. It is alright for me to move to the township, but as a pastoralist, my livelihood depends on livestock and rangeland. What is the good if I cannot make my belly full (living in the township without livestock and land)? It will only create issues for the government"¹⁶⁵. Of course, nothing is wrong with relocating pastoralists from their winter pasture due to lake expansion, but government approaches must evolve from perfunctory and conservative strategies to an informative one for policy reformulation¹⁶⁶ and implementation, thus, as Apa Tashi complained, quick-fix solutions may resolve temporary housing issues, (in his case, the loss of a winter house to the lake expansion), but further livelihood policies for the landless pastoralists need to be negotiated, based on the understanding of the pastoralists.

¹⁶⁵ Apa Tashi, interview from Kokonor, Jul, 2020

¹⁶⁶ Policy reformulation here refers to "the process during which provincial governments transform the general central policies into implementable government documents" (Ma and Liu 2021:2).

An informed approach to policy-making means, not just seeing through the eyes of pastoralists, but also thinking like pastoralists. A hybrid rangeland governance approach may provide opportunities for processes in which informal and formal authorities interact, negotiate and bargain over policy outcomes. Where the line between formal and informal governances is blurred, and where formal governance is exercised in some ways through informal authorities, as is the case in Amdo Tibet, such an approach may be useful. Pastoralists, as a result, are not opposing a particular policy or intervention, but rather, they are implementing it according to their own value system, and not according to top-down design. As the chapters in this thesis have shown, pastoralists from each site tailor materials at hand through customising roles of the local monastery, developing rules in plural contexts, and negotiating with authorities to address uncertainties through a whole array of assemblage practices. These can be mobilised in negotiating around policy implementation, as part of a hybrid governance approach. As a way to cooperation, mutual understanding, and coproduction, such an approach offers opportunities for the state to see plans emerge more effectively, while for pastoralists, options are more likely to be embedded in existing practices, allowing pastoralists to continue their production and respond to uncertainty conditions in flexible ways.

Conclusion

As this thesis has demonstrated, the interactions between centre and margin, as well as the dynamics between policies and practices, are complicated by a number of factors. Firstly, the once marginalised areas and populations are no longer marginal. The landscape and people of the pastoral areas of Amdo Tibet are undergoing profound transformations as a result of intensive development and conservation-related policies, projects, and programmes. Secondly, a dichotomous outlook that equates the state with bad policies, and local communities with better practices, has shortcomings for understanding how various community-level stakeholders negotiate with state public authorities in crafting practices that are better suited to local realities and possible reformulations. The concept of hybridity demonstrates that different processes consisting of various arrangements, forms and practices of assemblage exist to assist natural resource-dependent populations in confronting uncertainties. Hybrid arrangements in land governance means that the dynamics between the state, local communities, resource bureaux, and other organisations, regarding the use of, and access to natural resources are inevitably messy and complex. The realisation of hybridity enables a more nuanced understanding of the power dynamics

and politics between these various actors, which may open the door to constructive negotiations and practices based on a flexible, context-based policy-making strategy.

Hybrid rangeland practices have long existed across historical periods, although with distinct politics, actors, and practices of assemblage. As this thesis demonstrates, hybridity persists; it was not squashed by imperial power, communist power, or Chinese characterised capitalism. In each of these periods, distinct politics and patterns of hybrid rangeland governance are visible, albeit with differing degrees of involvement by various actors. Then, what makes hybridity persist? Is it politics, or is it pastoralism, which is often overlooked in processes of development? Or is it because, in the margins of the pastoral areas there is more room for manoeuvre, as state power is mediated by religious institutions and local practices to some extent? Or is it due to uncertainty, which requires flexibility, adaptation, and diversity in institutional arrangements?

As one Tibetan idiom puts it, “The higher-ups have policies, but the lower-downs devise their own ways of reinterpreting, recasting and reinventing them.”¹⁶⁷ Since the feudal times, pastoralists have developed techniques for responding to uncertainties, whether environmental, market or political, through practices of assemblage. This enables the emergence of new forms of hybridity in rangeland governance and livelihoods. The Chinese state is unquestionably interventionist, committed to control of the periphery with the aim of assuring national stability and thus, economic growth, often through the lens of particular and shifting visions of ‘development.’ However, there are limitations to this externally-driven top-down approach, and despite the dramatic shifts in policy position, as illustrated by the quotation above, pastoralists respond. They assemble and disassemble, and collaborate with other networks (including state actors) to develop new hybrid forms that enable rangeland use under uncertain environmental, economic, and political conditions. Therefore, to conclude, the notion of hybrid rangeland governance offers an important way of thinking about rangeland and tenure systems in China, and particularly in the pastoral areas. Additionally, it provides a different lens of thinking about land governance and control, which offers major implications of management, policy, and politics of land in the Tibetan-Chinese context and, indeed, beyond.

¹⁶⁷ ཞིང་ན་བཀའ་ཡོད་ཞིག་ན་བཀོད་པ་ཡོད། 上有政策，下有对策。

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